

Votes

New South Wales

No. 1

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

TUESDAY, 21 APRIL, 1959

1. OPENING OF PARLIAMENT:—The House met at Twelve o'clock at Noon, pursuant to a Proclamation of His Excellency the Governor, bearing date the fifteenth day of April, 1959, of which a copy was read by Allan Pickering, Esquire, M.B.E., M.Ec., Clerk of the Legislative Assembly, as follows:—

"NEW SOUTH WALES,
"to wit.
"(L.S.)
"K. W. STREET,
"by Deputation from
"His Excellency the
"Governor.

By His Excellency Lieutenant-General Sir ERIC WINSLOW WOODWARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Commander of the Most Excellent Order of the British Empire, Companion of the Distinguished Service Order, Knight of the Venerable Order of St. John of Jerusalem, Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia.

"In pursuance of the power and authority vested in me as Governor of the State of New South Wales, by virtue of an Act passed in the second year of the Reign of His late Majesty, King Edward the Seventh, being 'an Act to consolidate the Acts relating to the Constitution,' I do hereby proclaim that a Session of the Legislative Council and Legislative Assembly for the State of New South Wales for the despatch of business, shall commence and be holden on Tuesday, the twenty-first day of April, 1959, at 12 o'clock noon, in the buildings known as the Legislative Council Chambers, in Macquarie-street, in the City of Sydney; and Members of the said Legislative Council and Legislative Assembly, respectively, are hereby required to give their attendance at the said time and place accordingly.

"Given under my Hand and Seal, at Sydney, this fifteenth day of April, in the year of Our Lord one thousand nine hundred and fifty-nine, and in the eighth year of Her Majesty's Reign.

"By His Excellency's Command,

"J. J. CAHILL.

"GOD SAVE THE QUEEN!"

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2. WRITS OF ELECTION:—The Clerk announced that he had received, through the Honourable the Colonial Secretary, a correct list, without any omission, certified by His Excellency the Governor, of the names of the several persons returned for the Electoral Districts set against such names, respectively, at the General Election of Members to serve in the Legislative Assembly of New South Wales, which was held on the 21st day of March, 1959, and further certifying that the several Writs of Election, being ninety-four in number, were duly returned before the day on which they were legally returnable:—

Names of Members returned.	Electoral Districts for which returned.
Askin, Robin William	Collaroy.
Bannon, Brian Joseph	Rockdale.
Beale, Jack Gordon	South Coast.
Black, Ivan Carlisle	Neutral Bay.
Booth, George	Kurri Kurri.
Brain, George William	Willoughby.
Brown, James Hill	Raleigh.
Bruxner, Michael Frederick	Tenterfield.
Cahill, John Joseph	Cook's River.
Chaffey, William Adolphus	Tamworth.
Chapman, William Leslie	Nepean.
Coady, Reginald Francis John	Leichhardt.
Connor, Reginald Francis Xavier	Wollongong-Kembla.
Cox, Geoffrey Souter	Vaucluse.
Crabtree, William Frederick Farrar	Kogarah.
Crawford, Geoffrey Robertson	Barwon.
Cross, Douglas Donald	Georges River.
Cutler, Charles Benjamin	Orange.
Dalton, Thomas William	Sutherland.
Darby, Evelyn Douglas	Manly.
Deane, Bernard Sydney Llewellyn	Hawkesbury.
Dennis, Alfred Hugh	Blacktown.
Dickson, Samuel Douglas	Temora.
Doig, Benjamin Cochrane	Burwood.
Downing, Francis George	Ryde.
Earl, Clarence Joseph	Fairfield.
Easter, Jack Stuart	Lismore.
Ellis, Kevin	Coogee.
Enticknap, Ambrose George	Murrumbidgee.
Ferguson, Laurie John	Merrylands.
Ferguson, William John	Paddington-Waverley.
Fife, Wallace Clyde	Wagga Wagga.
Fitzgerald, Raymond Leo	Gloucester.
Ford, Leslie Hunter	Dubbo.
Fowles, Howard Thomas	Illawarra.
Fraser, Donald Stewart	Gordon.
Freudenstein, George Francis	Young.
Gollan, William McCulloch	Randwick.
Green, Frederick	Redfern.
Griffith, Ian Ross	Cronulla.
Hawkins, Francis Harold	Newcastle.
Hearnshaw, Eric	Eastwood.
Heffron, Robert James	Maroubra.
Hills, Patrick Darcy	Phillip.
Hughes, Davis	Armidale.
Hunter, David Benjamin	Ashfield-Croydon.
Jackson, Harold Ernest	Gosford.
Jackson, Rex Frederick	Bulli.
Jordan, Leslie Charles	Oxley.
Kelly, Christopher Augustus	Bathurst.
Kelly, Robert Joseph	East Hills.
Lamb, William Henry	Granville.
Landa, Abram	Bondi.
Lawrence, Walter Richard	Drummoyne.
Lawson, Joseph Alexander	Murray.
Lewis, Thomas Lancelot	Wollondilly.
McCartney, Robert Arthur	Hamilton.
McCaw, Kenneth Malcolm	Lane Cove.
McMahon, John Michael Alfred	Balmain.
Maher, Ray Septimus	North Sydney.
Mahoney, Daniel John	Parramatta.

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Names of Members returned.	Electoral Districts for which returned.
Mallam, Heathcote Clifford	Dulwich Hill.
Mannix, Norman John	Liverpool.
Morris, Milton Arthur	Maitland.
Morton, Philip Henry	Mosman.
Murphy, Thomas Patrick	Concord.
Neilly, George Henry	Cessnock.
Nott, Leo Mervyn	Mudgee.
Nott, Roger Bede	Liverpool Plains.
Padman, Dudley Gordon	Albury.
Powell, Arthur Thomas	Bankstown.
Punch, Leon Ashton	Upper Hunter.
Purdue, Frank Outen Jensen	Waratah.
Renshaw, John Brophy	Castlereagh.
Rigby, William Matthew	Hurstville.
Robinson, Ian Louis	Casino.
Robson, James Hutchins	Hartley.
Ryan, Phillip Norman	Marrickville.
Ryan, Thomas Vernon	Auburn.
Seiffert, John Wesley	Monaro.
Sheahan, William Francis	Burrinjuck.
Simpson, James Brunton	Lake Macquarie.
Sloss, Albert Ross	King.
Stephens, Stanley Tunstall	Byron.
Stewart, John Julius Thomas	Kahibah.
Storey, Sydney Albert Dawson	Hornsby.
Tonge, Arthur	Canterbury.
Treath, Vernon Haddon	Woollahra.
Tully, Laurence John	Goulburn.
Wattison, William Ernest	Sturt.
Weiley, William Robert	Clarence.
Wetherell, Ernest	Cobar.
Willis, Eric Archibald	Earlwood.
Wyatt, Stanislaus	Lakemba.

3. MESSAGE FROM THE COMMISSIONERS:—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 the Members of both Houses being seated at the request of the President, on behalf of the Commissioners,—

The President said,—

“Honourable Members of the Legislative Council,

“and Members of the Legislative Assembly,—

“His Excellency the Governor has been pleased to cause a Commission “to be issued under the Great Seal of the State, constituting us Commissioners “to do on behalf of Her Majesty, or in the name of His Excellency the “Governor of the State in and about the opening and holding of this Parlia- “ment, to deliver a Message to the Legislative Assembly, and to do all such “other things as may be specially necessary to enable Parliament to perform “acts which admit of no delay, as will more fully appear by the Commis- “sion itself, which must now be read.”

Whereupon the Commission was read by the Clerk of the Parliaments, as follows:—

“*Elizabeth the Second, by the Grace of God of the United Kingdom, Australia “and Her other Realms and Territories Queen, Head of the Common- “wealth, Defender of the Faith.*

“To all to whom these presents shall come,—

“*Greeting:*

“Whereas by Proclamation made on the fifteenth day of April, 1959, His “Excellency Lieutenant-General SIR ERIC WINSLOW WOODWARD, Knight Com- “mander of Our Most Distinguished Order of Saint Michael and Saint George, “Companion of Our Most Honourable Order of the Bath, Commander of “Our Most Excellent Order of the British Empire, Companion of Our Dis- “tinguished Service Order, Knight of the Venerable Order of St. John of “Jerusalem, Our Governor of Our State of New South Wales and its Dependen- “cies, in the Commonwealth of Australia, did, in pursuance of the power and

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“authority vested in him as Governor of Our said State by virtue of an Act “passed in the second year of the reign of His late Majesty King Edward the “Seventh being ‘an Act to consolidate the Acts relating to the Constitution,’ pro- “claim that a Session of the Legislative Council and Legislative Assembly for the “said State should commence and be holden on Tuesday, 21st April, 1959, at “the time and place mentioned in the said Proclamation: AND WHEREAS, for “certain causes, Our said Governor cannot conveniently be present in person at “the opening of the said Session of the Legislative Council and Legislative “Assembly of Our said State: NOW KNOW YE, that We, trusting in the discre- “tion, fidelity and care of Our trusty and well-beloved the Honourable WIL- “LIAM EDWARD DICKSON, President of the said Legislative Council, the Honour- “able ROBERT REGINALD DOWNING, Attorney-General, Minister of Justice and “Vice-President of Our Executive Council of Our said State, and the Honour- “able ERNEST GERARD WRIGHT, Chairman of Committees, Members of the “Legislative Council, do, with the advice of Our Executive Council of Our “said State, give and grant by the tenor of these presents unto the said WILLIAM “EDWARD DICKSON, ROBERT REGINALD DOWNING, and ERNEST GERARD “WRIGHT, or any two of them, full power in Our name to open and hold the “said Session of the said Legislative Council and Legislative Assembly on the “said twenty-first day of April, 1959, or subsequent day, on Our behalf to do “all things necessary to be done in Our name, or in the name of Our Governor “of Our said State in and about the opening and holding of the said Parlia- “ment, to deliver messages to the Legislative Council and to the Legislative “Assembly, and to do all such things as may be specially necessary to enable “Parliament or the said Legislative Council, or the said Legislative Assembly “to perform acts which admit of no delay: Commanding also by the tenor of “these presents all whom it concerns to meet in the said Parliament, that “to the said WILLIAM EDWARD DICKSON, ROBERT REGINALD DOWNING, and “ERNEST GERARD WRIGHT, or any two of them, they diligently attend in the “premises in the form aforesaid.

“In testimony whereof, We have caused these Our Letters to be made “Patent, and the Public Seal of Our said State to be hereunto affixed.

“Witness Our trusty and Well-beloved Lieutenant-General Sir ERIC WINS- “LOW WOODWARD, Knight Commander of Our Most Distinguished “Order of Saint Michael and Saint George, Companion of Our Most “Honourable Order of the Bath, Commander of Our Most Excellent “Order of the British Empire, Companion of Our Distinguished “Service Order, Knight of the Venerable Order of St. John of Jerusa- “lem, Our Governor of Our State of New South Wales and its “Dependencies, in the Commonwealth of Australia, at Sydney, in Our “said State, this twentieth day of April, in the year of Our Lord one “thousand nine hundred and fifty-nine, and in the eighth year of Our “Reign.

“K. W. STREET,

“By Deputation from His Excellency the Governor.

“By His Excellency’s Command,

“J. J. CAHILL.”

The President then 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.”

And being returned,—

4. COMMISSION TO ADMINISTER THE OATH OF ALLEGIANCE:—The Clerk informed the House that he had received, through the office of the Premier, the following Commission:—

“By His Excellency Lieutenant-General Sir ERIC WINSLOW WOODWARD, Knight “Commander of the Most Distinguished Order of Saint Michael and Saint “George, Companion of the Most Honourable Order of the Bath, Com- “mander of the Most Excellent Order of the British Empire, Companion “of the Distinguished Service Order, Knight of the Venerable Order of “St. John of Jerusalem, Governor of the State of New South Wales and its “Dependencies, in the Commonwealth of Australia.

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"To all to whom these presents shall come,

"*Greeting:*

"In pursuance of the authority in me vested in that behalf, I, Lieutenant-General Sir ERIC WINSLOW WOODWARD, as Governor of the State of New South Wales, do, with the advice of the Executive Council thereof, hereby authorise the Honourable JOHN JOSEPH CAHILL, M.L.A., Premier and Colonial Treasurer, the Honourable ROBERT JAMES HEFFRON, M.L.A., Deputy Premier and Minister for Education, and the Honourable CHRISTOPHER AUGUSTUS KELLY, M.L.A., Colonial Secretary and Minister for Tourist Activities, or any one or more of them, to administer to all or any Members or Member of the Legislative Assembly of the said State the Oath or Affirmation of Allegiance to Her Majesty the Queen, required by law to be taken or made and subscribed by every such Member before he shall be permitted to sit or vote in the said Legislative Assembly.

"Given under my hand and the Public Seal of the State, at Sydney, in the State of New South Wales aforesaid, this twentieth day of April, in the year of Our Lord one thousand nine hundred and fifty-nine, and in the eighth year of Her Majesty's Reign.

"K. W. STREET,

"*By Deputation from His Excellency the Governor.*

"By His Excellency's Command,

"J. J. CAHILL."

5. MEMBERS SWORN:—The Honourable John Joseph Cahill took and subscribed the Oath of Allegiance himself and administered the same to the two other Commissioners, the Honourable Robert James Heffron and the Honourable Christopher Augustus Kelly, and then the Commissioners respectively signed the Roll of the House, and administered the Oath to all other Members present,—the Clerk producing the several Writs returning them, and the Members signing the Roll as they were severally called to the Table, viz:—

Robin William Askin, Esquire.	Francis George Downing, Esquire.
Brian Joseph Bannon, Esquire.	Clarence Joseph Earl, Esquire.
Jack Gordon Beale, Esquire,	Jack Stuart Easter, Esquire.
A.S.T.C., Mech. Eng.,	Kevin Ellis, Esquire, LL.B., B.Ec.
A.M.ASCE., M.A.S.M.E.,	The Honourable Ambrose George
A.M.I.E. (Aust.).	Enticknap.
Ivan Carlisle Black, Esquire, LL.B.	Laurie John Ferguson, Esquire.
George Booth, Esquire.	William John Ferguson, Esquire.
George William Brain, Esquire,	Wallace Clyde Fife, Esquire.
F.C.A. (Aust.).	Raymond Leo Fitzgerald, Esquire.
James Hill Brown, Esquire.	Leslie Hunter Ford, Esquire,
Lieut.-Colonel the Honourable	O.B.E.
Michael Frederick Bruxner,	Howard Thomas Fowles, Esquire.
D.S.O.	Donald Stewart Fraser, Esquire,
William Adolphus Chaffey, Es-	M.J.I.
quire.	George Francis Freudenstein, Es-
William Leslie Chapman, Esquire.	quire.
Reginald Francis John Coady,	William McCulloch Gollan, Esquire.
Esquire.	Frederick Green, Esquire.
Reginald Francis Xavier Connor,	Ian Ross Griffith, Esquire.
Esquire.	The Honourable Francis Harold
Geoffrey Souter Cox, Esquire,	Hawkins.
D.S.O., M.C., E.D.	Eric Hearnshaw, Esquire, M.M.,
William Frederick Farrar Crabtree,	B.Ec., Dip.Pub.Ad.
Esquire.	The Honourable Patrick Darcy
Geoffrey Robertson Crawford,	Hills.
Esquire, D.C.M.	Davis Hughes, Esquire.
Douglas Donald Cross, Esquire.	David Benjamin Hunter, Esquire.
Charles Benjamin Cutler, Esquire.	Harold Ernest Jackson, Esquire
Thomas William Dalton, Esquire.	Rex Frederick Jackson, Esquire.
Evelyn Douglas Darby, Esquire,	Leslie Charles Jordan, Esquire,
B.Ec.	LL.B.
Bernard Sydney Llewellyn Deane,	Robert Joseph Kelly, Esquire.
Esquire.	William Henry Lamb, Esquire.
Alfred Hugh Dennis, Esquire.	The Honourable Abram Landa,
Samuel Douglas Dickson, Esquire.	LL.B.
Benjamin Cochrane Doig, Esquire,	
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Walter Richard Lawrence, Esquire.	James Hutchins Robson, Esquire, M.M.
Joseph Alexander Lawson, Esquire.	The Honourable Phillip Norman Ryan.
Thomas Lancelot Lewis, Esquire.	Thomas Vernon Ryan, Esquire.
Robert Arthur McCartney, Esquire.	John Wesley Seiffert, Esquire.
Kenneth Malcolm McCaw, Esquire.	The Honourable William Francis Sheahan, Q.C., LL.B.
The Honourable John Michael Alfred McMahan.	The Honourable James Brunton Simpson.
Ray Septimus Maher, Esquire, B.A.	Albert Ross Sloss, Esquire.
Daniel John Mahoney, Esquire.	Stanley Tunstall Stephens, Esquire.
Heathcote Clifford Mallam, Esquire.	John Julius Thomas Stewart, Esquire.
Norman John Mannix, Esquire.	Sydney Albert Dawson Storey, Esquire.
Milton Arthur Morris, Esquire.	Arthur Tonge, Esquire.
Philip Henry Morton, Esquire.	The Honourable Vernon Haddon Treatt, M.M., Q.C., M.A., B.C.L.
Thomas Patrick Murphy, Esquire.	Laurence John Tully, Esquire, B.A., LL.B.
George Henry Neilly, Esquire.	William Ernest Wattison, Esquire.
Leo Mervyn Noit, Esquire.	William Robert Weiley, Esquire.
The Honourable Roger Bede Nott.	The Honourable Ernest Wetherell.
Dudley Gordon Padman, Esquire.	Eric Archibald Willis, Esquire, B.A., F.R.G.S.
Arthur Thomas Powell, Esquire.	Stanislaus Wyatt, Esquire.
Leon Ashton Punch, Esquire.	
Frank Outen Jensen Purdue, Esquire.	
The Honourable John Brophy Renshaw.	
William Matthew Rigby, Esquire.	
Ian Louis Robinson, Esquire.	

6. ELECTION OF SPEAKER:—Mr. Mannix, addressing himself to the Clerk (who, standing up, pointed to him, and then sat down), moved, That Ray Septimus Maher, Esquire, do take the Chair of this House as Speaker,—which motion was seconded by Mr. Downing.

And Mr. Maher, standing in his place, informed the House that he accepted nomination.

Question,—That Ray Septimus Maher, Esquire, do take the Chair of this House as Speaker,—put by the Clerk and passed.

Whereupon Mr. Mannix and Mr. Downing conducted Mr. Maher to the Chair, where, standing on the upper step, he returned his acknowledgments to the House for the great honour they had been pleased to confer upon him,—

And thereupon sat down in the Chair.

Mr. Cahill, Mr. Morton, Mr. Cutler and Mr. Lamb, congratulated Mr. Speaker.

Mr. Cahill then informed the House that he had ascertained that the Lieutenant-Governor, the Honourable Sir Kenneth Street, would receive their Speaker at Government House at Half-past Three o'clock, p.m., This Day.

Mr. Speaker left the Chair at Sixteen minutes before Two o'clock, p.m., until Fifteen minutes after Three o'clock, p.m.

Mr. Speaker resumed the Chair at the hour named.

7. PRESENTATION OF SPEAKER:—The House then proceeded to Government House to present their Speaker to the Lieutenant-Governor, The Honourable Sir Kenneth Street,—

And being returned,—

Mr. Speaker reported that the Assembly had been to Government House, where he informed the Lieutenant-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 him, and that he had now to present himself to him as their Speaker,—whereupon the Lieutenant-Governor was pleased to offer him his congratulations. That he had then, in the name and on behalf of the House, laid claim to all their undoubted rights and privileges, particularly to freedom of speech in debate, to free access to His Excellency the Governor when

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occasion should require, and that the most favourable construction should on all occasions be put upon their language and proceedings; to all of which the Lieutenant-Governor had readily assented.

Mr. Speaker again expressed his appreciation for the honour the House had been pleased to confer upon him.

8. **MINISTERIAL STATEMENT:**—Mr. Cahill informed the House that on 1st April, with a view to reconstructing the Ministry, he submitted his resignation as Premier, Colonial Treasurer and Member of the Executive Council to His Excellency the Governor, an action which involved the resignation of the whole of his colleagues. His Excellency immediately commissioned him to form a new Ministry, and on the same date, the following gentlemen had been appointed by His Excellency as Members of the Executive Council and to the offices indicated:—

The Honourable John Joseph Cahill, M.L.A., Premier and Colonial Treasurer.

The Honourable Robert James Heffron, M.L.A., Deputy Premier and Minister for Education.

The Honourable Robert Reginald Downing, LL.B., M.L.C., Attorney-General, Minister of Justice, and Vice-President of the Executive Council.

The Honourable Christopher Augustus Kelly, M.L.A., Colonial Secretary and Minister for Tourist Activities.

The Honourable Patrick Darcy Hills, M.L.A., Minister assisting the Premier and Colonial Treasurer.

The Honourable William Francis Sheahan, Q.C., LL.B., M.L.A., Minister for Health.

The Honourable Francis Harold Hawkins, M.L.A., Minister for Child Welfare and Minister for Social Welfare.

The Honourable John Brophy Renshaw, M.L.A., Minister for Local Government and Minister for Highways.

The Honourable Ambrose George Enticknap, M.L.A., Minister for Transport.

The Honourable Abram Landa, LL.B., M.L.A., Minister for Housing and Minister for Co-operative Societies.

The Honourable Ernest Wetherell, M.L.A., Minister for Conservation.

The Honourable Roger Bede Nott, M.L.A., Minister for Agriculture.

The Honourable James Joseph Maloney, M.L.C., Minister for Labour and Industry.

The Honourable James Brunton Simpson, M.L.A., Secretary for Mines.

The Honourable John Michael Alfred McMahon, M.L.A., Secretary for Lands.

The Honourable Phillip Norman Ryan, M.L.A., Secretary for Public Works.

Mr. Cahill also informed the House that the Minister for Health would represent the Attorney-General and Minister of Justice in this House and the Minister for Labour and Industry would be represented by the Minister for Housing and Minister for Co-operative Societies.

9. **LEADER OF THE OPPOSITION:**—Mr. Morton informed the House of his re-election as Leader of the Opposition and of the re-election of Mr. R. W. Askin as Deputy-Leader.
10. **LEADER OF THE COUNTRY PARTY:**—Mr. Cutler informed the House that, on 14th April, 1959, he had been elected Leader of the Country Party, Mr. W. A. Chaffey had been elected Deputy-Leader, and Mr. S. T. Stephens had been elected Country Party Whip.
11. **GOVERNMENT WHIP:**—Mr. Cahill informed the House that, on 31st March, 1959, Mr. Stanislaus Wyatt had been elected Government Whip.
12. **OPPOSITION WHIP:**—Mr. Morton informed the House that, on 21st April, 1959, Mr. Eric Hearnshaw had been elected Opposition Whip.

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13. CHAIRMAN OF COMMITTEES:—

(1.) URGENCY:—Mr. Cahill moved, That it is a matter of urgent necessity that this House should forthwith consider a motion for the appointment of a Chairman of Committees of the Whole House.

Question put and passed.

(2.) SUSPENSION OF STANDING ORDERS:—Mr. Cahill moved, That so much of the Standing Orders be suspended as would preclude consideration forthwith of a motion for the appointment of a Chairman of Committees of the Whole House.

Question put and passed.

(3.) Mr. Murphy moved, That Howard Thomas Fowles, Esquire, be Chairman of Committees of the Whole House,—which motion was seconded by Mr. Ferguson.

Question put and passed.

Whereupon Mr. Fowles made his acknowledgments to the House.

14. ASSENT TO BILLS:—Mr. Speaker reported that since the last meeting of Parliament Messages from His Excellency the Governor, assenting to the following Bills, had been received:—

(1.) Legislative Assembly Members Superannuation (Amendment) Bill:—

E. W. WOODWARD,
Governor.

Message No. 1.

A Bill, intituled "*An Act to make further provision with respect to pensions under the Legislative Assembly Members Superannuation Act, 1946-1957; for this purpose to amend the said Act; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,
Sydney, 10th December, 1958.

(2.) River Murray Waters (Amendment) Bill:—

E. W. WOODWARD,
Governor.

Message No. 2.

A Bill, intituled "*An Act to ratify and approve an Agreement for the further variation of a certain Agreement entered into between the Prime Minister of the Commonwealth and the Premiers of the States of New South Wales, Victoria and South Australia, respecting the River Murray and Lake Victoria and other waters; to amend the River Murray Waters Act, 1915-1955, and certain other Acts; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,
Sydney, 12th December, 1958.

(3.) Tuberculosis Bill:—

E. W. WOODWARD,
Governor.

Message No. 3.

A Bill, intituled "*An Act to authorise an Arrangement between the Commonwealth of Australia and the State of New South Wales relating to tuberculosis to be executed by or on behalf of the State of New South Wales; to amend the Public Hospitals Act, 1929, as amended by subsequent Acts; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,
Sydney, 15th December, 1958.

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(4.) Broken Hill Water and Sewerage (Amendment) Bill:—

E. W. WOODWARD,

Governor.

Message No. 4.

A Bill, intituled "*An Act to make further provisions relating to sewerage rates under the Broken Hill Water and Sewerage Act, 1938-1956; for this purpose to amend the said Act; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 31st December, 1958.

(5.) Bush Fires (Amendment) Bill:—

E. W. WOODWARD,

Governor.

Message No. 5.

A Bill, intituled "*An Act to make further provision for the prevention, control and suppression of bush and other fires and for the mitigation of dangers resulting from bush and other fires; for this purpose to amend the Bush Fires Act, 1949, and certain other Acts in certain respects; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 31st December, 1958.

(6.) Co-operation (Amendment) Bill:—

E. W. WOODWARD,

Governor.

Message No. 6.

A Bill, intituled "*An Act to amend the law relating to co-operation; for that purpose to amend the Co-operation, Community Settlement, and Credit Act, 1923, and certain other Acts in certain respects; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 31st December, 1958.

(7.) Defamation Bill:—

E. W. WOODWARD,

Governor.

Message No. 7.

A Bill, intituled "*An Act to state and amend the law relating to defamation; to repeal the Defamation Act, 1912, and certain other enactments; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 31st December, 1958.

(8.) Friendly Societies (Amendment) Bill:—

E. W. WOODWARD,

Governor.

Message No. 8.

A Bill, intituled "*An Act to increase the amount of the benefits that may be paid by a friendly society or branch thereof; for this and other purposes to amend the Friendly Societies Act, 1912, as amended by subsequent Acts; to validate certain matters; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been presented to the

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Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,
Sydney, 31st December, 1958.*

(9.) Government Railways and Transport (Amendment) Bill:—

E. W. WOODWARD,

Governor.

Message No. 9.

A Bill, intituled "*An Act to provide that officers of the Departments of Railways, Government Transport and Motor Transport who formerly vacated their offices in certain circumstances may be dealt with as if they were guilty of misconduct; to vary the method of lodging claims for compensation in respect of resumptions for railways purposes; to empower the Commissioner for Railways to make special contracts for the carriage of passengers; to validate certain matters; for these and other purposes to amend the Government Railways Act, 1912, and the Transport Act, 1930, as amended by subsequent Acts; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,
Sydney, 31st December, 1958.*

(10.) Industrial Arbitration (Female Rates) Amendment Bill:—

E. W. WOODWARD,

Governor.

Message No. 10.

A Bill, intituled "*An Act to make further provision in relation to the basis upon which wages in awards and industrial agreements and applicable to female employees are to be assessed; to make certain provisions with respect to equal pay for male and female employees; for these purposes to amend the Industrial Arbitration Acts; 1940-1957; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,
Sydney, 31st December, 1958.*

(11.) Land Acquisition (Charitable Institutions) Revesting Bill:—

E. W. WOODWARD,

Governor.

Message No. 11.

A Bill, intituled "*An Act to provide for the revesting of certain lands in the Parish of Manly Cove, County of Cumberland, resumed under the Land Acquisition (Charitable Institutions) Act, 1946, for the purposes of the New South Wales Institution for the Deaf, Dumb and the Blind; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment in the manner required by law.

*Government House,
Sydney, 31st December, 1958.*

(12.) Meat Industry (Amendment) Bill:—

E. W. WOODWARD,

Governor.

Message No. 12.

A Bill, intituled "*An Act to make provision whereby the present chairman of the Metropolitan Meat Industry Board may be continued in office for a certain period as a member of that Board; for this purpose to amend the Meat Industry Act, 1915, and certain other Acts; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been

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presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,
Sydney, 31st December, 1958.*

(13.) Mental Health Bill:—

E. W. WOODWARD,

*Governor.**Message No. 13.*

A Bill, intituled "*An Act to make provision with respect to the care, treatment and control of persons who are mentally ill and the management of their estates; to repeal the Lunacy Act of 1898 and certain other Acts; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,
Sydney, 31st December, 1958.*

(14.) Mines Inspection (Amendment) Bill:—

E. W. WOODWARD,

*Governor.**Message No. 14.*

A Bill, intituled "*An Act to make further provision for the regulation and inspection of mines other than coal and shale mines; for this purpose to amend the Mines Inspection Act, 1901-1945; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,
Sydney, 31st December, 1958.*

(15.) Stamp Duties (Amendment) Bill:—

E. W. WOODWARD,

*Governor.**Message No. 15.*

A Bill, intituled "*An Act to make further provision with respect to exemptions from, and concessional rates applicable to, death duty; for this purpose to amend the Stamp Duties Acts, 1920-1956; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,
Sydney, 31st December, 1958.*

(16.) Sydney to Melbourne Railway Standardisation Agreement Bill:—

E. W. WOODWARD,

*Governor.**Message No. 16.*

A Bill, intituled "*An Act to approve an Agreement between the Commonwealth of Australia and the States of New South Wales and Victoria in relation to the standardisation of a Railway between Sydney and Melbourne; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,
Sydney, 31st December, 1958*

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(17.) The Baptist Union Incorporation (Amendment) Bill:—

E. W. WOODWARD,

Governor.

Message No. 17.

A Bill, intituled "*An Act to make certain provisions relating to Crown grants of land for or for the use benefit or purposes of The Baptist Union of New South Wales; for this purpose to amend The Baptist Union Incorporation Act; and for purposes connected therewith,*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 31st December, 1958.

15. *Pro Formâ* BILL—LAW OF EVIDENCE BILL:—Mr. Cahill presented a Bill, intituled "*A Bill to amend the law of evidence,*"—and moved, *pro formâ*, That this Bill be now read a first time.

Question put and passed.

Bill read a first time.

16. PAPERS:—

Mr. Cahill laid upon the Table the following Papers:—

(1.) Report of the Government Insurance Office of New South Wales, together with Statements of Accounts and Balance Sheets, for the year ended 30th June, 1958.

Ordered to be printed.

(2.) Police Regulation Act, 1899, as amended—Amendment of section IV of the Police Rules.

(3.) Public Service Act, 1902, as amended—Amendments of Regulations Nos. 56, 57, 121A, 203, 330 and 340.

Referred by Sessional Order to the Printing Committee.

Mr. Heffron laid upon the Table the following Papers:—

(1.) Technical Education and New South Wales University of Technology Act, 1949, as amended—

(a) Regulations of the University of New South Wales—Amendments of Regulation No. 1 and Parts B and C of the Schedule to Regulation No. 3.

(b) By-laws of the University of New South Wales—Amendments of By-laws Nos. 8, 12, 15 and 22 of Chapter II, By-law No. 4 of Chapter III, By-law No. 2 of Chapter IV and By-laws Nos. 1 and 2 of Chapter VI.

(2.) University and University Colleges Act, 1900, as amended—By-laws of the University of Sydney—

(a) Chapter X—Faculty of Arts—Amendments of Sections 1, 2, 8, 46, 52, 53 and 57; substituted Section 14; new Sections 44A, 56B.

(b) Chapter XII—Faculty of Medicine—Amendments of Sections 4 (2), 5, 42, 43, 54 (2), 55, 73 (2), 74, 101 (2) and 102.

(c) Chapter XIII—Faculty of Science—Amendments of Sections 24, 30, 37, 47 (2), 48, 62, 63 and 69. Omission of Sections 4 to 18, inclusive, and substitution therefor of Sections 4 to 17, inclusive. Re-numbering of Sections 19 to 70 as 18 to 69; new Sections 71 to 75 inclusive.

(d) Chapter XIV—Faculty of Engineering—Amendments of Sections 7 and 13.

(e) Chapter XV—Faculty of Dentistry—Amendment of Section 16; new Section 24A.

(f) Chapter XVII—Faculty of Agriculture—Omission of Sections 19 to 31 inclusive, and substitution therefor of Sections 19 to 27 inclusive. Re-numbering of Sections 32 to 39 as 28 to 35 and amendment of re-numbered Section 30.

(g) Chapter XX—Matriculation—Substitution of Section 10.

(h) Chapter XC—Degree of Bachelor of Music—Sections 1 to 13 inclusive.

(3.) Minutes of the Public Service Board respecting the appointments, on probation, of certain persons, Department of Education.

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(4.) Public Instruction Act of 1880—Notifications of acquisition, appropriation and/or resumption of land under the Public Works Act, 1912, as amended, for school purposes:—

Asquith (Girls' High).	Mona Vale.
Ballina.	Moss Vale (Secondary).
Baulkham Hills (2).	Narellan.
Bourke (Secondary).	Orange (High) (2).
Broken Hill (Morgan Street).	Orange (District Rural School).
Cardiff (High).	Parkes East.
Cessnock North.	Pendle Hill (Secondary).
Collaroy Plateau West.	Stanwell Park.
Dee Why (Caroola Road).	Strathfield (Secondary).
Dulwich Hill (Junior Technical).	Tarro.
French's Forest.	Trundle.
Ingleburn (Secondary).	Tweed Heads South.
Kingsgrove North (Secondary).	West Wallsend.
Meadowbank.	

Referred by Sessional Order to the Printing Committee.

Mr. Kelly laid upon the Table the following Papers:—

(1.) Statement of Receipts and Payments of the National Relief Fund of New South Wales for 1958.

Ordered to be printed.

(2.) Bush Fires Act, 1949, as amended—Return of Premiums (Bush Fires) Regulations.

(3.) Fauna Protection Act, 1948—Amendment of Regulation No. 10.

(4.) Fire Brigades Act, 1909, as amended—

(a) Return of Premiums Regulations.

(b) Appeal Committee Regulations.

(5.) Fisheries and Oyster Farms Act, 1935, as amended—

(a) Amendments of Regulations Nos. 21 and 22.

(b) Regulation No. 157.

(6.) Police Offences (Amendment) Act, 1908, as amended—Proclamation applying Part VI of the Act to certain drugs and repealing previous proclamations (16) applying Part VI of the Act to certain drugs.

(7.) Speedway Racing (Public Safety) Act, 1957—Regulations Nos. 1 to 34 inclusive, and Forms A and B.

Referred by Sessional Order to the Printing Committee.

Mr. Sheahan laid upon the Table the following Papers:—

(1.) Report of the Council of the Auctioneers, Stock and Station, Real Estate and Business Agents for the year ended 30th June, 1958.

(2.) Report on the working of the Companies Act, 1936, for 1958.

(3.) Report of the Pharmacy Board of New South Wales for 1958.

(4.) Report of the Inspector-General of Mental Hospitals for the year ended 30th June, 1958.

(5.) Report of the Hospitals Commission of New South Wales for the year ended 30th June, 1958.

Ordered to be printed.

(6.) Supreme Court Rules—Amendment of Solicitors Admission Rule 28.

(7.) Legal Practitioners Act, 1898, as amended—Barristers Admission Rules—Amendment of Rule 22.

(8.) Medical Practitioners Act, 1938, as amended—Regulation No. 9c.

(9.) Mental Health Act, 1958—Mental Health Regulations.

(10.) Pure Food Act, 1908, as amended—Substituted Regulation No. 78.

(11.) Radioactive Substances Act, 1957—Radioactive Substances Regulations, 1959.

(12.) Fluoridation of Public Water Supplies Act, 1957—Regulations Nos. 1 to 9 inclusive, and Forms 1 and 2.

(13.) Minutes of the Public Service Board respecting the appointments, on probation, of certain persons, Department of Public Health.

Referred by Sessional Order to the Printing Committee.

Mr. Renshaw laid upon the Table the following Papers:

(1.) Report of the Town and Country Planning Advisory Committee for the year ended 30th June, 1958.

(2.) Report of the Electricity Authority of New South Wales for the year ended 30th June, 1958.

Ordered to be printed.

(3.) Electricity Commission Act, 1950, as amended—Notifications of acquisition, appropriation and/or resumption of land and easements under the Public Works Act, 1912, as amended, for—

- (i) Electricity Transmission Lines between—
 - (a) Bankstown and Mortdale.
 - (b) Carlingford and Sydney North.
 - (c) Sydney and West Guildford.
 - (d) Sydney West and Sydney North.
- (ii) Bankstown North Electricity Transmission Line.
- (iii) Vales Point Power Station.
- (iv) Vales Point Power Station—Ash Disposal Area.
- (v) Wallerawang Power Station Transmission Line Outlets.
- (vi) Springhill-Tallawarra Communication Cable.

(4.) Certified copy of an Agreement between the Southern Electric Authority of Queensland and Tweed Shire Council, relating to a Franchise under the Local Government Act, 1919, granted by the said Council to the said Authority for the supply of electricity to the public within the said Shire of Tweed.

(5.) Valuation of Land Act, 1916, as amended—Amendment of Regulation No. 2.

(6.) Local Government Act, 1919, as amended—

- (i) Amendments of Ordinances Nos. 4, 5, 9 (2), 14, 26, 30, 33, 34, 37A (2), 39, 41, 47, 48 (2), 51 (2), 57, 61, 63 (4), 64 (2), 68, 71, 75 and 77.
- (ii) Amendments of—
 - (a) By-law No. 52 under the Sydney Corporation Act, 1932, as amended, and deemed to be an Ordinance under the Local Government Act, 1919.
 - (b) Ordinance No. 71.
- (iii) (a) Rescission of By-laws Nos. 4 and 5 under the Sydney Corporation Act, 1932, as amended, and deemed to be Ordinances under the Local Government Act, 1919.
- (b) Substituted Ordinance No. 85.

(7.) Electricity Development Act, 1945, as amended—Electrical Contractors and Electricians Licensing Regulations—

- (i) Regulation No. 7A.
- (ii) Amendment of Regulation No. 23.

Referred by Sessional Order to the Printing Committee.

Mr. Enticknap laid upon the Table the following Papers:—

(1.) Report of the Commissioner for Railways for the quarter ended 30th September, 1958.

(2.) Statements of Traffic secured to Railway transport by the exercise of the powers conferred on the Commissioner for Railways under section 24 (3) and (4) of the Government Railways Act, 1912, as amended, for the months of October, November and December, 1958, and January and February, 1959.

(3.) Ministry of Transport Act, 1932, as amended—Notification of acquisition, appropriation and/or resumption of land and easements under the Public Works Act, 1912, as amended, for the following Railway purposes:—

- (a) Confirming the title of the Commissioner for Railways to land—
 - (i) at Wollie Creek, Arncliffe;
 - (ii) between Redfern and Granville.
- (b) Constructing and maintaining a water pipe line at Tumbarumba.
- (c) Maintaining traffic on the existing line of railway between Coff's Harbour and Glenreagh by the provision of additional siding accommodation at Coff's Harbour.
- (d) Maintaining traffic on the existing line of railway from Kyogle to Richmond Gap by re-alignment and re-grading of railway track at The Cape.
- (e) Maintaining traffic on the existing line of railway between Orange and Molong by provision of various soil dumps.
- (f) Provision of a road diversion in connection with the closing of a level crossing near Wagga Wagga.

(4.) Transport Act, 1930, as amended, Ministry of Transport Act, 1932, as amended, Transport (Division of Functions) Act, 1932, as amended—Notification of acquisition of land under the Public Works Act, 1912, as amended, for confirming the title of the Commissioner for Government Transport to land between Military Road and Cremorne Point.

Referred by Sessional Order to the Printing Committee.

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Mr. Landa laid upon the Table the following Papers:—

(1.) Housing Act, 1912, as amended—Notifications of acquisition, appropriation and/or resumption of land under the Public Works Act, 1912, as amended, for housing purposes at—

Asquith.	Hoxton Park.
Blacktown (4).	Marayong (2).
Cabramatta West (2).	Miranda.
Camden.	Mount Druitt.
Cooma.	Riverstone (2).
Fairfield.	St. Mary's (3).
Gunnedah.	Young.

(2.) Report by the Minister for Co-operative Societies respecting Agreements entered into by the Colonial Treasurer with Co-operative Building Societies under Section 17A of the Co-operation Act, 1923, as amended, for the quarters commencing 1st October, 1958, and 1st January, 1959.

(3.) Factories and Shops Act, 1912, as amended—

(a) Welding Regulations—

- (i) Regulations.
- (ii) Amendments of Regulation No. 4.

(b) Leather Goods—Regulations under Part IV of the Act—

- (i) Amendment of Regulation No. 6.
- (ii) Rescission of Regulation No. 8.

(c) Luminous Radio-active Substances Regulations—

Amendments of Regulations Nos. 3 and 48.

(4.) Industrial Arbitration Act, 1940, as amended—Amendments of Regulations Nos. 86 and 88.

(5.) Workers' Compensation (Silicosis) Act, 1942, as amended—Amendments of Regulation No. 17.

(6.) Workers' Compensation Act, 1926, as amended—The New South Wales Workers' Compensation Fixed Insurance Premium Rates and Fixed Loss Ratio Scheme, 1945, as amended—Amendment Scheme No. 9 of 1958.

(7.) Workmen's Compensation (Lead Poisoning—Broken Hill) Act, 1922, as amended—Amendment of Regulation No. 5.

Referred by Sessional Order to the Printing Committee.

(8.) Report of the Industrial Registrar under the Trade Union Act of 1881, as amended, for 1957.

Ordered to be printed.

Mr. Wetherell laid upon the Table the following Papers:—

(1.) Report of the Conservation Authority of New South Wales for the year ended 30th June, 1958.

(2.) Report of the Dumaresq-Barwon Border Rivers Commission for the year ended 30th June, 1958.

(3.) Report of the Soil Conservation Service of New South Wales for the year ended 30th June, 1958.

Ordered to be printed.

(4.) Irrigation Act, 1912, as amended—Amendments of Regulations Nos. 64 and 67.

(5.) Crown Lands Consolidation Act, 1913, as amended—Amendment of Regulation No. 205G and substituted Form 151.

(6.) Public Works Act, 1912, as amended—Notifications of acquisition, appropriation and/or resumption of land for the following purposes:—

(a) Construction of a dam across the Namoi River at Keepit and of a weir in the Namoi River near Boggabri.

(b) Construction of a water-conserving storage at Menindee.

(c) Construction of a water-conserving storage at Lake Ballyrogan.

(d) Works in connection with the Deniboota Provisional Domestic and Stock Water Supply and Irrigation District.

(e) Construction of works under the provisions of the Hunter Valley Flood Mitigation Act, 1956—Shire of Patrick Plains.

Referred by Sessional Order to the Printing Committee.

Mr. Nott laid upon the Table the following Papers:—

(1.) Report of the Dried Fruits Board of New South Wales, together with Statement of Accounts and Balance Sheet, for 1958.

Ordered to be printed.

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- (2.) Meat Industry Act, 1915, as amended—
- (a) By-law 33A—relating to the control of slaughtering of cattle at licensed premises; for the sale of cattle at saleyards other than public saleyards; and for the control of licensed meat markets.
 - (b) By-law 13A and amendment of By-law 26—Governing the introduction in the Metropolitan Abattoir Area of carcasses of meat derived from animals slaughtered in any part of New South Wales outside that Area and from outside New South Wales.
 - (c) Substituted By-laws 12 and 28—Relating to the public abattoir and the Meat Hall at Homebush Bay and the public saleyards at Flemington and Homebush Bay.
- (3.) Cattle Slaughtering and Diseased Animals and Meat Act, 1902, as amended—Regulations Nos. 13, 14 and 15—Sale of meat and smallgoods within the Shires of Port Stephens and Lake Macquarie.
- (4.) Fruit Cases Act, 1912, as amended—Amendment of Regulation No. 1.
- (5.) Agricultural Seeds Act, 1921, as amended—Amendments of Schedules B and D.
- (6.) Marketing of Primary Products Act, 1927, as amended—Amendment of Regulation No. 31.
- (7.) Minutes of the Public Service Board respecting the appointments, on probation, of certain persons, Department of Agriculture.
- Referred by Sessional Order to the Printing Committee.

Mr. Simpson laid upon the Table the following Papers:—

- (1.) Return to an Order made on 21st October, 1884, Authorities to Mine, issued since January, 1882, under the Mining Act, 1874.
 - (2.) Mining Act, 1906, as amended—Proclamations (12) declaring certain lands to be private lands for the purposes of Part IV of the Act.
- Referred by Sessional Order to the Printing Committee.

Mr. McMahon laid upon the Table the following Papers:—

- (1.) Report of the Trustees of Ku-ring-gai Chase Trust, together with Statement of Accounts and Balance Sheet, for the year ended 30th June, 1958.
- (2.) Report of the Trustees of Lane Cove National Park Trust, together with Statement of Accounts and Balance Sheet, for the year ended 30th June, 1958.
- (3.) Report of the Rural Reconstruction Board for the year ended 30th June, 1958.

Ordered to be printed.

- (4.) Abstracts of Crown Lands intended to be dedicated for public purposes in accordance with the provisions of Section 24 of the Crown Lands Consolidation Act, 1913.

- (5.) *Gazette* Notices setting forth the mode in which it is proposed to deal with certain lands under Section 25 of the Crown Lands Consolidation Act, 1913.

Referred by Sessional Order to the Printing Committee.

Mr. Ryan laid upon the Table the following Papers:—

- (1.) Public Works Act, 1912, as amended—Notifications of acquisition, appropriation and/or resumption of land and easement for the following purposes:—
 - (i) Fish River Water Supply Scheme—Break pressure tank and patrolman's cottage.
 - (ii) Turramurra Police Premises—Sewerage.
 - (iii) Cottage site at Riverton for occupancy by public servants.
- (2.) Lee Wharf Extension Act, 1923—Newcastle Wharf (Merewether Street) Act, 1950—Notification of acquisition, appropriation and/or resumption of land under the Public Works Act, 1912, as amended, for Public Wharves—Lee and Merewether Streets, Newcastle.
- (3.) Metropolitan Water, Sewerage, and Drainage Act, 1924, as amended—Notifications of acquisition, appropriation and/or resumption of land and easements under the Public Works Act, 1912, as amended, for the following purposes:—
 - (i) Cronulla Sewerage.
 - (ii) Water Storage Reservoir—Warragamba Dam (4).
 - (iii) Salt Pan Creek Stormwater Channel—Bankstown.
 - (iv) Water Reservoir—Maianbar.

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(4.) Hunter District Water, Sewerage and Drainage Act, 1938, as amended—Notifications of acquisition, appropriation and/or resumption of land and easements under the Public Works Act, 1912, as amended, for the following purposes:—

- (i) Grahamstown Storage Reservoir.
- (ii) Grahamstown Water Supply.
- (iii) Water Supply Purposes: Tank site and access—Shire of Lake Macquarie.
- (iv) Water Supply Purposes: Pipeline—Shire of Lake Macquarie.

(5.) Soil Conservation Act, 1938, as amended—Notification of acquisition, appropriation and/or resumption of land under the Public Works Act, 1912, as amended, for District Office Building, Yass.

(6.) Electricity Commission Act, 1950, as amended—Notifications of acquisition, appropriation and/or resumption of land and easements under the Public Works Act, 1912, as amended, for the following purposes:—

- (i) East Pymble Substation.
- (ii) Electricity Transmission Lines between—
 - (a) Albury and Mulwala.
 - (b) Liverpool and Minto.
 - (c) Waratah (Tarro) and Maitland.

(7.) Land Acquisition (Charitable Institutions) Act, 1946—Notification of acquisition, appropriation and/or resumption of land under the Public Works Act, 1912, as amended, for Queen Victoria Hospital for Women and Babies.

(8.) Broken Hill Water and Sewerage Act, 1938, as amended—*Gazette* Notice of appointment of Members of the Broken Hill Water Board.

Referred by Sessional Order to the Printing Committee.

17. ELECTION OF A MEMBER OF THE LEGISLATIVE COUNCIL OF NEW SOUTH WALES:—

(1.) Mr. Speaker reported the following Message from His Excellency the Governor:—

K. W. STREET,

By deputation from His Excellency the Governor. Message No. 18.

In pursuance of section seven of the Constitution (Legislative Council Elections) Act, 1932-1937, the Governor desires to inform the Legislative Assembly that he has this day, with the advice of the Executive Council, issued under that Act a Writ for the election of a Member of the Legislative Council to fill the vacancy caused by the resignation of the Honourable George Henry Neilly.

The Writ is directed to Major-General John Rowstone Stevenson, C.B.E., D.S.O., E.D., Clerk of the Parliaments of the State of New South Wales, Returning Officer for the Election of Members of the Legislative Council of New South Wales.

This Message is accompanied by a copy of the Writ.

In order that both Houses of Parliament may be duly informed of the issue of the Writ, a like Message is this day being addressed by the Governor to the President of the Legislative Council.

*Government House,
Sydney, 21st April, 1959.*

Mr. Speaker announced that the Message was accompanied by a copy of the Writ.

Mr. Speaker then directed the Clerk to read the Writ, which was as follows:—

WRIT FOR THE ELECTION OF A MEMBER OF THE LEGISLATIVE COUNCIL OF
NEW SOUTH WALES.

*“Elizabeth the Second, by the Grace of God of the United Kingdom, Australia
“and Her other Realms and Territories Queen, Head of the Commonwealth,
“Defender of the Faith.*

*“TO MAJOR-GENERAL JOHN ROWLSTONE STEVENSON, C.B.E., D.S.O., E.D.,
“Clerk of the Parliaments of the State of New South Wales, Returning
“Officer for the Election of Members of the Legislative Council of Our
“State of New South Wales—*

“Greeting:

*“Whereas the Honourable GEORGE HENRY NEILLY was duly elected a Member
“of the Legislative Council with a term of service expiring at the end of twelve
“years from the twenty-third day of April, one thousand nine hundred and
“fifty-eight and whereas the seat of the said the Honourable GEORGE HENRY
“NEILLY has become vacant by reason of his resignation on the sixteenth day of
“February, one thousand nine hundred and fifty-nine now therefore, We, with
“the advice of the Executive Council and by virtue of the powers vested in Us,
“do in and by this Our Writ direct you, JOHN ROWLSTONE STEVENSON, to
“conduct in the manner by law provided an election of a Member to Our
“Legislative Council to fill the seat which has thus become vacant.*

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"And We do hereby appoint the eleventh day of May, one thousand nine hundred and fifty-nine as the day on or before which all nominations of candidates at the election shall be made and the nineteenth day of May, one thousand nine hundred and fifty-nine as the day upon which sittings of the Legislative Council and of the Legislative Assembly shall be held for the purposes of taking the votes: and that the taking of votes at such sittings shall commence at two-thirty o'clock in the afternoon and shall terminate at four-thirty o'clock in the afternoon.

"And We do further direct and appoint that this Our Writ shall be returnable to Our Governor upon the twenty-second day of May, one thousand nine hundred and fifty-nine.

"In testimony whereof, We have caused this Our Writ to be sealed with the Public Seal of Our said State.

"Witness Our Trusty and Well-beloved Lieutenant-General Sir ERIC WINSLOW WOODWARD, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Companion of Our Most Honourable Order of the Bath, Commander of Our Most Excellent Order of the British Empire, Companion of Our Distinguished Service Order, Knight of the Venerable Order of St. John of Jerusalem, Our Governor of Our State of New South Wales and its Dependencies, in the Commonwealth of Australia, at Sydney, in Our said State, this twenty-first day of April, in the year one thousand nine hundred and fifty-nine, and in the eighth year of Our Reign.

"K. W. STREET,

"By Deputation from His Excellency the Governor.

"By His Excellency's Command,

"J. J. CAHILL."

(2.) Mr. Speaker directed that the taking of the votes of Members in the Legislative Assembly for the Election of a Member of the Legislative Council be set down as an Order of the Day for the day of the ballot appointed in the Writ mentioned in His Excellency's Message of 21st April, 1959, viz., 19th May, 1959.

Mr. Speaker intimated that on such day the taking of the votes would take precedence of all other business.

18. MANAGING TRUSTEES OF THE LEGISLATIVE ASSEMBLY MEMBERS PROVIDENT FUND:—Mr. Cahill (*by consent*) moved, That, in accordance with the provisions of the Legislative Assembly Members Superannuation Act, 1946-1958, the following Members of the Legislative Assembly be and are hereby appointed as Managing Trustees of the Legislative Assembly Members Provident Fund as from the commencement of the present Parliament:—

The Honourable Francis Harold Hawkins.
William Frederick Farrar Crabtree, Esquire.
Clarence Joseph Earl, Esquire.
William Ernest Wattison, Esquire.
George William Brain, Esquire.
Joseph Alexander Lawson, Esquire.

Question put and passed.

19. SPECIAL ADJOURNMENT:—Mr. Cahill moved, That, unless otherwise ordered, this House, at its rising This Day, do adjourn until Tuesday, 19th May, 1959, at Half-past Two o'clock, p.m., unless Mr. Speaker, or, if Mr. Speaker be unable to act on account of illness or other cause, the Chairman of Committees, shall, prior to that date, by telegram or letter addressed to each Member of the House, fix an earlier day and/or hour of meeting.

Debate ensued.

And Mr. Cahill having spoken in Reply,—

Question put and passed.

20. ADJOURNMENT:—Mr. Cahill moved, That this House do now adjourn.

Debate ensued.

Question put and passed.

The House adjourned accordingly at Sixteen minutes after Five o'clock, p.m., until Tuesday, 19th May, 1959, at Half-past Two o'clock, p.m., unless an earlier day and/or hour be fixed in accordance with the terms of the Resolution adopted at this Sitting.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

RAY MAHER,
Speaker.

New South Wales

No. 2

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

TUESDAY, 19 MAY, 1959

The House met pursuant to adjournment. Mr. Speaker took the Chair.
Mr. Speaker offered the Prayer.

1. ELECTION OF A MEMBER OF THE LEGISLATIVE COUNCIL IN PLACE OF THE HONOURABLE GEORGE HENRY NEILLY, RESIGNED—TAKING OF THE VOTES OF THE MEMBERS OF THE LEGISLATIVE ASSEMBLY:—Mr. Speaker directed the Clerk to read the Order of the Day. The Order of the Day having been read, the Clerk duly displayed the ballot-box.

Mr. Speaker declared the ballot open, and the taking of the votes of Members thereupon commenced.

And it being 4.30 o'clock, p.m., the hour appointed in the Writ for the termination of the taking of the votes at the Sitting, Mr. Speaker directed that the doors be locked. The doors having been locked, Mr. Speaker inquired whether there was any Member present who had not yet received a ballot-paper and desired to vote.

And there being no such Member desiring to vote, Mr. Speaker directed that the doors be unlocked.

And Members who had received their ballot-papers before the hour appointed in the Writ for the termination of the taking of the votes having completed before that hour the recording of their votes, Mr. Speaker declared the ballot closed.

2. SPEAKER'S COMMISSION TO ADMINISTER THE OATH OR AFFIRMATION OF ALLEGIANCE:—Mr. Speaker reported that His Excellency the Governor had been pleased to issue a Commission, under the Public Seal of the State, empowering him, as Speaker, to administer, from time to time as occasion may require, to any Member of the Legislative Assembly to whom the same shall not have been previously administered, the Oath or Affirmation of Allegiance to Her Majesty the Queen, which Commission was as follows:—

*"By His Excellency Lieutenant-General Sir ERIC WINSLOW WOODWARD, Knight
"Commander of the Most Distinguished Order of Saint Michael and Saint
"George, Companion of the Most Honourable Order of the Bath, Com-
"mander of the Most Excellent Order of the British Empire, Companion of
"the Distinguished Service Order, Knight of the Venerable Order of St.
"John of Jerusalem, Governor of the State of New South Wales and its
"Dependencies, in the Commonwealth of Australia.*

"To all to whom these presents shall come,

"Greeting:

"In pursuance of the authority in me vested in that behalf, I, Lieutenant-General
"Sir ERIC WINSLOW WOODWARD, as Governor of the State of New South Wales,
"do, with the advice of the Executive Council thereof, hereby authorise the
"Honourable RAY SEPTIMUS MAHER, B.A., Speaker of the Legislative Assembly
"of the said State, to administer, from time to time as occasion may require,
"to any Member of the said Legislative Assembly to whom the same shall not
"have been previously administered, the Oath or Affirmation of Allegiance to

"Her Majesty the Queen, required by law to be taken or made and subscribed
"by every such Member before he shall be permitted to sit or vote or sit and
"vote as the case may be in the said Legislative Assembly.

"Given under my hand and the Public Seal of the State, at Sydney, in the
"State of New South Wales aforesaid, this eleventh day of May, in
"the year of Our Lord one thousand nine hundred and fifty-nine, and
"in the eighth year of Her Majesty's Reign.

"E. W. WOODWARD,

"Governor.

"By His Excellency's Command,

"J. J. CAHILL."

3. DEPUTY-SPEAKER'S COMMISSION TO ADMINISTER THE OATH OR AFFIRMATION OF ALLEGIANCE:—Mr. Speaker reported that he had received a Commission, under the Public Seal of the State, signed by His Excellency the Governor, empowering Howard Thomas Fowles, Esquire, Chairman of Committees of the Legislative Assembly, in the absence of the Honourable the Speaker, to administer from time to time as occasion may require, to any Member of the Legislative Assembly to whom the same shall not have been previously administered, the Oath or Affirmation of Allegiance to Her Majesty the Queen, which Commission was as follows:—

"By His Excellency Lieutenant-General Sir ERIC WINSLOW WOODWARD, Knight
"Commander of the Most Distinguished Order of Saint Michael and Saint
"George, Companion of the Most Honourable Order of the Bath, Com-
"mander of the Most Excellent Order of the British Empire, Companion of
"the Distinguished Service Order, Knight of the Venerable Order of St.
"John of Jerusalem, Governor of the State of New South Wales and its
"Dependencies, in the Commonwealth of Australia.

"To all to whom these presents shall come,

"Greeting:

"In pursuance of the authority in me vested in that behalf, I, Lieutenant-General
"Sir ERIC WINSLOW WOODWARD, as Governor of the State of New South Wales,
"do, with the advice of the Executive Council thereof, hereby authorise
"HOWARD THOMAS FOWLES, Esquire, Chairman of Committees of the
"Legislative Assembly of the said State, in the absence of the Honourable the
"Speaker of the said Assembly, to administer, from time to time as occasion
"may require, to any Member of the said Assembly to whom the same shall not
"have been previously administered, the Oath or Affirmation of Allegiance to
"Her Majesty the Queen, required by law to be taken or made and subscribed
"by every such Member before he shall be permitted to sit or vote or sit and
"vote as the case may be in the said Legislative Assembly.

"Given under my hand and the Public Seal of the State, at Sydney, in the
"State of New South Wales aforesaid, this eleventh day of May, in
"the year of Our Lord one thousand nine hundred and fifty-nine, and
"in the eighth year of Her Majesty's Reign.

"E. W. WOODWARD,

"Governor.

"By His Excellency's Command,

"J. J. CAHILL."

4. ELECTION PETITION—ELECTORAL DISTRICT OF LISMORE:—Mr. Speaker informed the House that the Clerk had received from the Prothonotary a copy of the Election Petition from Clyde John Campbell against the return of Jack Stuart Easter as Member of the Legislative Assembly for Lismore.

By direction of Mr. Speaker, the Clerk laid the document on the Table.

Ordered, That the document be printed.

5. PAPERS:—

Mr. Sheahan laid upon the Table—Report of the Public Accountants Registration Board for 1958.

Ordered to be printed.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY
19 May, 1959

Mr. Landa laid upon the Table the following Papers:—

(1.) Factories and Shops Act, 1912, as amended—Hairdressers Licensing Regulations—Amendments of Regulations Nos. 3 and 6 and substituted Form H2.

(2.) Industrial Arbitration Act, 1940, as amended—Amendments of Regulations Nos. 2, 7, 13, 22 and 48 and Forms 1, 2, 3, 7 and 8.

(3.) Housing Act, 1912, as amended—Notifications of acquisition, appropriation and/or resumption of land under the Public Works Act, 1912, as amended, for housing purposes at—

Canley Heights.

Marayong.

Canley Vale.

Mudgee.

Liverpool.

Referred by Sessional Order to the Printing Committee.

Mr. Simpson laid upon the Table the following Papers:—

(1.) Mines Rescue Act, 1925, as amended—Rates of Owners' Contributions—New Regulation No. 54B.

(2.) Mining Act, 1906, as amended—Proclamation declaring certain lands to be private lands for the purposes of Part IV of the Act.

Referred by Sessional Order to the Printing Committee.

Mr. McMahon laid upon the Table the following Papers:—

(1.) Crown Lands Consolidation Act, 1913, as amended—Amendments of Regulations Nos. 4, 4A and 11.

(2.) War Service Land Settlement Act, 1941, as amended—Amendment of Regulation No. 2.

Referred by Sessional Order to the Printing Committee.

6. ADJOURNMENT:—Mr. Heffron moved, That this House do now adjourn until Thursday, 4th June, 1959, at Eleven o'clock, a.m.

Debate ensued.

And Mr. Heffron having spoken in Reply,—

Question put and passed.

The House adjourned accordingly, at Sixteen minutes after Five o'clock, p.m., until *Thursday, 4th June, 1959*, at Eleven o'clock, a.m.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

RAY MAHER,
Speaker.



PROCLAMATION.

NEW SOUTH WALES,
TO WIT.

(L.S.)
E. W. WOODWARD,
Governor.

By His Excellency Lieutenant-General Sir ERIC WINSLOW WOODWARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Commander of the Most Excellent Order of the British Empire, Companion of the Distinguished Service Order, Knight of the Venerable Order of St. John of Jerusalem, Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia.

WHEREAS the Legislative Council and Legislative Assembly of the State of New South Wales now stand adjourned to Tuesday, the ninth day of June, 1959, and Thursday, the fourth day of June, 1959, respectively: Now I, Lieutenant-General Sir ERIC WINSLOW WOODWARD, in pursuance of the power and authority in me vested as Governor of the said State, do hereby prorogue the said Legislative Council and Legislative Assembly to Thursday, the twenty-third day of July, 1959.

Given under my Hand and Seal at Sydney, this twenty-seventh day of May, one thousand nine hundred and fifty-nine, and in the eighth year of Her Majesty's Reign.

By His Excellency's Command,

J. J. CAHILL.

GOD SAVE THE QUEEN!

1959

NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

**BUSINESS OF THE LEGISLATIVE ASSEMBLY OF NEW SOUTH WALES
DURING THE SESSION OF 1959**

1. New Writs issued									
2. Select Committees :—									
On Public Matters									
On Private Matters									
On Private Bills									
On Public Bills									
3. Standing Committees									
4. Public Bills :—									
Originated in the Assembly :—									
Received Assent									
Otherwise disposed of						1			
									1
Brought from the Council :—									
Received Assent									
Otherwise disposed of									
5. Private Bills :—									
Originated in the Assembly :—									
Received Assent									
Otherwise disposed of									
Brought from the Council :—									
Received Assent									
Otherwise disposed of									
6. Petitions received									
7. Divisions :—									
In the House									
In Committee									
8. Sittings (for details see page 2) :—									
Number of Sittings									2
Days of Meeting									2
Hours of Sitting							8 hours 3 minutes.		
Hours of Sitting after Midnight									
Daily Average (actual hours per day of meeting)							4 hours 1 minute.		
Adjourned for want of a Quorum—									
Before commencement of Business									
After commencement of Business									
9. Entries in Votes and Proceedings... ..									26
10. Entries in Question Paper... ..									
11. Entries in Notice Paper :—									
Government Business :—									
Notices of Motions									
Orders of the Day						1			
									1
General Business :—									
Notices of Motions									
Orders of the Day									
12. Orders for Papers									
13. Addresses for Papers									
14. Other Addresses									
15. Papers laid upon the Table :—									
By Message						3			
By Command or Statute						99			
In Returns to Orders						1			
In Returns to Addresses									
Reports from Standing Committees									
Reports from Select Committees									
Reports from Council Select Committees									
(on Private Bills)									
Other Papers						1			
									104
Ordered to be Printed						19			
Not ordered to be Printed						85			
									104

16. *Sittings of the House:—*

Return of the number of days on which the House sat in the Session of 1959, stating for each day, the date of the month and the day of the week, the hour of the meeting and adjournment, and the total number of hours occupied in the sittings of the House, and showing the total number of hours on which the House sat each day, and the number of hours after midnight, and the number of entries in the day's *Votes and Proceedings:—*

No.	Date.	Day.	House Met.	House Adjourned.	Hours of Sitting.	Hours after Midnight.	Entries in Votes.	New Government Motions.	New Government Orders.	New General Motions.	New General Orders.	Questions.	Questions Answered.	Contingent Notices.	Divisions.
1	1959. 21 April	... Tuesday ...	12-00 noon	5-16 p.m.	h.m. 5 16	h. m.	20	...	...	...	...	...	...	...	...
2	19 May	... Tuesday ...	2-30 p.m.	5-17 p.m.	2 47	... ..	6	...	1	...	...	...	...	...	...
					8 03	... ..	26	...	1	...	...	...	...	...	...

Legislative Assembly Office,
Sydney, 27th May, 1959.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

REGISTER OF PUBLIC BILLS ORIGINATED IN THE ASSEMBLY DURING THE SESSION OF 1959

Short Title.	By whom initiated.	Message from Governor recommending provision for.	Ordered.	Presented and read 1 ^o .	Read 2 ^o and Committed.	Recommitted.	Reported without Amendment.	Reported with Amendment.	Report adopted.	Read 3 ^o passed, and sent to Council for concurrence.	Agreed to by Council without Amendment.	Agreed to by Council with Amendment.	Council's Amendments agreed to.	Council's Amendments disagreed to.	Order of the Day discharged, and Bill withdrawn.	Bill dropped or laid aside.	Assent Reported.	No. of Act.	Remarks.
Law of Evidence	Mr. Cahill .....	.....	.....	21 April .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	Pro forma Bill.

RECAPITULATION

Number of Public Bills originated in the LEGISLATIVE ASSEMBLY shown on Register				1
Passed and assent reported	Passed and assent not reported	Passed, Assent Reserved, Royal Assent	Pro forma Bill	1
Not returned by Legislative Council	Stopped by Prorogation	Otherwise disposed of .....	.....
Public. {			Private. {	Total. {
.....		
1			.....	1

Legislative Assembly Office,
Sydney, 27th May, 1959.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

1959

NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

REGISTER OF ADDRESSES AND ORDERS FOR PAPERS DURING THE SESSION OF 1959

NIL

REGISTER OF ADDRESSES AND ORDERS FOR PAPERS DURING FORMER SESSIONS

WHEN PASSED		ON WHOSE MOTION	PAPERS APPLIED FOR		RETURN TO ADDRESS OR ORDER	REGISTER NUMBER	IF TO BE PRINTED
VOTES			By Address	By Order			
No.	Date	Entry					Date of Order
174	21 October ...	6	Mr. W. J. Ferguson	Authorities to Mine issued since January, 1882	21 April ...	1959/80	.....

REGISTER OF ADDRESSES (NOT BEING FOR PAPERS) TO THE GOVERNOR DURING THE SESSION OF 1959

NIL

Legislative Assembly Office,
Sydney, 27th May, 1959.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

Sydney: V. C. N. Blight, Government Printer—1959

1959

NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

ELECTORAL DISTRICT OF
LISMORE

Petition of Clyde John Campbell to the
Court of Disputed Returns

Ordered to be printed, 19 May, 1959

IN THE SUPREME COURT OF NEW SOUTH WALES

Term No. 148 of 1959

DISPUTED RETURNS JURISDICTION

IN THE MATTER of the Election of a Member of the Legislative Assembly for the Electoral District of Lismore at the Election held on the 21st March, 1959.

TO THE COURT OF DISPUTED RETURNS:

The Petition of Clyde John Campbell showeth:

1. That on the 16th day of February 1959 a writ was issued under the provisions of the Parliamentary Electorates and Elections Act, 1912-1952 (hereinafter called "the Act") directed to the returning officer for the Electoral District of Lismore for the election of a Member of the Legislative Assembly for the said Electoral District.
2. That two candidates and no more namely Clyde John Campbell your Petitioner and Jack Stuart Easter were duly nominated as candidates for the said election and on the 21st March, 1959, being the day named in the said writ a poll took place for the election of a Member for the said Electoral District.
3. That on or about the 31st day of March 1959 the counting of votes in the said election was completed and showed that your Petitioner had a majority of votes over the said Jack Stuart Easter.
4. That prior to the date and the events referred to in paragraph 3 the Returning Officer by himself and his deputies decided which of the votes cast at the said poll were informal and rejected the same and placed the same in separate parcels and decided which votes cast at the said poll were formal and allowed the same and placed the same in separate parcels.
5. That subsequently on the 31st day of March and the 1st and 2nd days of April 1959 the Returning Officer by himself and his deputies purported to hold a recount of the votes cast at the said poll.
6. That on the third day of April 1959 after the completion of the purported recount referred to in paragraph 5 hereof the said Returning Officer announced as the result of the said election that Jack Stuart Easter was elected a Member of the Legislative Assembly for the said Electoral District by a majority of two votes over your petitioner and on or about the 6th day of April 1959 returned the said writ having endorsed thereon the name of the said Jack Stuart Easter.
7. That upon the recount referred to in paragraph 5 hereof being purported to be held the Returning Officer by himself and/or his deputies wrongfully and improperly and acting in excess of his powers rejected certain votes as informal which before the first count had been allowed as formal as referred to in paragraph 4 hereof and allowed to be counted as formal certain votes which before the first count had been rejected as informal.

8. That the Returning Officer wrongfully and improperly and without authority and in excess of his powers consulted and sought directions from unauthorised persons as to whether certain votes which had already been rejected by him as informal ought to be allowed by him as formal votes in favour of Jack Stuart Easter and as to whether certain votes which had already been allowed by him as formal votes in favour of Clyde John Campbell ought to be rejected and the petitioner says and the fact is that the said directions were sought and were acted upon in substitution for the Returning Officer's own decision and so as to unduly influence him during the purported recount hereinbefore referred to and at a time in the said recount when it appeared or ought to have appeared to and been known to the Returning Officer and the said unauthorised persons that the decisions made in respect of the said votes would and did in fact affect the result of the election.
9. That as a result of the rejection of the votes and the allowance of the votes referred to in paragraphs 7 and 8 hereof the purported recount erroneously showed the majority referred to in paragraph 6 in favour of the said Jack Stuart Easter whereas the said purported recount ought to have and but for the rejection of the votes and the allowance of votes referred to in paragraphs 7 and 8 hereof would have shown a majority of votes for your petitioner not less than the majority referred to in paragraph 3 hereof.
10. That in addition to the matters referred to in paragraphs 7, 8 and 9 hereof your petitioner says and the fact is that certain ballot papers were wrongly and improperly allowed and counted as formal and as votes cast for the said Jack Stuart Easter whereas the same ought to have been rejected as informal and certain other ballot papers were wrongly and improperly rejected as informal whereas the same ought to have been allowed and counted as formal votes cast for your petitioner whereby the result of the election was affected and whereby the announcement was made and the writ returned as referred to in paragraph 6 hereof whereas it ought to have been announced that your petitioner was elected and the writ ought to have been returned having endorsed thereon the name of your petitioner.
11. (a) That in the course of conducting the said election the said Returning Officer or his Deputy wrongfully and improperly accepted for further scrutiny certain absent voters' ballot-papers although the form of declarations on the envelopes containing the said ballot papers were not made in accordance with the provisions of the Act in that the form of declaration was not executed or signed by any person purporting to be the voter.
(b) That the said Returning Officer or his Deputy wrongfully and improperly accepted for further scrutiny a certain vote purported to be cast pursuant to section 114 (o) of the Act although the certificate printed on the envelope containing the ballot-paper was not duly signed in accordance with the provisions of the said section and thereafter wrongfully and improperly placed in the envelope a ballot-paper which was not the ballot-paper of the voter or alternatively thereafter wrongfully and improperly and without knowing whether or not it was the ballot-paper of the voter placed a ballot-paper in the envelope and thereafter wrongfully and improperly sealed up the envelope.
12. That by reason of the matters set forth in paragraph 11 hereof a sufficient number of votes were wrongly and improperly counted and included in the said poll to affect the result of the election.
13. That the ballot-papers of a large number of absent voters were rejected as informal because although the forms of declaration required to be made by the said electors bore the signatures of the Returning Officer or his deputy purporting to attest the same, and although the said officer or his Deputy issued ballot-papers to the said electors and otherwise led them to believe they were casting and had cast a valid vote yet due to the wrongful inadvertence or neglect of such returning officer or his deputy the said form of declaration did not contain the signatures by the respective electors. Your Petitioner alleges and the fact is that the number of votes thus rendered informal was sufficient to affect and did affect the result of the said election.
14. That the ballot-papers of a large number of absent voters were rejected as informal because the forms of declaration made by the said voters although duly signed by them were not duly attested by the returning officer or deputy. Your petitioner alleges and the fact is that the failure in the paragraph referred to was due to the wrongful inadvertence or neglect of the Returning Officer or his Deputy and further that the number of votes thus rendered informal was sufficient to affect and did affect the result of the said election.

15. That the ballot-papers of a number of electors casting votes pursuant to section 114 (o) of the Act were rejected as informal because the electoral visitor in each case wrongfully neglected and omitted to sign his name on the back of the ballot-paper issued by him under the said section. Your Petitioner alleges and the fact is that the number of votes thus rendered informal was sufficient to affect and did affect the result of the said election.
16. That a large number of ballot-papers were handed to electors including absent voters in respect of which the Returning Officer or his Deputy wrongfully neglected or omitted to sign or initial the back thereof and the said ballot-papers were subsequently rejected as informal. Your Petitioner alleges and the fact is that the said ballot-papers were sufficient in number to affect and did affect the result of the said election.
17. That alternatively to the matters in the preceding paragraphs separately alleged your Petitioner alleges and the fact is that by reason of the facts set forth, the number of votes involved was sufficient to affect and did affect the result of the election and by reason thereof the conduct of the election was unsatisfactory and there was not a real electing at all of the said Jack Stuart Easter by a majority of electors.

Your Petitioner, therefore, humbly prays:

1. That this Honourable Court will declare that the said Jack Stuart Easter was not duly elected.
2. That this Honourable Court will declare the said Clyde John Campbell duly elected.
3. That alternatively to the relief sought in the second prayer this Honourable Court will declare the said election absolutely void.
4. That this Honourable Court will make such provision for the costs of your Petitioner of this Petition as to this Court may seem just.
5. That this Honourable Court will make such further or other order as the nature of the case may require.

C. J. CAMPBELL, Petitioner.

Signed by the said Petitioner in the presence of—

(Name) BRUCE GILBERT JOHNSTON,
 (Address) 89 Bright-street, Lismore.
 (Occupation) Wholesaler.

(Name) ROBERT BRUCE GORDON,
 (Address) 66 Oakley-avenue, Lismore.
 (Occupation) Solicitor.

NOTE: This Petition is filed by Messrs. A. E. McIntosh & Henderson, 109 Elizabeth-street, Sydney, City Agents for Messrs. J. C. McIntosh Balzer & Gordon, 33 Molesworth-street, Lismore, Solicitors, for Clyde John Campbell of Lismore, the abovenamed Petitioner, this first day of May, 1959.

