

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

FOURTH SESSION OF THE THIRTY-FIRST PARLIAMENT.

TUESDAY, 30 NOVEMBER, 1937.

1. The House met pursuant to adjournment. The President took the Chair.

Members present,—

The Honourable Sir John Beverley Peden, K.C.M.G., K.C., President.

The Honourable George Stacher Archer,
The Honourable Thomas Armstrong,
The Honourable George Douglas Bassett,
The Honourable Sir Henry Yule Braddon,
K.B.E.,
The Honourable Walter Corrie Cambridge,
The Honourable Hector Joseph Richard
Clayton, B.A., LL.B.,
The Honourable Joseph Farrar Coates,
Major the Honourable Arthur Edmund
Colvin, C.B.E., M.C., M.B., Ch.M.,
F.R.A.C.S.
The Honourable James Matthew Concannon,
The Honourable John Culbert,
The Honourable Ernest Henry Farrar,
The Honourable Donald McLennan Grant,
The Honourable Herbert Middleton Hawkins,
The Honourable Thomas Sinclair Holden,
LL.B.,
The Honourable Henry Edwin Horne,
The Right Honourable Archibald Howie,
The Honourable Sir Norman William Kater,
Kt., M.B., Ch.M.,
The Honourable Robert Arthur King,
The Honourable Hugh Latimer,
The Honourable Patrick Michael McGirr,
The Honourable Alan William McNamara,

The Honourable Edward Crawford Magrath,
The Honourable Robert Mahony,
The Honourable Henry Edward Manning,
K.C., B.A., LL.B.,
The Honourable Ernest Meyer Mitchell,
K.C., B.A., LL.B.,
The Honourable George Nesbitt,
The Honourable Broughton Barnabas
O'Connor, B.A., LL.B.,
The Honourable John Francis O'Regan,
Lieutenant-Colonel the Honourable Thomas
Alfred John Playfair, D.S.O., O.B.E.,
V.D.,
The Honourable William Elliott Veitch
Robson, B.A.,
The Honourable James Ryan,
The Honourable Samuel James Smith,
The Honourable Ernest Christian Sommerlad,
Major the Honourable Thomas Steele,
The Honourable Sir Allen Arthur Taylor,
Kt.,
The Honourable Sir Frederick Henry Tout,
Kt.,
The Honourable Sir Charles Graham Waddell,
K.B.E.,
The Honourable Horace William Whiddon,
The Honourable Hugh Moffitt Wragge.

2. PRAYER.

3. MEMBER DECEASED—THE HONOURABLE SIR ARTHUR KING TRETHOWAN, Kt.:—
The President said: The sad duty devolves upon me of announcing to the House the decease, since the last sitting of the House, of the Honourable Sir Arthur King Trethowan, Kt.

Mr. Manning moved, That this House desires to express and to place on record its deep sense of the loss sustained to the State and this House in the removal by death of the late Honourable Sir Arthur King Trethowan, Kt., and that this Resolution be communicated to the relatives of the deceased.

And certain Honourable Members having addressed the House in eulogy of the deceased Member,—

Question put and passed unanimously,—Members and Officers of the House standing.

4. VACANT SEAT IN THE LEGISLATIVE COUNCIL—DEATH OF THE HONOURABLE SIR ARTHUR KING TRETHOWAN, Kt.:—

(1.) The President announced to the House the receipt from the Registrar-General of a certified copy of an entry made in a Register of Deaths kept at the District Registry of Dubbo, at Dubbo, and recording the death of the Honourable Sir Arthur King Trethowan, Kt., on the 26th November, 1937, and that an entry recording his death on that date has been made in the Register of Members of the Legislative Council.

(30 November, 1937.)

- (2.) The President announced to the House that, in accordance with the provisions of the eighth section of the Constitution Further Amendment (Legislative Council Elections) Act, 1932, he had notified His Excellency the Governor that the seat of the Honourable Sir Arthur King Trethowan, Kt., had become vacant before the expiration of his term of service through his death on the 26th November, 1937.

5. PAPERS:—Mr. J. Ryan laid upon the Table the undermentioned Papers:—

- (1.) Government Railways Act, 1912-1934—Report of the Commissioner for Railways for the quarter ended 30th September, 1937.
Ordered to be printed.
- (2.) Banks and Bank Holidays Act, 1912—General Abstract of the Liabilities and Assets of Banks in New South Wales for quarter ended 30th September, 1937.
- (3.) Dried Fruits Act, 1933—Amendments to Forms, repeal of Regulations and Forms, and new Regulations and Forms.
- (4.) Family Endowment Act, 1927-1932—Variation of Section 14 (4) of the Act.
- (5.) Government Railways Act, 1912-1934—By-law No. 909.
- (6.) Lotteries and Art Unions Act, 1901—Balance-sheet of Art Union held in aid of the funds of the Totally and Permanently Disabled Soldiers' Honorary Sub-branch R.S. and S.I.L.A., drawn on 9th September, 1937.
- (7.) Public Service Act, 1902—Minutes of Public Service Board recommending the appointment, on probation, of Mr. Harold Anthony Walker Woodward, as Experimentalist, Department of Agriculture.
- (8.) Public Works Act, 1912, as amended by subsequent Acts—Notification of resumption and appropriation of an area in connection with the Wakool Provisional Domestic and Stock Water Supply and Irrigation District.
- (9.) Royal Commission—Copy of Royal Commission issued to John Edward McCulloch, Esquire, a Stipendiary Magistrate for the Metropolitan District of the State of New South Wales, extending the period within which he is required to report upon the Fruitgrowing Industry in New South Wales to the 24th February, 1938.
- (10.) Stock Diseases Act, 1923-1934—Amendment of Schedule to Regulation No. 51.

6. FINANCES ADJUSTMENT BILL—SUSPENSION OF CERTAIN STANDING ORDERS (*Formal Business*):—Mr. Manning moved, pursuant to Notice, That so much of the Standing Orders be suspended as would preclude the passing of the Finances Adjustment Bill through all its remaining stages during the present or any one Sitting of the House.

Question put and passed.

7. FINANCES ADJUSTMENT BILL:—

- (1.) Mr. Manning moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time.
- (2.) On motion of Mr. Manning the President left the Chair, and the House resolved itself into a Committee of the Whole for consideration of this Bill.
The Chairman having reported the Bill without amendment,—
The House adopted the Report.
- (3.) Bill, on motion of Mr. Manning, read a third time.
Whereupon Mr. Manning moved, That this Bill be returned to the Legislative Assembly with the following Message:—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to make further provisions in relation to certain statutory endowments and scholarships; to define the rate of interest payable respectively by the Metropolitan Water, Sewerage and Drainage Board and the Hunter District Water Supply and Sewerage Board upon the capital indebtedness of those Boards to the State; to validate certain matters; to amend the Metropolitan Water, Sewerage and Drainage Acts, 1924-1935, the Hunter District Water and Sewerage (Amendment) Act, 1928, the Finances Adjustment (Further Provisions) Act, 1933, the Widows' Pensions Act, 1925-1932, the Sydney Harbour Bridge Act, 1922, the Special Income and Wages Tax (Management) Act, 1936-1937, and certain other Acts in certain respects; and for purposes connected therewith,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 30th November, 1937.

Question put and passed.

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(30 November, 1937.)

8. APPROPRIATION BILL:—

(1.) Mr. J. Ryan moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time.

(2.) On motion of Mr. J. Ryan the President left the Chair, and the House resolved itself into a Committee of the Whole for consideration of this Bill.

The Chairman having reported the Bill without amendment,—

The House adopted the Report.

(3.) (With concurrence) Bill, on motion of Mr. J. Ryan, read a third time.

Whereupon Mr. J. Ryan moved, That this Bill be returned to the Legislative Assembly with the following Message:—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled "*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain Sums to make good the Supplies granted for the Service of the year from the 1st day of July, 1937, to the 30th day of June, 1938 (inclusive of both dates); to adjust the vote 'Advance to Treasurer,' 1936-37, Consolidated Revenue Fund, for supplementary charges during the period from the 1st day of July, 1936, to the 30th day of June, 1937 (inclusive of both dates); to cover payments 'Unauthorised in Suspense,' Consolidated Revenue Fund, for urgent claims on account of Services of the year 1936-37; to provide for Services out of the Closer Settlement Fund; to appropriate and apply out of the Government Railways Fund for the Service of the year from the first day of July, one thousand nine hundred and thirty-seven, to the thirtieth day of June, one thousand nine hundred and thirty-eight (inclusive of both dates); to cover payments 'Unauthorised in Suspense,' Government Railways Fund, for urgent claims on account of Services of the year 1936-37; to appropriate and apply out of the Road Transport and Traffic Fund for the Service of the year from the first day of July, one thousand nine hundred and thirty-seven, to the thirtieth day of June, one thousand nine hundred and thirty-eight (inclusive of both dates); to cover payments 'Unauthorised in Suspense,' Road Transport and Traffic Fund, for urgent claims on account of Services of the year 1936-37; to appropriate and apply out of the Metropolitan Transport Trust General Fund for the Service of the year from the first day of July, one thousand nine hundred and thirty-seven, to the thirtieth day of June, one thousand nine hundred and thirty-eight (inclusive of both dates); to cover payments 'Unauthorised in Suspense,' Metropolitan Transport Trust General Fund, for urgent claims on account of Services of the year 1936-37; to appropriate and apply out of the Newcastle and District Transport Trust General Fund for the Service of the year from the first day of July, one thousand nine hundred and thirty-seven, to the thirtieth day of June, one thousand nine hundred and thirty-eight (inclusive of both dates); to cover payments 'Unauthorised in Suspense,' Newcastle and District Transport Trust General Fund for urgent claims on account of Services of the year 1936-37; to appropriate and apply out of the Sydney Harbour Trust Fund for the Service of the year from the first day of July, one thousand nine hundred and thirty-seven, to the thirtieth day of June, one thousand nine hundred and thirty-eight (inclusive of both dates); and for purposes connected with and incidental to the above objects,*"—returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,

Sydney, 30th November, 1937.

Question put and passed.

The House adjourned at Fifteen minutes before Nine o'clock, p.m., until To-morrow, at Four o'clock, p.m.

C. H. H. CALVERT,
Clerk of the Parliaments.

NOTICES OF QUESTIONS AND MOTIONS AND ORDERS
OF THE DAY.

WEDNESDAY, 1ST DECEMBER, 1937.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Federal Aid Roads and Works Bill; second reading. [*Mr. Manning.*]
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THURSDAY, 16TH DECEMBER, 1937.

[*MEMO:—The House meet This Day at Five minutes before Eleven o'clock, a.m., sharp.*]

ORDER OF THE DAY:—

1. Election of a Member of the Legislative Council:—Taking of the Votes of Members of the Legislative Council. (Hours of voting, 11 a.m. to 1 p.m.)