

VICTORIA - MINUTES OF THE PROCEEDINGS OF THE LEG. COUNCIL, SESSION 1945-46-47 & SESS. 1947



VICTORIA.



MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

SESSION 1945-46-47.

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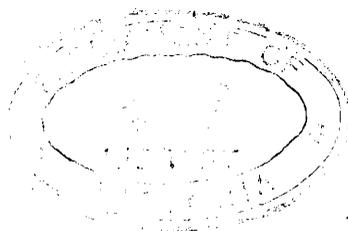
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VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 1.

WEDNESDAY, 28TH NOVEMBER, 1945.

1. The Council met pursuant to the Proclamation of His Excellency the Governor, bearing date the twenty-third day of November, 1945, which Proclamation was read by the Clerk and is as follows:—

FIXING THE TIME FOR HOLDING THE FIRST SESSION OF THE THIRTY-SIXTH PARLIAMENT OF VICTORIA.

PROCLAMATION

By His Excellency the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

I, the Governor of the State of Victoria, in the Commonwealth of Australia, do by this my Proclamation fix Wednesday, the twenty-eighth day of November, 1945, as the time for the commencement and holding of the First Session of the Thirty-sixth Parliament of Victoria, for the despatch of business, at the hour of Eleven o'clock in the forenoon, in the Parliament Houses, situate in Spring-street, in the City of Melbourne: And the Honorable the Members of the Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this twenty-third day of November, in the year of our Lord One thousand nine hundred and forty-five, and in the ninth year of the reign of His Majesty King George VI.

(L.S.)

WINSTON DUGAN.

By His Excellency's Command,

JOHN CAIN,

Premier.

GOD SAVE THE KING!

The Honorable Mr. Justice Martin, the Commissioner from His Excellency the Governor appointed to open the Parliament, having been introduced to the Council Chamber by the Usher, His Honour desired the Usher to request the presence of the Members of the Legislative Assembly to hear the Commission read for the commencement and holding of this present Session of the Parliament.

The Members of the Legislative Assembly having presented themselves, the Honorable Mr. Justice Martin said—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

MEMBERS OF THE LEGISLATIVE ASSEMBLY:

His Excellency the Governor, not thinking fit to be present in person, has been pleased to cause Letters Patent to issue, under the seal of the State, constituting me his Commissioner, to do in his name all that is necessary to be performed in this Parliament. This will more fully appear from the Letters Patent which will now be read by the Clerk.

Then the said Letters Patent were read by the Clerk as follows, viz. :—

*GEORGE THE SIXTH, by the Grace of God of Great Britain, Ireland, and
the British Dominions beyond the Seas King, Defender of the Faith, Emperor
of India :*

WHEREAS by Proclamation issued the twenty-third day of November, One thousand nine hundred and forty-five, by His Excellency Major-General Sir WINSTON JOSEPH DUGAN, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Companion of Our Most Honorable Order of the Bath, Companion of Our Distinguished Service Order, Governor of Our State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c., Wednesday, the twenty-eighth day of November, One thousand nine hundred and forty-five, was fixed as the time for the commencement and holding of the next Session of Our Parliament of Victoria, at the hour of Eleven o'clock in the forenoon, in the Parliament Houses, in the City of Melbourne : And forasmuch as for certain causes the said SIR WINSTON JOSEPH DUGAN cannot conveniently be present in person in Our said Parliament at that time : NOW KNOW YE THAT WE trusting in the discretion, fidelity, and care of Our trusty and well-beloved the Honorable FRED RUSSELL BEAUCHAMP MARTIN, Judge of Our Supreme Court of the State of Victoria, do give and grant by the tenor of these presents unto the said FRED RUSSELL BEAUCHAMP MARTIN, full power in Our name to begin and hold the said Session of Our said Parliament, and to do everything which for and by Us, or the said SIR WINSTON JOSEPH DUGAN, shall be there to be done ; commanding also by the tenor of these presents all whom it may concern to meet Our said Parliament, and the said FRED RUSSELL BEAUCHAMP MARTIN that he diligently attend in the premises and form aforesaid. In testimony whereof We have caused the Seal of Our said State to be hereunto affixed.

Witness Our trusty and well-beloved Major-General Sir WINSTON JOSEPH DUGAN, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Companion of Our Most Honorable Order of the Bath, Companion of Our Distinguished Service Order, Governor of Our State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c., at Melbourne in Our said State this twenty-sixth day of November, One thousand nine hundred and forty-five, and in the ninth year of Our reign.

WINSTON DUGAN.

By His Excellency's Command,

JOHN CAIN,
Premier.

Entered on Record by me in the Register of Patents,
Book 31, page 313, this twenty-sixth day of November,
One thousand nine hundred and forty-five.

L. CHAPMAN, Under-Secretary.

Then the Honorable Mr. Justice Martin said—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MEMBERS OF THE LEGISLATIVE ASSEMBLY :

I have it in command from His Excellency to let you know that, later this day, His Excellency will declare to you in person, in this place, the causes of his calling this Parliament together ; and, Members of the Legislative Assembly, as it is necessary before you proceed to the despatch of business that a Speaker of the Legislative Assembly be chosen, His Excellency requests that you, in your Chamber, will proceed to the choice of a proper person to be Speaker.

The Members of the Legislative Assembly then withdrew.

The Commissioner withdrew.

2. The President took the Chair and read the Prayer.

3. DECLARATIONS OF MEMBERS.—The Honorables the President, Sir Frank Beaurepaire, G. L. Chandler, P. J. Clarey, P. L. Coleman, J. S. Disney, W. H. Edgar, A. McD. Fraser, Sir George Goudie, Sir John Harris, T. Harvey, P. P. Inchbold, C. E. Isaac, J. A. Kennedy, Col. G. V. Lansell, W. MacAulay, L. H. McBrien, A. E. McDonald, A. J. Pittard, R. C. Rankin, L. R. Rodda, and G. J. Tuckett severally delivered to the Clerk the Declaration required by the fifty-fifth section of the Act No. 3660, as hereunder set forth :—

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, CLIFDEN HENRY ANDREWS EAGER, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment ; and further, that such lands or tenements are situate in the municipal districts of Kew and Camberwell, and are known as No. 26 Barrington-avenue, Kew, and No. 3 Peppin-street, Camberwell.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Kew are rated in the rate-book of the said municipality upon a yearly value of £59, and that such of the said lands or tenements as are situate in the municipal district of Camberwell are rated in the rate-book of the said municipality upon a yearly value of £48.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ C. H. A. EAGER.”

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, FRANCIS JOSEPH EDMUND BEAUREPAIRE, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Hawthorn, and are known as No. 2 Fordholm-road, Hawthorn.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Hawthorn are rated in the rate-book of the said municipality upon a yearly value of £245.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"FRANK BEAUREPAIRE."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, GILBERT LAWRENCE CHANDLER, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Ferntree Gully, and are known as property situate at corner of Boronia and Forest-roads, Boronia.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Ferntree Gully are rated in the rate-book of the said municipality upon a yearly value of £120.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"G. L. CHANDLER."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, PERCY JAMES CLAREY, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Caulfield, and are known as 'Boomerang,' 692 Inkerman-road.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Caulfield are rated in the rate-book of the said municipality upon a yearly value of £63.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"P. J. CLAREY."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, PATRICK LESLIE COLEMAN, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Melbourne, and are known as Nos. 234 and 236 Chetwynd-street, North Melbourne.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Melbourne are rated in the rate-book of the said municipality upon a yearly value of £104.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"P. L. COLEMAN."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, JAMES STANLEY DISNEY, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Melbourne, and are known as shop situate at No. 301 Elizabeth-street, Melbourne.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Melbourne are rated in the rate-book of the said municipality upon a yearly value of £340.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"JAMES S. DISNEY."

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, WILLIAM HASLAM EDGAR*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Camberwell, and are known as ‘Bingley,’ 520 Burke-road, Camberwell.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Camberwell are rated in the rate-book of the said municipality upon a yearly value of £120.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ W. H. EDGAR.”

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, ARCHIBALD McDONALD FRASER*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Preston, and are known as 12 Oakhill-avenue, East Preston.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Preston are rated in the rate-book of the said municipality upon a yearly value of £34.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ A. M. FRASER.”

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, GEORGE LOUIS GOUDIE*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Caulfield, and are known as 49 Elizabeth-street, Elsternwick.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Caulfield are rated in the rate-book of the said municipality upon a yearly value of £83.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ GEO. L. GOUDIE.”

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, JOHN RICHARDS HARRIS*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Rutherglen, and are known as Lots 23 to 26 on Lodged Plan 2894, Lots 2, 4, and 7 to 15 on Lodged Plan 3861, and part of Lots 2, 3, and 4 of section 21, being 103 acres of land in the parish of Carlyle.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Rutherglen are rated in the rate-book of the said municipality upon a yearly value of £45.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ JOHN R. HARRIS.”

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, TREVOR HARVEY*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Maffra, and are known as ‘Jerseyholm,’ Boisdale.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Maffra are rated in the rate-book of the said municipality upon a yearly value of £132.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ TREVOR HARVEY.”

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, PERCIVAL PENNELL INCHBOLD, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of the Borough of Wangaratta, and are known as 'Whitwell,' 18 Docker-street, Wangaratta.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of the Borough of Wangaratta are rated in the rate-book of the said municipality upon a yearly value of £56.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"P. P. INCHBOLD."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, CYRIL EVERETT ISAAC, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Dandenong, and are known as Nursery, Corrigan-road, Noble Park.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Dandenong are rated in the rate-book of the said municipality upon a yearly value of £84.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"C. E. ISAAC."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, JAMES ARTHUR KENNEDY, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Brighton, and are known as 28 Cosham-street, Brighton, certificate of title volume 4486, folio 897116.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Brighton are rated in the rate-book of the said municipality upon a yearly value of £95.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"J. A. KENNEDY."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, GEORGE VICTOR LANSELL, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Bendigo, and are known as 'Denderah,' View Hill, Bendigo.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Bendigo are rated in the rate-book of the said municipality upon a yearly value of £250.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"GEO. V. LANSELL."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, WILLIAM MACAULAY, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Alberton, and are known as 'Albert Valley,' being allotments 21, 21A, 21B, 22, and 90, parish of Binginwarri.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Alberton are rated in the rate-book of the said municipality upon a yearly value of £184.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"WM. MACAULAY."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, LIKELY HERMAN MCBRIEN*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Heidelberg, and are known as 69-71 Mount Street, Heidelberg.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Heidelberg are rated in the rate-book of the said municipality upon a yearly value of £150.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"L. H. MCBRIEN."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, ALLAN ELLIOTT McDONALD*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Newtown and Chilwell, and are known as Number 35 Laurel Bank-parade, Newtown.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Newtown and Chilwell are rated in the rate-book of the said municipality upon a yearly value of £59.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"ALLAN E. McDONALD."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, ALFRED JAMES PITTARD*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Ballarat, and are known as shops, 313 Sturt-street, 317 Sturt-street, and 611 Sturt-street, Ballarat.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Ballarat are rated in the rate-book of the said municipality upon a yearly value of £421.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"ALF. J. PITTARD."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, ROBERT CHISHOLM RANKIN*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of the Town of Horsham, and are known as 'Kalimna Park,' Horsham.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of the Town of Horsham are rated in the rate-book of the said municipality upon a yearly value of £70.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"R. C. RANKIN."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, LEONARD ROY RODDA*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Wimmera, and are known as allotments 51A, 52, and 66 to 73 inclusive, parish of Bungalally.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Wimmera are rated in the rate-book of the said municipality upon a yearly value of £340.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"L. R. RODDA."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, GEORGE JOSEPH TUCKETT, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Numurkah, and are known as allotments 6, 7, 8, 9, 10, and part of allotment 11 of section D, parish of Yalca.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Numurkah are rated in the rate-book of the said municipality upon a yearly value of £460.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"GEO. J. TUCKETT."

4. DECLARATIONS OF MEMBERS.—The Honorables Sir William Angliss, W. J. Beckett, G. Bolster, P. T. Byrnes, Sir Frank Clarke, C. P. Gartside, P. Jones, and P. J. Kennelly severally delivered to the Clerk the Declaration required by the fifty-fifth section of the Act No. 3660, as hereunder set forth:—

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, WILLIAM CHARLES ANGLISS, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Melbourne, and are known as part of allotment 6, section 24, city of Melbourne, parish of North Melbourne, county of Bourke, and being the whole of the land comprised in certificate of title, volume 3701, folio 740157.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Melbourne are rated in the rate-book of the said municipality upon a yearly value of £720.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"W. ANGLISS."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, WILLIAM JAMES BECKETT, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of St. Kilda, and are known as 'Aloha,' Shakespeare-grove.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of St. Kilda are rated in the rate-book of the said municipality upon a yearly value of £130.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"W. J. BECKETT."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, GEORGE BOLSTER, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Ballarat, and are known as 102 Claredon-street, Ballarat.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Ballarat are rated in the rate-book of the said municipality upon a yearly value of £52.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"GEORGE BOLSTER."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, PERCY THOMAS BYRNES, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Shire of Swan Hill and are known as vineyard, being allotment 5, Section B1, and part allotment 15, Section B, parish of Tyntynder, and shop and dwelling being part 1 of Section B, Nyah Township.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Shire of Swan Hill are rated in the rate-book of the said municipality upon a yearly value of £135.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"P. T. BYRNES."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, FRANCIS GRENVILLE CLARKE*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Prahran, and are known as 28 Jackson-street, Toorak, being part of Crown portion 14, parish of Prahran, county of Bourke.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of the said municipality upon a yearly value of £65.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"FRANK CLARKE."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, CHARLES PERCIVAL GARTSIDE*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Dandenong, and are known as my homestead.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Dandenong are rated in the rate-book of the said municipality upon a yearly value of £130.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"C. P. GARTSIDE."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, PAUL JONES*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal districts of Richmond and Prahran, and are known as 68-72 Lord-street, Richmond, and 10 Clarke-street, Prahran.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Richmond are rated in the rate-book of the said municipality upon a yearly value of £100, and that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of the said municipality upon a yearly value of £60.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"PAUL JONES."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, PATRICK JOHN KENNELLY*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of South Melbourne, and are known as 164-166 Nelson-road, South Melbourne.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of South Melbourne are rated in the rate-book of the said municipality upon a yearly value of £64.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"P. J. KENNELLY."

5. APPROACH OF HIS EXCELLENCY THE GOVERNOR.—The approach of His Excellency the Governor was announced by the Usher.

His Excellency came into the Council Chamber, and commanded the Usher to desire the immediate attendance of the Legislative Assembly, who being come with their Speaker, His Excellency was pleased to speak as follows:—

MR. PRESIDENT AND HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY :

Following the recent general election of Members of the Legislative Assembly, I have taken the earliest opportunity of calling you together for the transaction of urgent public business.

With the glorious Allied victory in all theatres of war, and the restoration of peace, we can now wholeheartedly devote ourselves to the task of building a new and better world, a world in which peace and goodwill must be the guiding factors.

Our first great task must be the re-establishment in civil life of service personnel. In this work my Advisers will co-operate fully with the Commonwealth Government, not only in the launching of developmental projects, but in exploiting every avenue of employment for those who have given loyal war service to the nation.

Provision has yet to be made to enable the public services to be carried on for the remainder of the financial year.

MR. SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY :

The Supply Bill for the month of December will be submitted to you to-day.

Supplementary Estimates of expenditure for the financial year 1944-45 will be introduced.

The Estimates of revenue and expenditure for the financial year 1945-46 will be re-submitted.

MR. PRESIDENT AND HONORABLE MEMBERS OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY :

My Advisers will introduce without delay, a comprehensive measure dealing with soldier settlement, and will proceed with the acquisition of suitable estates.

Realizing the great need for expediting the erection of homes for adequately housing the people of this State, the Government will expand the activities of the Housing Commission. It will also encourage and assist the small builder to participate in this urgent work. The closest liaison with the Commonwealth Government will be maintained in connexion with the supply of labour and materials. A Housing Agreement between the Commonwealth and this State will be submitted for ratification.

The complaints of small-lot owners that they are being inadequately compensated for the land acquired compulsorily by the Housing Commission will be investigated immediately.

The staffing of public hospitals, and other health institutions is causing the Government much concern. An immediate examination into the causes of staff shortage will be made and measures to remedy the position will be taken as early as practicable.

To give effect to its plans for promoting decentralization, the Government will appoint a Decentralization of Industries Committee under Ministerial control, to supervise the location of industry and to encourage the establishment of factories in country districts.

A Bill to amend the Workers' Compensation Act will be submitted.

Legislation to amend the Factories and Shops Act to provide for annual holidays for employes will be brought forward.

Bills to provide for independent tribunals for the Public Service, the Teaching Service and the Police Force will be introduced.

A Board of Education will be constituted to survey the whole field of education in this State.

When the men and women of the Services have been demobilized, the Government will review the question of electoral boundaries, in the light of the then distribution of population.

A measure will be introduced to co-ordinate transport.

The incidence of uniform taxation will be examined and Victoria's position discussed fully with the Commonwealth Government.

Other Bills to be placed before you will include measures relating to the following :—

Legal Profession.

Friendly Societies' Dispensaries.

Farmers' Debts Adjustment.

Uniformity of Land Valuations.

Country Fire Authority.

I now leave you to your deliberations, trusting that with the blessing of Divine Providence your work will be conducive to the welfare of the State.

Which being concluded, a copy of the Speech was delivered to the President, and a copy to Mr. Speaker, and His Excellency the Governor left the Chamber.

The Legislative Assembly then withdrew.

6. DECLARATION OF MEMBER.—The Honorable D. L. McNamara delivered to the Clerk the Declaration required by the fifty-fifth section of the Act No. 3660, as hereunder set forth :—

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, DANIEL LAURENCE MCNAMARA*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment ; and further, that such lands or tenements are situate in the municipal district of Caulfield, and are known as house and land known as ‘ Iona,’ Talbot-avenue, East St. Kilda.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Caulfield are rated in the rate-book of the said municipality upon a yearly value of £53.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ D. L. McNAMARA.”

7. The President resumed the Chair.

8. MINES (AMENDMENT) BILL.—On the motion of the Honorable P. J. Clarey, leave was given to bring in a Bill to amend Sections Four hundred and eighteen Four hundred and twenty and Four hundred and twenty-one of the *Mines Act 1928*, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
9. COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The President laid upon the Table the following Warrant appointing the Committee of Elections and Qualifications :—

LEGISLATIVE COUNCIL—VICTORIA.

Pursuant to the provisions of *The Constitution Act Amendment Act 1928* I do hereby appoint—

The Honorable William James Beckett,
 The Honorable Gilbert Lawrence Chandler,
 The Honorable Sir George Goudie,
 The Honorable Sir John Harris,
 The Honorable Gordon Stewart McArthur,
 The Honorable Daniel Laurence McNamara, and
 The Honorable Alfred James Pittard

to be members of a Committee to be called "The Committee of Elections and Qualifications."

Given under my hand this twenty-eighth day of November, One thousand nine hundred and forty-five.

C. H. A. EAGER,
 President of the Legislative Council.

10. TEMPORARY CHAIRMEN OF COMMITTEES.—The President laid upon the Table the following Warrant nominating the Temporary Chairmen of Committees :—

LEGISLATIVE COUNCIL—VICTORIA.

Pursuant to the provisions of the Standing Order of the Legislative Council numbered 160, I do hereby nominate—

The Honorable Sir William Angliss,
 The Honorable Paul Jones,
 The Honorable Richard Kilpatrick, and
 The Honorable Alfred James Pittard

to act as Temporary Chairmen of Committees whenever requested to do so by the Chairman of Committees or whenever the Chairman of Committees is absent.

Given under my hand this twenty-eighth day of November, One thousand nine hundred and forty-five.

C. H. A. EAGER,
 President of the Legislative Council.

11. LEAVE OF ABSENCE TO MEMBER.—The Honorable G. J. Tuckett moved, by leave, That leave of absence be granted to the Honorable Richard Kilpatrick for the remainder of the Session on account of ill-health.

Question—put and resolved in the affirmative.

12. EMPLOYERS AND EMPLOYÉS BILL.—On the motion (by leave without notice) of the Honorable A. M. Fraser, leave was given to bring in a Bill to amend the Law relating to Employers and Employés, and the said Bill was read a first time and ordered to be printed and to be read on the next day of meeting.

13. PUBLIC WORKS COMMITTEE.—The Honorable P. J. Clarey moved, by leave, That the following Members of this House be appointed members of the Public Works Committee, viz. :—the Honorables James Stanley Disney and Leonard Roy Rodda.

Question—put and resolved in the affirmative.

14. PAPERS.—The Honorable P. J. Clarey presented, by command of His Excellency the Governor—
 Penal Establishments, Gaols, and Reformatory Prisons—Report and Statistical Tables for the year 1944.

Ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—

Anti-Cancer Council Act 1936—Ninth Annual Report of the Anti-Cancer Council of Victoria for the year 1944-45, together with Statement of Receipts and Expenditure and audited Balance-sheet.

Banks and Currency Act 1928—Bank Liabilities and Assets—Summary of Sworn Returns for the quarter ended 30th September, 1945.

Cattle Compensation Act 1928—Cattle Duty Regulations.

Constitution Act Amendment Acts—Statements of Persons temporarily employed in the Departments of the Legislative Council, Legislative Assembly, and House Committee.
 Country Fire Authority Act 1944—Amendment of Country Fire Authority (Permits) Regulations 1945.
 Dairy Products Acts—Report of the Victorian Dairy Products Board for the six months ended 30th June, 1945.
 Education Act 1928—Regulation XXXVI. (B).—Consolidated Schools.
 Fire Brigades Act 1928—Metropolitan Fire Brigades Board—Report for the year 1944-45.
 Land Act 1928—Report for the year 1944-45.
 Motor Car (Third-Party Insurance) Act 1939—Statistical Returns by Authorized Insurers for the year 1944-45.
 River Murray Waters Act 1915—Report of the River Murray Commission for the year 1944-45.
 State Savings Bank Act 1928—State Savings Bank of Victoria—Statements and Returns for the year 1944-45.
 Swine Act 1928—Swine Duty Regulations.
 Transport Regulation Act 1932—Report of the Transport Regulation Board for the year 1944-45.
 Victorian Inland Meat Authority Act 1942—Statement of Guarantee given to the Commonwealth Bank by the Treasurer of Victoria.

15. SPEECH OF HIS EXCELLENCY THE GOVERNOR.—The President reported the Speech of His Excellency the Governor.

The Honorable P. Jones moved, That the Council agree to the following Address to His Excellency the Governor in reply to His Excellency's Opening Speech :—

MAY IT PLEASE YOUR EXCELLENCY—

We, the Legislative Council of Victoria, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the gracious Speech which you have been pleased to address to Parliament.

Debate ensued.

The Honorable W. MacAulay moved, That the debate be now adjourned.

Debate ensued.

Motion, by leave, withdrawn.

Debate on the main question continued.

The Honorable W. MacAulay moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

16. DECLARATION OF MEMBER.—The Honorable J. H. Lienhop delivered to the Clerk the Declaration required by the fifty-fifth section of the Act No. 3660, as hereunder set forth :—

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, JOHN HERMAN LIENHOP, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment ; and further, that such lands or tenements are situate in the municipal district of Bendigo, and are known as No. 296 Williamson-street, Bendigo, and No. 23 Pyke-street, Bendigo.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Bendigo are rated in the rate-book of the said municipality upon a yearly value of £180.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ J. H. LIENHOP.”

17. CONSOLIDATED REVENUE BILL (No. 1).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to apply out of the Consolidated Revenue the sum of Two million and seventy-six thousand and seventeen pounds to the service of the year One thousand nine hundred and forty-five and One thousand nine hundred and forty-six* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave and after debate, was read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair ; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

18. CONSOLIDATED REVENUE BILL (No. 2).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to apply out of the Consolidated Revenue the sum of Nine hundred and seventy-seven thousand four hundred and eighty-three pounds to the service of the year One thousand nine hundred and forty-four and One thousand nine hundred and forty-five* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave and after debate, was read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

19. ADJOURNMENT.—The Honorable P. J. Clarey moved, That the Council, at its rising, adjourn until Tuesday next at half-past Four o'clock.

Question—put and resolved in the affirmative.

And then the Council, at twenty-eight minutes past Ten o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 2.

TUESDAY, 4TH DECEMBER, 1945.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, on the 30th November last, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—
Consolidated Revenue Act (No. 1).
Consolidated Revenue Act (No. 2).
3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 Fruit and Vegetables Act 1928—Amendment of Regulations—No. 2 Grade Potatoes.
 Geelong Harbor Trust Act 1928—Accounts and Statement of Receipts and Expenditure of the Geelong Harbor Trust Commissioners for the year 1944.
 Marketing of Primary Products Act 1935—Onion Marketing Board—Regulations—Registration of Producers of Onions.
 Milk and Dairy Supervision Acts—Amendment of Regulations relating to Dairy Produce.
4. DAYS OF BUSINESS.—The Hon. P. J. Clarey moved, That Tuesday, Wednesday, and Thursday in each week be the days on which the Council shall meet for the despatch of business during the present Session, and that half-past Four o'clock be the hour of meeting on each day; that on Tuesday and Thursday in each week the transaction of Government business shall take precedence of all other business; and that on Wednesday in each week Private Members' business shall take precedence of Government business; and that no new business be taken after half-past Ten o'clock.
 Question—put and resolved in the affirmative.
5. STANDING ORDERS COMMITTEE.—The Hon. P. J. Clarey moved, That the Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, W. H. Edgar, Sir George Goudie, Sir John Harris, P. P. Inchbold, J. H. Lienhop, and D. L. McNamara be members of the Select Committee on the Standing Orders of the House; three to be the quorum.
 Question—put and resolved in the affirmative.
6. HOUSE COMMITTEE.—The Hon. P. J. Clarey moved, That the Honorables Sir William Angliss, Sir Frank Clarke, P. J. Kennelly, L. R. Rodda, and G. J. Tuckett be members of the House Committee.
 Question—put and resolved in the affirmative.
7. LIBRARY COMMITTEE.—The Hon. P. J. Clarey moved, That the Honorables the President, P. J. Clarey, J. A. Kennedy, R. Kilpatrick, and L. R. Rodda be members of the Joint Committee to manage the Library.
 Question—put and resolved in the affirmative.
8. PRINTING COMMITTEE.—The Hon. P. J. Clarey moved, That the Honorables the President, G. Bolster, P. T. Byrnes, G. L. Chandler, C. E. Isaac, Paul Jones, Colonel G. V. Lansell, W. MacAulay, A. J. Pittard, and R. C. Rankin be members of the Printing Committee; three to be the quorum.
 Question—put and resolved in the affirmative.
9. STATUTE LAW REVISION COMMITTEE.—The Hon. P. J. Clarey moved, That, in compliance with the recommendation of the Joint Select Committee on the Consolidation of the Laws, adopted by this House on the 22nd June, 1915, a Committee be appointed, consisting of six members, to join with a Committee of the Legislative Assembly, to deal with anomalies in the law and make recommendations as to statutory amendments, such Committee to consist of the Honorables W. H. Edgar, A. M. Fraser, Sir George Goudie, Sir John Harris, J. A. Kennedy, and G. S. McArthur, with power to send for persons, papers, and records; five to be the quorum.
 Question—put and resolved in the affirmative.
 Ordered—That a Message be sent to the Assembly acquainting them with the foregoing resolution.

10. **FACTORIES AND SHOPS (BREAD HOLIDAYS) BILL.**—On the motion of the Honorable P. J. Clarey, leave was given to bring in a Bill to amend Section Two hundred and twelve of the *Factories and Shops Act 1928*, and the said Bill was read a first time.

The Honorable P. J. Clarey moved, That this Bill be dealt with as an urgent Bill.

Question—put and resolved in the affirmative.

Ordered—That the Bill be printed and the second reading made an Order of the Day for later this day.

11. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered, after debate—That the consideration of the Order of the Day—*Address in Reply to Speech of His Excellency the Governor—Motion for—Resumption of debate*—be postponed until after the Order of the Day—*Factories and Shops (Bread Holidays) Bill—Second reading*.

12. **FACTORIES AND SHOPS (BREAD HOLIDAYS) BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

13. **ADDRESS IN REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR.**—The Order of the Day for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 11 *ante*), having been read—

Debate resumed.

Question—put and resolved in the affirmative.

The Honorable P. J. Clarey moved, That the Address be presented to His Excellency the Governor by the President and such members of the Council as may wish to accompany him.

Question—put and resolved in the affirmative.

14. **ADJOURNMENT.**—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twenty-two minutes past Ten o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 3.

TUESDAY, 11TH DECEMBER, 1945.

1. The President took the Chair and read the Prayer.
2. ADMINISTRATION AND PROBATE DUTIES BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to continue the Operation of Part III. of the ‘Finance Act 1930’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave and after debate, to be read a second time later this day.
3. LAND TAX BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to declare the Rate of Land Tax for the Year ending the thirty-first day of December One thousand nine hundred and forty-six*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
4. STAMPS (INCREASED DUTY CONTINUANCE) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to continue the Operation of certain Provisions of the Stamps Acts relating to the Imposition of Increased Stamp Duties on certain Instruments*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
5. LICENSING FUND BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to the Transfer to the Consolidated Revenue of Surpluses in the Licensing Fund*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
6. FACTORIES AND SHOPS (BREAD HOLIDAYS) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.
7. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
 - Co-operative Housing Societies Act 1944—Co-operative Housing Societies (General) Regulations (No. 2).
 - Education Act 1928—Report of the Council of Public Education for the year 1944–45.
 - Hospitals and Charities Act 1928—Charities Board of Victoria—Report for the year 1944–45.
 - Land Act 1928—
 - Certificate of the Chief Secretary and the Solicitor-General relating to the proposed compulsory resumption of land at Elsternwick for the purpose of erecting thereon a Police Station and Court House.
 - Certificate of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of a school site at Herne Hill, Geelong.
 - Mental Hygiene Act 1928—Report of the Director of Mental Hygiene for the year 1944.
 - Ministry of Health Act 1943—Ministry of Health (Consultative Council in respect of Victorian Institutional Community Service) Regulations 1945.

Motor Car (Third-Party Insurance) Act 1939—State Motor Car Insurance Office—Report, Profit and Loss Account, and Balance-sheet for the year 1944–45.

Public Service Act 1928—

Copy of Papers in connexion with the promotion of Francis Aloysius Langton from the Fifth to the Fourth Class, Department of Chief Secretary.

Regulations—

Appointment or Transfer to the Clerical Division, Chapter III.

Attendance and Conduct of Officers, Chapter XII.

Classification of General Division, Chapter VII.—

Department of Agriculture (3 papers).

Department of Chief Secretary (5 papers).

Department of Health (5 papers).

Department of Public Works.

Department of State Forests.

Department of Treasurer (2 papers).

Department of Water Supply (3 papers).

General (2 papers).

Leave of Absence, Chapter XIII.—Sick Leave.

Professional Division, Chapter II.—

Department of Agriculture (2 papers).

Department of Chief Secretary (3 papers).

Department of Health (2 papers).

Department of Lands and Survey (4 papers).

Department of Law (4 papers).

Department of Public Instruction (2 papers).

Department of Public Works (2 papers).

Department of Water Supply (6 papers).

Travelling Allowances, Chapter IX.—Part II.—Allowances to certain officers—

Department of Water Supply (2 papers).

Railways Act 1928—Report of the Victorian Railways Commissioners for the year 1944–45.

State Electricity Commission Act 1928—Report of the State Electricity Commission of Victoria for the year 1944–45.

Workers' Compensation Act 1928—State Accident Insurance Office—Report, Profit and Loss Account, and Balance-sheet for the year 1944–45.

8. ADMINISTRATION AND PROBATE DUTIES BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

9. LAND TAX BILL.—This Bill was, according to the Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

10. STAMPS (INCREASED DUTY CONTINUANCE) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

11. LICENSING FUND BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

12. MINES (AMENDMENT) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

13. EMPLOYERS AND EMPLOYÉS BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

14. ADJOURNMENT.—The Honorable P. J. Kennelly moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at forty-eight minutes past Nine o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 4.

TUESDAY, 18TH DECEMBER, 1945.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, on the 13th instant, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:—
 - Factories and Shops (Bread Holidays) Act.*
 - Administration and Probate Duties Act.*
 - Land Tax Act.*
 - Stamps (Increased Duty Continuance) Act.*
 - Licensing Fund Act.*
3. SOLDIER SETTLEMENT BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to ratify the Execution for and on behalf of the State of Victoria of an Agreement between the said State and the Commonwealth of Australia in relation to Soldier Settlement and to approve the Agreement so executed, to provide for the Appointment of a Director of Soldier Settlement and to confer certain Powers and Functions upon the said Director, and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave and after debate, to be read a second time later this day.
4. UNIVERSITY (VETERINARY RESEARCH) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to make provision with respect to the Granting of Moneys from the Consolidated Revenue to the University of Melbourne for the purposes of or in connexion with the Veterinary Research Institute*," and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
5. STATE FORESTS LOAN AND APPLICATION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to Authorize the Raising of Money for State Forests and to sanction the Issue and Application for that purpose of the Money so raised or of Money in the State Loans Repayment Fund, and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Kennelly, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
6. FARMERS ADVANCES BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend Section Four of the 'Farmers Advances Act 1935'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

7. **SURPLUS REVENUE BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to the Surplus Revenue of the Financial Year ended on the Thirtieth day of June One thousand nine hundred and forty-five*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

8. **FARMERS PROTECTION (AMENDMENT) BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Sections Five, Six, and Seventeen of the ‘Farmers Protection Act 1941’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

9. **RAILWAY LOAN APPLICATION BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to sanction the Issue and Application of certain Sums of Money available for Railways under Loan Acts or in the State Loans Repayment Fund, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

10. **PUBLIC WORKS LOAN AND APPLICATION BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to authorize the Raising of further Money for Public Works and other purposes and to sanction the Issue and Application for such Purposes of the Money so raised or of Money in the State Loans Repayment Fund, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Kennelly, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

11. **WATER SUPPLY LOANS APPLICATION BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to sanction the Issue and Application of certain Sums of Money available under Loan Acts or in the State Loans Repayment Fund for Irrigation Works Water Supply Works Drainage and Flood Protection Works in Country Districts and for Works under the River Murray Waters Acts, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

12. **PUBLIC ACCOUNT ADVANCES (AMENDMENT) BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Section Eight of the ‘Public Account Advances Act 1924’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

13. **EMPLOYERS AND EMPLOYÉS BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with an amendment and desiring the concurrence of the Council therein.

Ordered—That the amendment made in this Bill by the Assembly be now taken into consideration.

And the said amendment was read and is as follows:—

Clause 2, page 2, lines 5-10, omit all words commencing “This section” to the end of the clause and insert—

“This section applies to every case in which the relation of employer and employé exists, whether the contract of employment is made before or after the commencement of the *Employers and Employés Act 1945*”.

On the motion of the Honorable A. M. Fraser, and after debate, the Council agreed to the amendment made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

14. **ALTERATION OF SESSIONAL ORDERS.**—The Honorable P. J. Clarey moved, by leave, That so much of the Sessional Orders as provides that no new business shall be taken after half-past Ten o'clock be suspended for the remainder of this week.

Debate ensued.

Question—put and resolved in the affirmative.

15. PAPERS.—The Honorable P. J. Clarey presented, by command of His Excellency the Governor-Indeterminate Sentences Board—Report for the year 1944–45.

Ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

Factories and Shops Acts—Report of the Chief Inspector of Factories and Shops for the year 1944.

Libraries Act 1928—Report of the Trustees of the Public Library Museums and National Gallery of Victoria, with Statements of Income and Expenditure for the year 1944.

Melbourne and Metropolitan Board of Works Act 1928—Statement of Accounts and Balance-sheet of the Board together with Schedule of Contracts for the year 1944–45.

16. FARMERS ADVANCES BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

17. UNIVERSITY (VETERINARY RESEARCH) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

18. SURPLUS REVENUE BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable A. J. Pittard having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

19. DECLARATION OF MEMBER.—The Honorable G. S. McArthur delivered to the Clerk the Declaration required by the fifty-fifth section of the Act No. 3660, as hereunder set forth:—

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, GORDON STEWART MCARTHUR, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Hampden, and are known as ‘Meningoort,’ Camperdown.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Hampden are rated in the rate-book of the said municipality upon a yearly value of £1,260.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ G. S. MCARTHUR.”

20. HOSPITAL BENEFITS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to authorize and approve the Execution by the State of Victoria of an Agreement between the Commonwealth of Australia and the State of Victoria relating to Hospital Benefits, to amend consequentially the ‘Health Act 1928’ and the ‘Hospitals and Charities Act 1928’, and for other purposes* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

21. **SOLDIER SETTLEMENT BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable A. M. Fraser moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Debate ensued.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

22. **STATE FORESTS LOAN AND APPLICATION BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy-President resumed the Chair; and the Honorable Sir William Angliss having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

23. **TOTALIZATOR (AMENDMENT) BILL.**—The Deputy-President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Section Eight of the ‘Totalizator Act 1930’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, after debate, to be read a second time on the next day of meeting.

24. **ADJOURNMENT.—ALTERATION OF HOUR OF MEETING.**—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until to-morrow at Eleven o’clock.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-two minutes past Ten o’clock, adjourned until to-morrow.

P. T. POOK,
Clerk of the Legislative Council.

No. 5.

WEDNESDAY, 19TH DECEMBER, 1945.

1. The President took the Chair and read the Prayer.
2. **COAL MINES REGULATION (AMENDMENT) BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Section Twenty-six of the ‘Coal Mines Regulation Act 1928’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
3. **FINANCIAL EMERGENCY (MUNICIPAL ENDOWMENT) BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to further amend Part IV. of the ‘Financial Emergency Act 1931’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
4. **COUNTRY ROADS BOARD FUND (AMENDMENT) BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to further amend the ‘Country Roads Board Fund Act 1932 (No. 2)’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Kennelly, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
5. **MINES (AMENDMENT) BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.

6. FARMERS PROTECTION (AMENDMENT) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
7. RAILWAY LOAN APPLICATION BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
8. PRESENTATION OF ADDRESS TO HIS EXCELLENCY THE GOVERNOR.—The President reported that, accompanied by Honorable Members, he had this day waited upon His Excellency the Governor and had presented to him the Address of the Legislative Council, adopted on the 4th instant, in reply to His Excellency's Opening Speech, and that His Excellency had been pleased to make the following reply :—
MR. PRESIDENT AND HONORABLE MEMBERS OF THE LEGISLATIVE COUNCIL :
In the name and on behalf of His Majesty the King I thank you for your expressions of loyalty to our Most Gracious Sovereign contained in the Address you have just presented to me. I fully rely on your wisdom in deliberating upon the important measures to be brought under your consideration, and I earnestly hope that the results of your labours will be conducive to the advancement and prosperity of this State.
9. PUBLIC WORKS LOAN AND APPLICATION BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
10. WATER SUPPLY LOANS APPLICATION BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The Deputy-President resumed the Chair; and the Honorable A. J. Pittard having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
11. PUBLIC ACCOUNT ADVANCES (AMENDMENT) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
12. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 6, be postponed until after No. 7.
13. SOLDIER SETTLEMENT BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
The Honorable J. H. Lienhop moved, That it be an instruction to the Committee that they have power to consider amendments in the Bill to provide for a Soldier Settlement Commission in place of a Director of Soldier Settlement.
Debate ensued.
Question—put.

The Council divided.

Ayes, 18.

The Hon. Sir William Angliss,
 Sir Frank Beaurepaire,
 G. L. Chandler,
 Sir Frank Clarke,
 J. S. Disney (*Teller*),
 W. H. Edgar,
 C. P. Gartside,
 Sir George Goudie,
 P. P. Inchbold,
 C. E. Isaac,
 J. A. Kennedy,
 Col. G. V. Lansell,
 J. H. Lienhop,
 G. S. McArthur,
 W. MacAulay,
 A. J. Pittard,
 L. R. Rodda,
 G. J. Tuckett (*Teller*).

Noes, 9.

The Hon. W. J. Beckett,
 P. J. Clarey,
 P. L. Coleman,
 A. McD. Fraser,
 T. Harvey (*Teller*),
 P. J. Kennelly,
 A. E. McDonald (*Teller*),
 D. L. McNamara,
 R. C. Rankin.

And so it was resolved in the affirmative.

The President left the Chair.

House in Committee.

And the Council having continued to sit until after Twelve o'clock midnight—

THURSDAY, 20TH DECEMBER, 1945.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with amendments and had amended the title thereof, which title is as follows: "*An Act to ratify the Execution for and on behalf of the State of Victoria of an Agreement between the said State and the Commonwealth of Australia in relation to Soldier Settlement and to approve the Agreement so executed, to constitute a Soldier Settlement Commission and to confer certain Powers and Functions upon the said Commission, and for other purposes*", the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.

14. MELBOURNE AND METROPOLITAN TRAMWAYS (CHAIRMAN) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend Section Fifteen of the 'Melbourne and Metropolitan Tramways Act 1928'*" and desiring the concurrence of the Council therein:

On the motion of the Honorable P. J. Kennelly, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

15. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

Forests Act 1928—Twenty-sixth Annual Report of the Forests Commission of Victoria, Financial Year 1944-45.

Gas Regulation Act 1933—Gas Regulation (Emergency Powers) Regulations (No. 13).

Local Government (Emergency Housing and Accommodation) Act 1945—

Local Government (Emergency Housing Accommodation) Regulations 1945.

Local Government (Emergency Housing Accommodation) Regulations (No. 2) 1945.

Soil Conservation Act 1940—Report of the Soil Conservation Board for the year 1944-45.

Supreme Court Acts—Rules of the Supreme Court—Rules of Procedure in Civil Proceedings.

16. ADJOURNMENT.—ALTERATION OF HOUR OF MEETING.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until this day at Two o'clock.

Question—put and resolved in the affirmative.

And then the Council, at fifteen minutes past Two o'clock in the morning, adjourned until this day.

No. 6.

THURSDAY, 20TH DECEMBER, 1945.

1. The President took the Chair and read the Prayer.
2. HOSPITAL BENEFITS BILL.—This Bill was, according to Order and after debate, read a second time. The Honorable P. J. Clarey moved, That the Bill be now committed. Debate ensued. The Honorable Sir Frank Clarke moved, as an amendment, That the word “now” be omitted and the words “on this day four weeks” added after the word “committed.” Debate ensued. Question—That the word proposed to be omitted stand part of the question—put and resolved in the affirmative.. Question—That the Bill be now committed—put and resolved in the affirmative.—Bill committed to a Committee of the whole. House in Committee. The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed. Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
3. SOLDIER SETTLEMENT BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to some of the amendments made in such Bill by the Council and have disagreed with others of the said amendments. Ordered—That the foregoing Message be taken into consideration later this day.
4. TOTALIZATOR (AMENDMENT) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. L. Coleman moved, That this Bill be now read a second time. Debate ensued. The Honorable W. J. Beckett moved, That the debate be now adjourned. Debate ensued. Question—That the debate be now adjourned—put and resolved in the affirmative. Ordered—That the debate be adjourned until later this day.
5. FINANCIAL EMERGENCY (MUNICIPAL ENDOWMENT) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole. House in Committee. The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed. Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
6. TOTALIZATOR (AMENDMENT) BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole. House in Committee. The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed. Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

7. SOLDIER SETTLEMENT BILL.—The Order of the Day for the consideration of the amendments made in this Bill by the Council and disagreed with by the Assembly having been read, the said amendments were read and are as follow:—

Amendments made by the Legislative Council.

How dealt
with by the
Legislative
Assembly.

1. Clause 2, line 10, omit "The Director of Soldier Settlement" and insert "The Soldier Settlement Commission".
2. " page 2, line 2, omit "Director" and insert "Commission".
3. Clause 3, lines 15-16, omit "'Director' means the Director of Soldier Settlement under this Act" and insert "'Commission' means the Soldier Settlement Commission constituted under this Act".
4. Clauses 5-16, omit these clauses and the heading thereto.
5. Clause 19, line 15, omit "Director" and insert "Commission".
6. " line 16, omit "Director" and insert "Commission".
7. " line 18, omit "Director" and insert "Commission".
8. " line 20, omit "Director" and insert "Commission".
9. " line 21, omit "Director" and insert "Commission".
10. Clause 20, line 26, omit "Director" and insert "Commission".
11. " line 29, omit "Director" and insert "members of the Commission".
12. " line 31, omit "Director" and insert "Commission".
13. " line 34, omit "Director" and insert "Commission".
14. " line 38, omit "Director" and insert "Commission".
15. " line 40, omit "Director" and insert "Commission".
16. " line 42, omit "Director" and insert "Commission".
17. " page 9, line 2, omit "Director" and insert "Commission".
18. " page 9, line 5, omit "Director" and insert "Commission".
19. Clause 21, line 8, omit "Director" and insert "Commission".
20. " line 11, omit "Director" and insert "Commission".
21. " line 16, omit "Director" and insert "Commission".
22. Clause 22, line 22, in the heading, omit "DIRECTOR" and insert "COMMISSION".
23. " line 26, omit "Director" and insert "Commission".
24. " line 30, omit "Director" and insert "Commission".
25. " line 32, omit "his" and insert "its".
26. " line 35, omit "Director's opinion" and insert "opinion of the Commission".
27. Clause 23, line 1, omit "Director" and insert "Commission".
28. " line 3, omit "Director" and insert "Commission".
29. " line 5, omit "Director" and insert "Commission".
30. Clause 24, line 21, omit "Director" and insert "Commission".
31. Clause 25, line 28, omit "Director" and insert "Commission".
32. " line 31, omit "Director" and insert "Commission".
33. Clause 26, line 34, omit "Director" and insert "Commission".
34. Clause 27, line 8, omit "Director" and insert "Commission".
37. Clause 29, line 16, omit "Director" and insert "Commission".
38. Clause 30, line 26, omit "Director" and insert "Commission".
39. " line 28, omit "Director" and insert "Commission".
40. " line 30, omit "Director" and insert "Commission".
41. " line 32, omit "Director" and insert "Commission".
42. Clause 31, line 34, omit "Director" and insert "Commission".
43. " line 35, omit "Director" and insert "Commission".
44. " line 37, omit "Director" and insert "Commission".
45. " line 40, omit "Director" and insert "Commission".
46. Clause 32, line 1, omit "Director" and insert "Commission".
47. " line 6, omit "Director" and insert "Commission".
48. Clause 33, line 11, omit "Director" and insert "Commission".
49. " line 15, omit "Director" and insert "Commission".
50. " line 17, omit "Director" and insert "Commission".
51. Clause 35, line 26, omit "Director" and insert "Commission".
52. " line 28, omit "Director" and insert "Commission".
53. " line 30, omit "Director" and insert "Commission".

Disagreed
with.

Amendments made by the Legislative Council.

How Dealt with by the Legislative Assembly.

- 55. Clause 36, page 14, line 18, omit "Director" and insert "Commission".
- 56. Clause 38, line 32, omit "Director" and insert "Commission".
- 57. " line 35, omit "Director" and insert "Commission".
- 58. " line 37, omit "Director" and insert "Commission".
- 59. Clause 39, line 13, omit "Director" and insert "Commission".
- 60. " line 17, omit "Director" and insert "Commission".
- 61. Clause 40, line 40, omit "Director" and insert "Commission".
- 62. " page 16, line 4, omit "Director" and insert "Commission".
- 63. Clause 41, line 8, omit "Director" and insert "Commission".
- 64. " line 13, omit "Director" and insert "Commission".
- 65. " line 16, omit "Director" and insert "Commission".
- 66. " line 20, omit "Director" and insert "Commission".
- 67. " line 35, omit "Director" and insert "Commission".
- 68. " line 36, omit "Director" and insert "Commission".
- 69. " page 17, line 7, omit "Director" and insert "Commission".
- 70. " page 17, line 13, omit "Director" and insert "Commission".
- 71. " page 17, line 17, omit "Director" and insert "Commission".
- 72. " page 17, line 22, omit "Director" and insert "Commission".
- 73. " page 17, line 26, omit "Director" and insert "Commission".

Insert the following new Heading and new Clauses to follow Clause 4 :—

PART II.—THE SOLDIER SETTLEMENT COMMISSION.

74. A. (1) For the purposes of this Act there shall be a Commission appointed by the Governor in Council and constituted as hereinafter provided, to be called the "Soldier Settlement Commission".

(2) By that name the Commission shall be a body corporate with perpetual succession and a common seal and shall be capable in law of suing and of being sued and of taking purchasing leasing taking on lease or on mortgage or for security holding selling and disposing of real and personal property for the purposes of this Act.

(3) The Commission shall consist of three members appointed by the Governor in Council.

(4) Of the three members so appointed—

(a) one at least shall be a discharged serviceman within the meaning of the *Discharged Servicemen's Preference Act 1943*; and

(b) one at least shall be a person possessing a knowledge of business finance and primary production.

(5) One of the three members so appointed shall be appointed as chairman of the Commission.

(6) The members of the Commission first appointed or a majority of them shall hold their first meeting on such day and at such time and place as the Governor in Council by Order published in the *Government Gazette* appoints in that behalf.

(7) On the day so appointed the Commission shall be deemed to be duly and legally constituted a body corporate in pursuance of this Act.

75. B. (1) The members of the Commission shall subject to this Act be entitled to hold office for such term not exceeding five years as the Governor in Council determines prior to their appointments, but any person appointed a member of the Commission shall upon the expiration of the term for which he is so appointed be eligible for re-appointment.

(2) Each member of the Commission shall be severally entitled to receive such annual salary or other remuneration as is fixed by the Governor in Council prior to his appointment.

(3) No member of the Commission shall during his continuance in the office of member engage in any employment other than in connexion with the duties of that office.

(4) Each member of the Commission shall be severally entitled to receive such travelling expenses as are fixed from time to time by Order of the Governor in Council.

Disagreed with.

76. C. (1) The persons who are appointed members of the Commission shall not in respect of their offices as members be subject to the provisions of the Public Service Acts.

(2) If any person appointed a member of the Commission was immediately prior to that appointment an officer of the public service he shall (while being or continuing to be or on ceasing to be a member of the Commission) be eligible on the recommendation of the Public Service Board to be appointed to an office in the public service with a classification and emolument corresponding with or higher than that which he held in the public service immediately prior to his appointment as a member of the Commission as if the period of his service as a member of the Commission had been service in the public service.

(3) If any person appointed a member of the Commission was immediately prior to that appointment an officer within the meaning of the Superannuation Acts he shall notwithstanding that appointment be deemed to continue subject to those Acts to be an officer within the meaning of those Acts.

77. D. (1) The Governor in Council may suspend any member from office, but no member shall be removed from office except as hereinafter provided.

(2) The Minister shall cause to be laid before both Houses of Parliament a full statement of the grounds of suspension of any member within seven days after the suspension if Parliament is then sitting or if Parliament is not then sitting then within seven days after the next meeting of Parliament.

(3) Any member so suspended shall be restored to office by the Governor in Council if each House of Parliament within seven sitting days after the day on which the statement is laid before it declares by resolution that the member ought to be restored to office; and unless each House within the said time so declares the Governor in Council may confirm the suspension and remove the member from office.

78. E. Every member of the Commission who is directly or indirectly concerned or interested in any bargain or contract made by or on behalf of the Commission or directly or indirectly participates or claims to be entitled to participate in the profit thereof or in any benefit or emolument arising therefrom shall thereby vacate his office as a member of the Commission and shall also be guilty of a misdemeanour and liable to a penalty of not more than Five hundred pounds or to imprisonment for a term of not more than three years or to both such penalty and imprisonment.

Disagreed
with.

79. F. No person being an undischarged or uncertificated bankrupt or insolvent shall be capable of being appointed a member of the Commission, and every member who becomes bankrupt or insolvent or applies to take the benefit of any Act or law now or hereafter to be in force for the relief of bankrupt or insolvent debtors or who by any deed or other writing compounds with his creditors or makes an assignment of his salary for their benefit shall thereby vacate his office as a member of the Commission.

80. G. The office of any member of the Commission shall become vacant—

- (a) at the expiration of his term of office;
- (b) if he dies;
- (c) if he resigns his office by writing addressed to the Governor in Council;
- (d) if he is removed from office as hereinbefore provided;
- (e) if he vacates his office as hereinbefore provided; or
- (f) if without the consent in writing of the Minister he fails to attend four consecutive meetings of the Commission.

81. H. Subject to this Act the Governor in Council may—

- (a) on the occurrence of any vacancy (however arising) in the office of any member of the Commission appoint a person to fill the vacancy;
- (b) as occasion arises appoint a person to act as substitute member during the absence continued illness or other inability to act of any member, and any such person while so acting shall, except as hereinafter provided, have all the powers and perform all the duties of and be subject to the same liabilities as a member of the Commission; and

Amendments made by the Legislative Council.

How Dealt
with by the
Legislative
Assembly.

- (c) at any time appoint one of the other members of the Commission (not being a substitute member) to be deputy chairman of the Commission.
82. I. (1) A quorum of the Commission shall consist of at least two members, neither of whom is a substitute member.
- (2) During any vacancy in the office of member of the Commission the continuing members, subject to there being a quorum, may act as if no vacancy had occurred.
- (3) At any meeting of the Commission the chairman if present shall preside and in his absence the deputy chairman shall be chairman of and shall preside at the meeting.
- (4) The decision on any matter of a majority of the members present at any meeting shall be the decision of the Commission on that matter.
- (5) In the event of an equality of votes upon any matter at any meeting at which only two members are present, that matter shall be postponed to a meeting at which three members are present.
- (6) Subject to this Act the Commission may regulate its own proceedings.
83. J. (1) With the approval of the Minister, the Commission—
- (a) may appoint and at any time remove a secretary to the Commission who may on behalf of the Commission accept service of any document or sign any document to be issued by the Commission; and
- (b) may temporarily employ for such periods as the Commission thinks fit as many persons as the Commission considers necessary to be employed—
- (i) as inspectors valuers and supervisors of properties acquired or to be acquired or made available or on which advances are to be or have been made pursuant to this Act or any amendment thereof; or
- (ii) in any other capacity—
- in order that the purposes of this Act or any amendment thereof may be expeditiously and fully carried into effect.
- (2) The said secretary and all such persons so employed shall hold their office or employment upon such terms and subject to such conditions and shall receive such remuneration for their services as the Commission with the approval of the Minister determines, and shall not in respect of such office or employment be subject to the provisions of the Public Service Acts.
- (3) If any secretary so appointed or person so employed was, immediately before his appointment or employment by the Commission, an officer of the public service he shall (while being or continuing to be or on ceasing to be employed by the Commission) be eligible on the recommendation of the Public Service Board to be appointed to an office in the public service with a classification and emolument corresponding with or higher than that which he held in the public service immediately before his appointment or employment by the Commission as if the period of his service in the employment of the Commission had been service in the public service.
- (4) If any secretary so appointed or person so employed was, immediately before his appointment or employment by the Commission, an officer within the meaning of the Superannuation Acts he shall, notwithstanding such appointment or employment, be deemed to continue subject to those Acts to be an officer within the meaning of those Acts.
84. K. For the purposes of the exercise by the Commission of the powers and functions conferred upon it by this or any other Act—
- (a) the Minister may direct that the services of any of the officers and employes of the public service in the Department of Crown Lands and Survey shall be available to and may be made use of by the Commission; and
- (b) in addition the Commission may, if necessary, with the approval of the Minister and the consent of the Minister administering any other Government department, make use of the services of any of the officers and employes of the public service in such other department; and

Disagreed
with.

(c) the Commission may with the approval of the Minister appoint a local advisory committee in and for any district where lands are proposed to be or likely to be acquired for the purposes of this Act consisting of representatives of the local branches of the Returned Sailors' Soldiers' and Airmen's Imperial League of Australia the Sailors' Soldiers' and Airmen's Fathers' Association and such other kindred organizations as the Commission thinks proper, and the Commission shall seek the advice of such local advisory committee upon the question of the advisability of the acquisition of any land situated within its district before making the recommendation required to be made by it for the acquisition of that land under this Act.

85. L. The Commission shall as soon as practicable after the end of each financial year furnish to the Minister a report upon its activities and generally upon the administration of this Act during that financial year together with a balance-sheet and statement of receipts and disbursements during that financial year duly audited by the Auditor-General, and such report balance-sheet and statement shall be laid before both Houses of Parliament within fourteen days after the receipt thereof by the Minister if Parliament is then sitting and if Parliament is not then sitting then within fourteen days after the next meeting of Parliament.

Disagreed
with.

In the Title—

86. Omit "provide for the Appointment of a Director of Soldier Settlement" and insert "constitute a Soldier Settlement Commission".
87. Omit "said Director" and insert "said Commission".

The Honorable A. M. Fraser moved, That the Council do not insist on their amendments disagreed with by the Assembly.

Debate ensued.

Question—put.

The Council divided.

Ayes, 9.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. McD. Fraser,
T. Harvey (*Teller*),
P. Jones (*Teller*),
P. J. Kennelly,
D. L. McNamara,
R. C. Rankin.

Noes, 16.

The Hon. Sir William Angliss,
Sir Frank Beaurepaire,
G. L. Chandler (*Teller*),
Sir Frank Clarke,
J. S. Disney,
C. P. Gartside,
Sir George Goudie,
P. P. Inchbold,
C. E. Isaac,
J. A. Kennedy,
J. H. Lienhop,
G. S. McArthur (*Teller*),
W. MacAulay,
L. H. McBrien,
L. R. Rodda,
G. J. Tuckett.

And so it passed in the negative.—Amendments insisted on.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council insist on their amendments. disagreed with by the Assembly.

8. COUNTRY ROADS BOARD FUND (AMENDMENT) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

9. **COAL MINES REGULATION (AMENDMENT) BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

10. **MELBOURNE AND METROPOLITAN TRAMWAYS (CHAIRMAN) BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

And the Council having continued to sit until after Twelve o'clock midnight—

FRIDAY, 21st DECEMBER, 1945.

11. **FREE CONFERENCE—SOLDIER SETTLEMENT BILL.**—The President announced the receipt of a Message from the Assembly acquainting the Council that they desire a Free Conference on the subject-matter of the amendments made and insisted on by the Council in this Bill, and that they have appointed six Members of the Assembly to be Managers of the said Conference.

The Honorable A. M. Fraser moved, That the desire of the Assembly for a Free Conference on the subject-matter of the amendments made and insisted on by the Council in this Bill be complied with.

Question—put and resolved in the affirmative.

The Honorable J. H. Lienhop moved, That the following Members be appointed Managers of the Conference:—The Honorables G. L. Chandler, J. S. Disney, P. P. Inchbold, J. A. Kennedy, L. R. Rodda, and the mover.

Question—put and resolved in the affirmative.

The Honorable A. M. Fraser moved, That the Conference meet at a quarter to One o'clock a.m. this day in the Legislative Council Committee Room.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Legislative Assembly acquainting them that the Council have appointed six members to confer with a like number of members of the Assembly on the subject-matter of the amendments made and insisted on by the Council in this Bill and have named the Legislative Council Committee Room as the place and a quarter to One o'clock a.m. this day as the time of meeting of such Conference.

12. **FREE CONFERENCE—SOLDIER SETTLEMENT BILL.**—The Honorable J. H. Lienhop reported, on behalf of the Managers for the Council, that they had met the Managers for the Assembly on the subject-matter of the amendments made and insisted on by the Council in this Bill, and that, after discussion, the Managers for the Assembly had announced that they had decided to recommend that the Assembly do not insist on disagreeing with the amendments made and insisted on by the Council.

13. **SOLDIER SETTLEMENT BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly do not insist on disagreeing with the amendments made and insisted on by the Council in this Bill.

14. **APPROPRIATION BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to apply a sum out of the Consolidated Revenue to the service of the year ending on the thirtieth day of June One thousand nine hundred and forty-six and to appropriate the Supplies granted in this and the last preceding Session of Parliament*" and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

15. **STATUTE LAW REVISION COMMITTEE.**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have appointed a Committee to join with the Committee of the Council to deal with anomalies in the law and make recommendations as to statutory amendments, such Committee consisting of Mr. Speaker, Mr. Bailey, Mr. Field, Mr. Hollway, Mr. Oldham, and Mr. Slater, with power to send for persons, papers, and records, and to sit on days on which the House does not meet; five to be the quorum.

16. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

Libraries Act 1928—Report of the Trustees of the Public Library Museums and National Gallery of Victoria, with Statements of Income and Expenditure for the period from 1st January, 1945, to 15th March, 1945.

Public Library National Gallery and Museums Act 1944—Reports, with Statements of Income and Expenditure, for the period from 16th March, 1945, to 30th June, 1945, of the—

Trustees of the Public Library of Victoria.

Trustees of the National Gallery of Victoria.

Trustees of the National Museums of Victoria.

Building Trustees of the Public Library National Gallery and National Museums of Victoria.

Water Act 1928—Annual Report of the State Rivers and Water Supply Commission, 1944–45.

17. APPROPRIATION BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

18. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until a day and hour to be fixed by the President or, if the President is unable to act on account of illness or other cause, by the Chairman of Committees, which time of meeting shall be notified to each Honorable Member by telegram or letter.

Question—put and resolved in the affirmative.

The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twenty-two minutes past Six o'clock in the morning, adjourned until a day and hour to be fixed by the President or, if the President is unable to act on account of illness or other cause, by the Chairman of Committees, which time of meeting shall be notified to each Honorable Member by telegram or letter.

P. T. POOK,

Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 7.

TUESDAY, 19TH MARCH, 1946.

1. The Council met in accordance with adjournment, the President, pursuant to resolution, having fixed this day at half-past Four o'clock as the time of meeting.
2. The President took the Chair and read the Prayer.

3. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable P. J. Clarey presented Messages from His Excellency the Lieutenant-Governor as Deputy for His Excellency the Governor informing the Council that he had, on the dates mentioned hereunder, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—

On the 21st December, 1945—

Employers and Employés Act.
Farmers Advances Act.
University (Veterinary Research) Act.
Surplus Revenue Act.
State Forests Loan and Application Act.
Mines (Amendment) Act.
Farmers Protection (Amendment) Act.
Railway Loan Application Act.
Public Works Loan and Application Act.
Water Supply Loans Application Act.
Public Account Advances (Amendment) Act.
Hospital Benefits Act.
Totalizator (Amendment) Act.
Financial Emergency (Municipal Endowment) Act.
Country Roads Board Fund (Amendment) Act.
Coal Mines Regulation (Amendment) Act.
Melbourne and Metropolitan Tramways (Chairman) Act.

On the 28th December, 1945—

Soldier Settlement Act.

4. GEELONG LAND BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to provide for the Revocation of the Permanent Reservation of certain Land in the City of Geelong which is no longer required for the purpose of such Reservation and for the Alienation of such Land from the Crown, and for other purposes*” and desiring the concurrence of the Council therein.

Bill ruled to be a Private Bill.

The Honorable A. M. Fraser moved, That this Bill be dealt with as a Public Bill.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable A. M. Fraser moved, That this Bill be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed and, by leave and after debate, to be read a second time later this day.

5. **FACTORIES AND SHOPS (ANNUAL HOLIDAYS) BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to provide for Annual Holidays for Workers and for other purposes* ” and desiring the concurrence of the Council therein.
- On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
6. **TRANSPORT REGULATION (AMENDMENT) BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend Section Twelve of the ‘ Transport Regulation Act 1933 ’* ” and desiring the concurrence of the Council therein.
- On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
7. **PAPERS.**—The Honorable P. J. Clarey presented, by command of His Excellency the Governor—
Superannuation Acts—Report of Actuary (O. Gawler, Esq., F.I.A.) on his investigation at the expiration of the Fourth Quinquennium (30th June, 1945).

Ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament were laid upon the Table by the Clerk:—

Agricultural Colleges Act 1944—Regulations—Terms and conditions under which students may be received at State Agricultural Colleges, and qualifications for admission of students to such Colleges.

Coal Mines Regulation Act 1928—Annual Report of the General Manager, including the State Coal Mines Balance-sheet and Statement of Accounts duly audited, &c., for the year 1944–45.

Country Roads Act 1928—Report of the Country Roads Board for the year 1944–45.

Dairy Products Acts—Report of the Victorian Dairy Products Board for the six months ended 31st December, 1945.

Dried Fruits Acts—Statement showing details of Receipts and Expenditure under the Dried Fruits Acts during the year 1945.

Education Act 1928—Regulations—

Regulation XVII.—Allowance for Conveyance of Pupils to Primary Schools.

Regulation XVIII.—Conveyance of Pupils to Post-Primary Schools.

Regulation XXI.—Scholarships.

Fisheries Acts—Notices of Intention to issue Proclamations—

To alter the Proclamation respecting Fishing in the Acheron Breakaway and the Goulburn River.

To fix a bag limit for Trout (non-indigenous to Victoria) taken from the Goulburn River and its tributaries above or upstream from the Riversdale Bridge near Alexandra.

To prohibit all Fishing in or the Taking of Fish from the Eastern and Western branches of the Tarwin River from 1st May to 31st August in each year.

To vary the Proclamation respecting—

Methods of Fishing in portion of the Kiewa River at Tawonga.

The Taking of Fish from the Koo-wee-rup Main Canal.

Gas Regulation Act 1933—

Gas Regulation (Emergency Powers) Regulations (No. 12).

Gas Regulation (Emergency Powers) Regulations (Nos. 14 to 17 inclusive).

Revocation of Gas Regulation (Emergency Powers) Regulations (Nos. 14 to 17 inclusive), (two papers).

Geelong Waterworks and Sewerage Act 1928—Thirty-eighth Balance-sheet as at 30th June, 1945.

Land Act 1928—Certificate of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of a school at—

Main-road, Ballarat East.

Wedderburn.

Legal Profession Practice Act 1928—Council of Legal Education—Amendment of Rules relating to the Qualifications of Candidates to practise as Barristers and Solicitors, and for the Admission of such Candidates to practice.

Marketing of Primary Products Act 1935—Onion Marketing Board—Regulation—Thirty-fourth period of time for computation of or accounting for the net proceeds of the sale of onions.

Melbourne Sailors' Home Act 1901—Accounts and Statements of Receipts and Expenditure for the year 1944.

Public Service Act 1928—

Copy of Papers in connexion with the promotion of James Sandford Harper and Robert Lancelot Ford Osbourne from the Fifth to the Fourth Class, Department of Treasurer.

Regulations—

Classification of General Division, Chapter VII.—

Department of Agriculture.

Department of Chief Secretary (four papers).

Department of Health (three papers).

Department of Labour.

Department of Treasurer.

Professional Division, Chapter II.—

Clause 8—Assistant, Class “E”, Public Library.

Department of Agriculture (three papers).

Department of Chief Secretary (three papers).

Department of Health.

Department of Public Instruction (two papers).

Department of Public Works.

Department of State Forests (two papers).

Department of Water Supply (five papers).

Regulation XV. (A)—Studentships and Courses at the Teachers' College.

Railways Acts—

Award No. 87 made by the Railways Classification Board relating to rates of salaries and wages for the year 1945, together with the Report of the Victorian Railways Commissioners with regard thereto.

Reports of the Victorian Railways Commissioners for the quarter ended—

30th June, 1945.

30th September, 1945.

Superannuation Act 1928—Report of the State Superannuation Board for the year 1944-45.

Supreme Court Acts—Rules of the Supreme Court.—

Rules made under the Matrimonial Causes Act 1945 of the Commonwealth.

Rules of Procedure on Appeals from Courts of Marine Inquiry.

8. **GEELONG LAND BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

9. **FACTORIES AND SHOPS (ANNUAL HOLIDAYS) BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.

Debate ensued.

The Honorable J. A. Kennedy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday, the 2nd April next.

10. **TRANSPORT REGULATION (AMENDMENT) BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.

Debate ensued.

The Honorable A. E. McDonald moved, That the debate be now adjourned.

Debate ensued.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday, the 2nd April next.

11. **ADJOURNMENT.**—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday, the 2nd April next.

Question—put and resolved in the affirmative.

The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-one minutes past Ten o'clock, adjourned until Tuesday, the 2nd April next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 8.

TUESDAY, 2ND APRIL, 1946.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, on the 27th March last, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments, viz. :—
Geelong Land Act.
3. LOCAL GOVERNMENT (EMERGENCY HOUSING ACCOMMODATION) AMENDMENT BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the ‘Local Government (Emergency Housing Accommodation) Act 1945’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. L. Coleman for the Honorable P. J. Kennelly, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
4. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
Co-operative Housing Societies Act 1944—Co-operative Housing Societies (General) Regulations No. 3.
Fisheries Acts—Notices of Intention to issue Proclamations—
To prohibit all Fishing in or the Taking of Fish from Dean Reservoir until 30th September, 1948.
To vary the Proclamations respecting—
Long Lines in Western Port Bay.
All Fishing in or the Taking of Fish from portion of the Yarra River and its tributaries from 1st May to 31st August in each year.
Fruit and Vegetables Acts—Amendment of Regulations.
Hospitals and Charities Acts—Certificate of the Minister of Health in relation to the acquisition of land proposed to be resumed for the purposes of the Rochester District War Memorial Hospital.
Land Act 1928—Certificate of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of a school at—
Kooweerup.
Maffra.
Marketing of Primary Products Act 1935—Egg and Egg Pulp Marketing Board—Amendment of Regulations.
Public Works Committee Acts—Eleventh General Report of the Public Works Committee.
Railways Acts—Report of the Victorian Railways Commissioners for the quarter ended 31st December, 1945.
Road Traffic Acts—Amendment of Road Traffic (Country) Regulations 1944.
Supreme Court Act 1928—Solicitors’ Remuneration Order 1945.
Totalizator Acts—Amendment of Totalizator Regulations 1931.
Transport Regulation Acts—Amendment of the Transport Regulations (General Regulations, No. 1).

5. TRANSPORT REGULATION (AMENDMENT) BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable Sir William Angliss having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

6. FACTORIES AND SHOPS (ANNUAL HOLIDAYS) BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable A. J. Pittard having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment and desiring their concurrence therein.

7. HOUSING (COMMONWEALTH AND STATE AGREEMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to ratify the Execution for and on behalf of the State of Victoria of an Agreement between the Commonwealth of Australia and the several States of Australia in relation to Housing Projects, to approve the Agreement so executed, and to amend the ‘Stum Reclamation and Housing (Financial) Act 1938’ and to make further provision in relation to the said Agreement* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey for the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

8. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-two minutes past Eleven o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 9.

TUESDAY, 9TH APRIL, 1946.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—
 - Transport Regulation (Amendment) Act.*
 - Factories and Shops (Annual Holidays) Act.*
3. MORNINGTON SEWERAGE AUTHORITY (VALIDATION) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to remove Doubts as to the Validity of certain Notices of the Mornington Sewerage Authority and Rates affected thereby*” and desiring the concurrence of the Council therein.
 - Bill ruled to be a Private Bill.
 - The Honorable A. M. Fraser moved, That this Bill be dealt with as a Public Bill.
 - Debate ensued.
 - Question—put and resolved in the affirmative.
 - The Honorable A. M. Fraser moved, That this Bill be now read a first time.
 - Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed and, by leave, to be read a second time later this day.
4. FACTORIES AND SHOPS (ANNUAL HOLIDAYS) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendment made in such Bill by the Council.
5. PAPERS.—The Honorable P. J. Clarey presented, by command of His Excellency the Governor—
 - Education—Report of the Minister of Public Instruction for the year 1944-45.
 - Ordered to lie on the Table.
 - The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk :—
 - Land Act 1928—Certificates of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of a school site at Benalla (two papers).
6. LOCAL GOVERNMENT (EMERGENCY HOUSING ACCOMMODATION) AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Kennelly moved, That this Bill be now read a second time.
 - The Honorable W. J. Beckett moved, That the debate be now adjourned.
 - Question—That the debate be now adjourned—put and resolved in the affirmative.
 - Ordered—That the debate be adjourned until later this day.

7. MORNINGTON SEWERAGE AUTHORITY (VALIDATION) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was, after debate, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

8. LOCAL GOVERNMENT (EMERGENCY HOUSING ACCOMMODATION) AMENDMENT BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

9. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at twenty-four minutes past Ten o'clock, adjourned until Tuesday next.

P. T. POOK,

Clerk of the Legislative Council.

VICTORIA.

 LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

 No. 10.

TUESDAY, 16TH APRIL, 1946.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments, viz. :—
Mornington Sewerage Authority (Validation) Act.
3. PUBLIC SERVICE BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to consolidate and amend the Law relating to the Public Service of Victoria*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
4. TEACHING SERVICE BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to consolidate and amend the Law relating to the Teaching Service in the Education Department*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
5. LOCAL GOVERNMENT (MUNICIPAL ROLLS) BILL.—On the motion (by leave without notice) of the Honorable P. J. Kennelly, leave was given to bring in a Bill to amend Section Seventy-two of the *Local Government Act 1928*, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
6. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
Registration of Births Deaths and Marriages Act 1928—General Abstract of the number of Births Deaths and Marriages registered during 1945 in Victoria.
7. LOCAL GOVERNMENT (EMERGENCY HOUSING ACCOMMODATION) AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment and desiring their concurrence therein.

8. HOUSING (COMMONWEALTH AND STATE AGREEMENT) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Kennelly moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

9. PUBLIC SERVICE BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Debate ensued.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

10. ADJOURNMENT.—The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at eight minutes past Eleven o'clock, adjourned until to-morrow.

P. T. POOK,
Clerk of the Legislative Council.

No. 11.

WEDNESDAY, 17TH APRIL, 1946.

1. The President took the Chair and read the Prayer.
2. LOCAL GOVERNMENT (EMERGENCY HOUSING ACCOMMODATION) AMENDMENT BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendment made in such Bill by the Council.
3. ALTERATION OF SESSIONAL ORDERS.—The Honorable P. J. Clarey moved, That so much of the Sessional Orders as provides that no new business shall be taken after the hour of half-past Ten o'clock be suspended during this day's sitting of the Council.
Question—put and resolved in the affirmative.
4. HOUSING (COMMONWEALTH AND STATE AGREEMENT) BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
5. PUBLIC SERVICE BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
Debate resumed.
The Honorable J. A. Kennedy moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
6. FACTORIES AND SHOPS (EARLY CLOSING) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend Part V. of the Factories and Shops Act 1928, and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

7. LOCAL GOVERNMENT (MUNICIPAL ROLLS) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair ; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

8. TEACHING SERVICE BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

9. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday, the 30th instant.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-six minutes past Eleven o'clock, adjourned until Tuesday, the 30th instant.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

 LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

 No. 12.

TUESDAY, 30TH APRIL, 1946.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—

Local Government (Emergency Housing Accommodation) Amendment Act.
Housing (Commonwealth and State Agreement) Act.
3. POLICE REGULATION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to make provision for the Constitution and Functions of a Police Classification Board, to provide for Inquiries into Misconduct of Members of the Police Force, to provide for Long Service Leave for Members of the Police Force and to amend the Police Regulation Acts*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, for the Hon. A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
4. BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to provide for the Control of Building Operations and Building Materials, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
5. ALTERATION OF SESSIONAL ORDERS.—The Honorable P. J. Clarey moved, That so much of the Sessional Orders as provides that half-past Four o'clock shall be the hour of meeting on Wednesdays and Thursdays be suspended during the month of May, and that the hour of meeting on Wednesdays and Thursdays during the said month be half-past Two o'clock.

Debate ensued.

Question—put and resolved in the affirmative.
6. PUBLIC SERVICE BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

7. RAILWAYS (LONG SERVICE) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the ‘Railways (Long Service) Act 1942 and for other purposes’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

8. ADJOURNMENT.—The Honorable P. J. Clarey moved, That the House do now adjourn.
Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-one minutes past Eleven o’clock, adjourned until to-morrow.

P. T. POOK,
Clerk of the Legislative Council.

No. 13.

WEDNESDAY, 1ST MAY, 1946.

1. The President took the Chair and read the Prayer.
2. APPRENTICESHIP BILL.—On the motion of the Honorable P. J. Clarey, leave was given to bring in a Bill to amend the Law relating to Apprenticeship, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
3. TEACHING SERVICE BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, later this day, again resolve itself into the said Committee.
4. CO-OPERATIVE HOUSING SOCIETIES BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the ‘Co-operative Housing Societies Act 1944’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
5. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
6. PUBLIC SERVICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.
7. POLICE REGULATION BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable A. M. Fraser moved, That this Bill be now read a second time.
Debate ensued.
The Honorable W. J. Beckett moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.

8. BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. L. Coleman moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

9. WATER (LEVEE BANKS) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to provide for the Regulation of the Construction and Use of Levee Banks, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

10. ADJOURNMENT.—The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-six minutes past Ten o'clock, adjourned until to-morrow.

P. T. POOK,
Clerk of the Legislative Council.

No. 14.

THURSDAY, 2ND MAY, 1946.

1. The President took the Chair and read the Prayer.
2. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Children's Welfare Act 1928—Report of the Secretary of the Children's Welfare Department and the Department for Reformatory Schools for the years 1944 and 1945.
 - Friendly Societies Act 1928, Trade Unions Act 1928, Industrial and Provident Societies Act 1928, and Superannuation and Other Trust Funds Validation Act 1932—Report of the Registrar of Friendly Societies for the year 1945.
3. TEACHING SERVICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.
 - House in Committee.
 - The President resumed the Chair ; and the Honorable P. P. Inchbold reported that the Committee had made progress in the Bill, and asked leave to sit again.
 - Resolved—That the Council will, later this day, again resolve itself into the said Committee.
4. FACTORIES AND SHOPS (EARLY CLOSING) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
 - House in Committee.
 - The President resumed the Chair ; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
 - Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
5. POLICE REGULATION BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
 - House in Committee.
 - The President resumed the Chair ; and the Honorable P. P. Inchbold reported that the Committee had made progress in the Bill, and asked leave to sit again.
 - Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

6. APPRENTICESHIP BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

And then the Council, at thirty-nine minutes past Ten o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 15.

TUESDAY, 7TH MAY, 1946.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments, viz. :—

Factories and Shops (Early Closing) Act.

3. VACANCY IN THE SENATE.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor transmitting a copy of the following despatch :—

Canberra,

29th April, 1946.

Your Excellency,

Pursuant to the provisions of Section 21 of the Commonwealth of Australia Constitution, I have the honor to notify Your Excellency that a vacancy has happened in the representation of the State of Victoria in the Senate, through the death of Senator the Honourable Richard Valentine Keane, which occurred on the 27th April, 1946.

I have the honor to be,

Your Excellency's obedient servant,

(Signed) GORDON BROWN,

President of the Senate.

His Excellency,

The Governor of the State of Victoria,
Government House,
Melbourne, Victoria.

Ordered—That the foregoing Message be now taken into consideration.

The Honorable P. J. Clarey moved, That this House meet the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the death of Senator the Honorable Richard Valentine Keane.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them with the foregoing resolution and requesting them to name the place and time of such meeting.

4. ALTERATION OF SESSIONAL ORDERS.—The Honorable P. J. Clarey moved, That so much of the resolution with regard to the Sessional Orders agreed to by the Council on the 30th April last as provides that half-past Two o'clock shall be the hour of meeting on Thursdays during this month be rescinded and that for the remainder of this month the hour of meeting on Thursdays be half-past Ten o'clock in the morning.

Debate ensued.

Motion, by leave, withdrawn.

The Honorable P. J. Clarey moved, by leave, That so much of the resolution with regard to the Sessional Orders agreed to by the Council on the 30th April last as provides that half-past Two o'clock shall be the hour of meeting on Thursdays during this month be rescinded and that for the remainder of this month the hour of meeting on Thursdays be a quarter to Eleven o'clock in the morning.

Question—put and resolved in the affirmative.

5. BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

6. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 4 inclusive, be postponed until next day of meeting.

7. WATER (LEVEE BANKS) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

And then the Council, at thirty-two minutes past Ten o'clock, adjourned until to-morrow.

P. T. POOK,
Clerk of the Legislative Council.

No. 16.

WEDNESDAY, 8TH MAY, 1946.

1. The President took the Chair and read the Prayer.
2. PUBLIC WORKS LOAN AND APPLICATION BILL (No. 2).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to authorize the Raising of further Money for Public Works and other purposes and to sanction the Issue and Application for such purposes of the Money so raised or of Money in the State Loans Repayment Fund, and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
Local Government Act 1928—Scaffolding Regulations.
Motor Omnibus Act 1928—Metropolitan Motor Omnibus Regulations (Consolidated).
4. FACTORIES AND SHOPS (BREAD) BILL.—On the motion of the Honorable P. J. Clarey, leave was given to bring in a Bill to amend the Factories and Shops Acts in relation to the Making and Baking of Bread, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

5. APPRENTICESHIP BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question, being put, was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy-President resumed the Chair; and the Honorable Paul Jones having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

6. CO-OPERATIVE HOUSING SOCIETIES BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment and desiring their concurrence therein.

7. RAILWAYS (LONG SERVICE) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.

8. TOTALIZATOR (CHARITIES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act relating to the Application of Totalizator Receipts at a certain Race-meeting*" and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

9. VACANCY IN THE SENATE.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to meet the Council for the purpose of sitting and voting together to choose a person to hold the vacant place in the Senate, and, as requested by the Council to name the place and time of such meeting, naming the Assembly Chamber at half-past Two o'clock on Wednesday next.

10. TEACHING SERVICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

11. CO-OPERATIVE HOUSING SOCIETIES BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendment made in such Bill by the Council.

12. POLICE REGULATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment and desiring their concurrence therein.

13. ADJOURNMENT.—The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty-three minutes past Ten o'clock, adjourned until to-morrow.

THURSDAY, 9TH MAY 1946.

1. The President took the Chair and read the Prayer.

2. DROUGHT RELIEF BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to make provision for the Alleviation of Hardship suffered by Cereal Farmers in Consequence of Drought in Victoria during the Year One thousand nine hundred and forty-five*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

3. TAXATION (ARRANGEMENTS) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to the Commissioner, Assistant Commissioner and Deputy Commissioners of Taxes, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

4. LOCAL GOVERNMENT (MUNICIPAL ROLLS) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.

5. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

Public Service Acts—Regulations—

Classification of General Division, Chapter VII.—

Department of Agriculture (6 papers).

Department of Chief Secretary (5 papers).

Department of Health (3 papers).

Department of Public Works (2 papers).

Department of State Forests (2 papers).

Leave of Absence, Chapter XIII.—Sick Leave.

Professional Division, Chapter II.—

Department of Agriculture (6 papers).

Department of Mines.

Department of Public Instruction (3 papers).

Department of Public Works (5 papers).

Department of State Forests (3 papers).

Travelling Allowances, Chapter IX.—

Part II.—Allowances to Certain Officers—

Department of State Forests.

Department of Water Supply.

Part III.—Travelling by Motor Car, Motor Cycle, or Bicycle.

6. PUBLIC WORKS LOAN AND APPLICATION BILL (No. 2).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

7. FACTORIES AND SHOPS (BREAD) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

8. **TOTALIZATOR (CHARITIES) BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

9. **WORKERS' COMPENSATION BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend the Workers' Compensation Acts*" and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave and after debate, to be read a second time later this day.

10. **DROUGHT RELIEF BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable Sir William Angliss having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

11. **WORKERS' COMPENSATION BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until next day of meeting.

12. **TAXATION (ARRANGEMENTS) BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable Sir William Angliss having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

And then the Council, at twenty-four minutes past Four o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.



VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 18.

TUESDAY, 14TH MAY, 1946.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—
 - Building Operations and Building Materials Control Act.*
 - Water (Levee Banks) Act.*
 - Co-operative Housing Societies Act.*
 - Local Government (Municipal Rolls) Act.*
 - Public Works Loan and Application Act.*
 - Totalizator (Charities) Act.*
 - Drought Relief Act.*
 - Taxation (Arrangements) Act.*
3. ISSUE OF WRITS.—The President announced that he had on Monday, the 13th instant, issued Writs for the periodical election of Members of the Legislative Council (one Member for each of the seventeen Provinces) to hold the seats which will shortly become vacant by effluxion of time, and that by such Writs the following dates have been fixed for the elections :—
 - Nomination Day—Monday, 27th May, 1946.
 - Polling Day—Saturday, 15th June, 1946.
 - Return of Writs—Before or on Friday, 28th June, 1946.
4. ADJOURNMENT.—ALTERATION OF HOUR OF MEETING.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until to-morrow at a quarter to Two o'clock.
 - Question—put and resolved in the affirmative.
5. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Dried Fruits Acts—Statement showing details of Receipts and Expenditure under the Dried Fruits Acts during the year 1945.
 - Land Act 1928—Certificate of the Chief Secretary relating to the proposed compulsory resumption of land at Windsor for the purpose of the erection thereon of buildings to be used for public purposes, namely, a police station.
 - Motor Car Acts—Regulation revoking the regulation fixing the limit of speed on part of Beaconsfield-parade in the City of South Melbourne.
 - Soldier Settlement Act 1945—Regulations.
6. WORKERS' COMPENSATION BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
 - House in Committee.
 - The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
 - Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

7. SEWERAGE DISTRICTS (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the ‘Sewerage Districts Act 1928’ and the ‘Geelong Waterworks and Sewerage Act 1928’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave and after debate, was read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

8. MEDICAL (CHEMISTS’ APPRENTICES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to Chemists’ Apprentices who have been on War Service*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Kennelly, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

9. CRIMES (INDETERMINATE SENTENCES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to certain Directions for Recommittal to Reformatory Prisons of Persons released on Probation*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

And then the Council, at thirty-nine minutes past Ten o’clock, adjourned until to-morrow.

P. T. POOK.

Clerk of the Legislative Council.

No. 19.

WEDNESDAY, 15TH MAY, 1946.

- The President took the Chair and read the Prayer.
- FACTORIES AND SHOPS (BREAD) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.
- PUBLIC SERVICE BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to some of the amendments made in such Bill by the Council, have disagreed with one of the said amendments, and have made an amendment in the Bill and desiring the concurrence of the Council therein.

Ordered—That the foregoing Message be taken into consideration later this day.

- PAPERS.—The Honorable P. J. Clarey presented, by command of His Excellency the Governor—
Factories and Shops Acts—Interim Reports (Nos. 2 and 3) of the Board of Inquiry appointed to examine Suggestions for Amendment of the Factories and Shops Acts (2 papers).

Severally ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

Marketing of Primary Products Act 1935—Maize Marketing Board—Eleventh period of time for the computation of or accounting for the net proceeds of the sale of maize.

Milk and Dairy Supervision Acts—Regulations (2 papers).

- ALTERATION OF SESSIONAL ORDERS.—The Honorable P. J. Clarey moved, That so much of the Sessional Orders as provides that no new business shall be taken after the hour of half-past Ten o’clock be suspended during the remainder of this week.

Debate ensued.

Question—put and resolved in the affirmative.

- VACANCY IN THE SENATE.—The President announced that the time had arrived for this House to meet the Assembly in the Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the death of Senator the Honourable Richard Valentine Keane.

Accordingly the Council then proceeded to the Assembly Chamber, and being returned—

The President reported that this House had met the Assembly this day in the Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the vacant place in the Senate rendered vacant by the death of the Honourable Richard Valentine Keane, and that Alexander John Fraser, Esq., had been duly chosen to hold the vacant place.

- POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

8. CRIMES (INDETERMINATE SENTENCES) BILL.—This Bill was, according to the Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair ; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

9. MEDICAL (CHEMISTS' APPRENTICES) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair ; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

10. PUBLIC SERVICE BILL.—The Order of the Day for the consideration of the amendment made in this Bill by the Council and disagreed with by the Assembly and the amendment made by the Assembly in the Bill having been read, the said amendments were read and are as follow :—

Amendments made by the Legislative Council.

How dealt with by the Legislative Assembly.

4. Clause 50, page 26, line 3, after " enactment " insert the following new sub-clause :—

" (5) Notwithstanding anything in sub-sections (3) or (4) of this section no regulation made under this Part which provides for or would involve an increase in the salaries wages or allowances of officers or employés generally or of any division class or grade of officers or employés shall have any force or effect unless and until that regulation has been approved by a resolution passed by each House of Parliament."

Disagreed with.

8. Insert the following new clause to follow clause 74 :—

A. Notwithstanding anything in this Act—

(a) Sub-section (5) of section thirty of this Act shall apply to persons employed pursuant to section Four hundred and twenty of *The Constitution Act Amendment Act 1928* to the extent that for the period specified in the said sub-section such persons shall for the purposes of section Four hundred and sixteen of *The Constitution Act Amendment Act 1928* be regarded as being officers in the public service.

(b) Sections sixty-four and sixty-five of this Act shall apply to officers of the Parliament as defined in section Four hundred and eleven of *The Constitution Act Amendment Act 1928*, and section sixty-four of this Act shall also apply to the persons referred to in the last preceding paragraph, and for the purposes of this paragraph the said sections sixty-four and sixty-five shall be read and construed as if for the words " the Board " (wherever occurring) there were substituted the words " the appropriate Parliamentary authority, that is to say, in the case of officers and employés of the Council—the President, in the case of officers and employés of the Assembly—the Speaker, in the case of officers

Agreed to and the following amendment made in the Bill :—

Clause 7, sub-clause (3), at the end of the sub-clause add the following paragraph :—

" (b) This sub-section shall come into operation on the passing of this Act."

- and employes employed in the Library or in the preparation and publication of the Victorian Parliamentary Debates—the Joint Library Committee, and in the case of officers and employes under the control of the Joint House Committee—the Joint House Committee.”
- (c) Sub-sections (2) and (3) of section thirty-five, section seventy-five, sub-sections (1), (2), (3), (4), and (6) of section seventy-six, and section seventy-seven of this Act shall apply to officers of the Parliament, and for the purposes of this paragraph sub-section (2) of section thirty-five shall be read and construed as if for the words “the Board” there were substituted the words “the appropriate Parliamentary authority”.
- Agreed to and the following amendment made in the Bill:—
- Clause 7, sub-clause (3), at the end of the sub-clause add the following paragraph:—
- “(b) This sub-section shall come into operation on the passing of this Act.”

Amendment 4, after debate, not insisted on.

Amendment 8—The amendment made by the Assembly in the Bill, after debate, agreed to.

Ordered—That a Message be sent to the Assembly acquainting them that the Council do not insist on their amendment disagreed with by the Assembly and have agreed to the amendment made by the Assembly in the Bill.

And the Council having continued to sit until after Twelve o'clock midnight—

THURSDAY, 16TH MAY, 1946.

11. SOLDIER SETTLEMENT (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Sections Three, Thirty-three, Thirty-four, and Forty-one of the Soldier Settlement Act 1945*” and desiring the concurrence of the Council therein.
- On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave and after debate, was read a second time and committed to a Committee of the whole.
- House in Committee.
- The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
12. CONSOLIDATED REVENUE BILL (No. 3).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to apply out of the Consolidated Revenue the sum of Two hundred and twenty-three thousand two hundred and seventy-seven pounds to the service of the year One thousand nine hundred and forty-five and One thousand nine hundred and forty-six*” and desiring the concurrence of the Council therein.
- On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
13. CONSOLIDATED REVENUE BILL (No. 4).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to apply out of the Consolidated Revenue the sum of Six million and fifty-five thousand three hundred and seventy-one pounds to the service of the year One thousand nine hundred and forty-six and One thousand nine hundred and forty-seven*” and desiring the concurrence of the Council therein.
- On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
14. POLICE REGULATION BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendment made in such Bill by the Council.
15. RAILWAYS (LONG SERVICE) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made in such Bill by the Council.

16. PAPER.—The following Paper, pursuant to the directions of several Acts of Parliament, was laid upon the Table by the Clerk:—

Factories and Shops Acts—Regulations—Record of Annual Holidays to be kept by employer.

17. CONSOLIDATED REVENUE BILL (No. 3).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

18. APPRENTICESHIP BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with an amendment and desiring the concurrence of the Council therein.

Ordered—That the foregoing Message be now taken into consideration.

The said amendment was read and is as follows:—

Clause 6, line 24, after "aforesaid" insert "and (without affecting the generality of the foregoing) the employer of any apprentice in the breadmaking and baking trade or the pastrycooking trade shall during the apprenticeship allow such apprentice time away from his employment in each week equivalent to the time actually spent by such apprentice at any such prescribed class or classes held outside his hours of employment during such week, but so that the whole time allowed away from his employment under this sub-section shall not exceed eight hours per week."

On the motion of the Honorable P. J. Clarey, and after debate, the Council agreed to the amendment made in this Bill by the Assembly and ordered that a Message be sent to the Assembly acquainting them therewith.

19. MARKETING (EGGS AND EGG PULP) AMENDMENT BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act relating to the Marketing of Eggs and Egg Pulp*" and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Kennelly, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

20. CONSOLIDATED REVENUE BILL (No. 4).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

21. MARKETING (EGGS AND EGG PULP) AMENDMENT BILL.—The Order of the Day for the second reading of this Bill, having been read, the Honorable P. J. Kennelly moved, That this Bill be now read a second time.

Debate ensued.

The Honorable J. A. Kennedy moved, That the debate be now adjourned.

Debate ensued.

Question—That the debate be now adjourned—put.

The Council divided.

Ayes, 13.

- The Hon. Sir William Angliss,
- Sir Frank Beaurepaire (*Teller*),
- G. L. Chandler,
- C. P. Gartside,
- Sir George Goudie,
- T. Harvey,
- P. P. Inchbold,
- C. E. Isaac (*Teller*),
- J. A. Kennedy,
- J. H. Lienhop,
- G. S. McArthur,
- A. E. McDonald,
- G. J. Tuckett.

Noes, 10.

- The Hon. W. J. Beckett,
- P. T. Byrnes,
- P. J. Clarey,
- P. L. Coleman,
- A. McD. Fraser,
- Paul Jones (*Teller*),
- P. J. Kennelly,
- W. MacAulay,
- R. C. Rankin (*Teller*),
- L. R. Rodda.

And so it was resolved in the affirmative.

The Honorable P. J. Clarey moved, That the debate be adjourned until the next day of meeting. Debate ensued.

The Honorable J. A. Kennedy moved, as an amendment, That the words "the next day of meeting" be omitted with the view of inserting in place thereof the words "this day four weeks".

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

Ayes, 7.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. McD. Fraser,
C. E. Isaac (*Teller*),
Paul Jones (*Teller*),
P. J. Kennelly.

Noes, 16.

The Hon. Sir William Angliss,
Sir Frank Beaufrepaire,
P. T. Byrnes,
G. L. Chandler,
C. P. Gartside,
Sir George Goudie,
T. Harvey,
P. P. Inchbold,
J. A. Kennedy,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay (*Teller*),
A. E. McDonald,
R. C. Rankin,
L. R. Rodda,
G. J. Tuckett (*Teller*).

And so it passed in the negative.

Question—That the words proposed to be inserted be so inserted—put and, after debate, resolved in the affirmative.

Question—That the debate be adjourned until this day four weeks—put and resolved in the affirmative.

22. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday, the 2nd July next.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twelve minutes past Seven o'clock in the morning, adjourned until Tuesday, the 2nd July next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 20.

TUESDAY, 2ND JULY, 1946.

1. The Council met pursuant to adjournment.
2. COMMISSION TO ADMINISTER OATH TO MEMBERS.—The Honorable Mr. Justice Fullagar, a Commissioner from His Excellency the Lieutenant-Governor to administer the Oath prescribed by the thirty-fifth section of the Act No. 3660, was introduced by the Usher.

The Commissioner handed his Commission to the Clerk, who read the same as follows:—

By His Excellency Lieutenant-General The Honorable Sir EDMUND FRANCIS HERRING, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Distinguished Service Order, upon whom has been conferred the Decoration of the Military Cross and the Australian Efficiency Decoration, Lieutenant-Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

To the Honorable WILFRED KELSHAM FULLAGAR, B.A., LL.M., Judge of the Supreme Court of the State of Victoria.

GREETING :

WHEREAS by the thirty-fifth section of *The Constitution Act Amendment Act 1928*, No. 3660, it is enacted that no Member either of the Legislative Council or the Legislative Assembly shall be permitted to sit or vote therein respectively until he has taken and subscribed before the Governor, or some person authorized by the Governor in that behalf, the Oath set out in the Second Schedule to the aforesaid Act: Now therefore I, the Lieutenant-Governor of the said State, do by these presents command and authorize you to proceed to the Parliament Houses, in the City of Melbourne, on Tuesday, the second day of July instant, at the hour of half-past Four o'clock in the afternoon, then and there to administer the said Oath to such Members of the said Legislative Council as have not already taken and subscribed the same since their election to the said Legislative Council.

(L.S.) Given under my Hand and the Seal of the said State at Melbourne in the said State this second day of July, in the year of Our Lord One thousand nine hundred and forty-six, and in the tenth year of the reign of His Majesty King George VI.

E. F. HERRING.

By His Excellency's Command,

JOHN CAIN,
PREMIER.

Entered on record by me in the Register of Patents, Book 31,
page 349, this second day of July, One thousand
nine hundred and forty-six.

A. JAMES, for Under-Secretary.

3. RETURNS TO WRITS (PERIODICAL ELECTION).—The Clerk announced that there had been received returns to writs issued by the Honorable the President of the Council on the 13th day of May last for the election of members to serve for the undermentioned Provinces in the places of Members whose seats became vacant by effluxion of time, and that by the indorsements on such writs it appeared that the following Members had been elected in pursuance thereof:—

The Honorable James Frederick Kittson for the Ballarat Province.

The Honorable George Victor Lansell for the Bendigo Province.

The Honorable Paul Jones for the Doutta Galla Province.

The Honorable Clifden Henry Andrews Eager for the East Yarra Province.

The Honorable Trevor Harvey for the Gippsland Province.

The Honorable Arthur George Warner for the Higinbotham Province.
 The Honorable William James Beckett for the Melbourne Province.
 The Honorable Archibald McDonald Fraser for the Melbourne North Province.
 The Honorable Patrick John Kennelly for the Melbourne West Province.
 The Honorable Francis Joseph Edmund Beaurepaire for the Monash Province.
 The Honorable Dudley Joseph Walters for the Northern Province.
 The Honorable Ivan Archie Swinburne for the North-Eastern Province.
 The Honorable Percy Thomas Byrnes for the North-Western Province.
 The Honorable William Charles Angliss for the Southern Province.
 The Honorable Cyril Everett Isaac for the South-Eastern Province.
 The Honorable Allan Elliott McDonald for the South-Western Province.
 The Honorable Robert Chisholm Rankin for the Western Province.

4. SWEARING-IN OF NEW MEMBERS.—The Honorables Sir William Angliss, Sir Frank Beaurepaire, W. J. Beckett, P. T. Byrnes, Sir Clifden Eager, A. McD. Fraser, T. Harvey, C. E. Isaac, Paul Jones, P. J. Kennelly, J. F. Kittson, Colonel G. V. Lansell, A. E. McDonald, R. C. Rankin, I. A. Swinburne, D. J. Walters, and A. G. Warner, having severally approached the Table, took and subscribed the Oath required by law, and severally delivered to the Clerk the Declaration required by the fifty-fifth section of the Act No. 3660, as hereunder set forth:—

“In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, WILLIAM CHARLES ANGLISS*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Melbourne, and are known as part of allotment 6, section 24, city of Melbourne, parish of North Melbourne, county of Bourke, and being the whole of the land comprised in certificate of title, volume 3701, folio 740157.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Melbourne are rated in the rate-book of the said municipality upon a yearly value of £720.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“W. ANGLISS.”

“In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, FRANCIS JOSEPH EDMUND BEAUREPAIRE*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Hawthorn, and are known as No. 2 Fordholm-road, Hawthorn.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Hawthorn are rated in the rate-book of the said municipality upon a yearly value of £245.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“FRANK BEAUREPAIRE.”

“In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, WILLIAM JAMES BECKETT*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of St. Kilda, and are known as ‘Aloha,’ Shakespeare-grove.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of St. Kilda are rated in the rate-book of the said municipality upon a yearly value of £130.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“WILLIAM J. BECKETT.”

“In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, PERCY THOMAS BYRNES*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Shire of Swan Hill and are known as vineyard, being allotment 5, Section B1, and part allotment 15, Section B, parish of Tyntynder, and shop and dwelling being part 1 of Section B, Nyah Township.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Shire of Swan Hill are rated in the rate-book of the said municipality upon a yearly value of £135.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"P. T. BYRNES."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, CLIFDEN HENRY ANDREWS EAGER*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal districts of Kew and Camberwell, and are known as No. 26 Barrington-avenue, Kew, and No. 3 Peppin-street, Camberwell.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Kew are rated in the rate-book of the said municipality upon a yearly value of £59, and that such of the said lands or tenements as are situate in the municipal district of Camberwell are rated in the rate-book of the said municipality upon a yearly value of £52.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"CLIFDEN EAGER."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, ARCHIBALD McDONALD FRASER*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Preston, and are known as 12 Oakhill-avenue, East Preston.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Preston are rated in the rate-book of the said municipality upon a yearly value of £34.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"A. M. FRASER."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, TREVOR HARVEY*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Maffra, and are known as 'Jerseyholm,' Boisdale.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Maffra are rated in the rate-book of the said municipality upon a yearly value of £132.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"TREVOR HARVEY."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, CYRIL EVERETT ISAAC*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Dandenong, and are known as Nursery, Corrigan-road, Noble Park.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Dandenong are rated in the rate-book of the said municipality upon a yearly value of £87.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"C. E. ISAAC."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, PAUL JONES*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal districts of Richmond and Prahran, and are known as 68-72 Lord-street, Richmond, and 10 Clarke-street, Prahran.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Richmond are rated in the rate-book of the said municipality upon a yearly value of £100, and that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of the said municipality upon a yearly value of £60.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ PAUL JONES.”

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, PATRICK JOHN KENNELLY, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of South Melbourne, and are known as 164-166 Nelson-road, South Melbourne.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of South Melbourne are rated in the rate-book of the said municipality upon a yearly value of £64.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ P. J. KENNELLY.”

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, JAMES FREDERICK KITTSON, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Ballarat, and are known as ‘Endale,’ 7 Burnbank-street, Ballarat.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Ballarat are rated in the rate-book of the said municipality upon a yearly value of £65.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ J. F. KITTSON.”

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, GEORGE VICTOR LANSELL, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Bendigo, and are known as ‘Denderah,’ View Hill, Bendigo.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Bendigo are rated in the rate-book of the said municipality upon a yearly value of £250.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ GEO. V. LANSELL.”

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, ALLAN ELLIOTT McDONALD, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Newtown and Chilwell, and are known as Number 35 Laurel Bank-parade, Newtown.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Newtown and Chilwell are rated in the rate-book of the said municipality upon a yearly value of £59.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ ALLAN E. McDONALD.”

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, ROBERT CHISHOLM RANKIN, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of the Town of Horsham, and are known as ‘Kalimna Park,’ Horsham.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of the Town of Horsham are rated in the rate-book of the said municipality upon a yearly value of £70.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ R. C. RANKIN.”

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, IVAN ARCHIE SWINBURNE, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Bright, and are known as allotments 4A, 4B, 4C, 5A, and 6, and part of allotment 5 of section 17, parish of Eurandelong, certificate of title, volume 5967, folio 1193304 (Joint Tenancy).

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Bright are rated in the rate-book of the said municipality upon a yearly value of £28.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ IVAN A. SWINBURNE.”

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, DUDLEY JOSEPH WALTERS, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Kerang and are known as allotment 32A, section A, parish of Murrabit West, allotment 40A, section A, parish of Murrabit West, and allotment 24B, section A, Murrabit township.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Kerang are rated in the rate-book of the said municipality upon a yearly value of £206.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ DUDLEY J. WALTERS.”

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, ARTHUR GEORGE WARNER, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Brighton, and are known as 37 North-road, Brighton.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Brighton are rated in the rate-book of the said municipality upon a yearly value of £120.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ A. G. WARNER.”

The Honorable Mr. Justice Fullagar attested the Oath Roll, and then withdrew.

5. ELECTION OF PRESIDENT.—The Clerk announced that the time had arrived for proceeding to the election of a President of the Council.

The Honorable P. J. Clarey, addressing the Clerk, proposed to the Council for their President the Honorable Sir Clifden Henry Andrews Eager, and moved, That the Honorable Sir Clifden Henry Andrews Eager do take the Chair of the Council as President, which motion was seconded by the Honorable W. J. Beckett.

The Honorable Sir Clifden Henry Andrews Eager, addressing the Clerk, expressed the high sense he had of the honour proposed to be conferred upon him, and submitted himself to the Council.

The Council then unanimously calling the Honorable Sir Clifden Henry Andrews Eager to the Chair, he was taken out of his place by the Honorable P. J. Clarey and the Honorable W. J. Beckett and conducted to the Chair; and, standing on the dais, he returned his acknowledgments to the Council for the great honour that had been conferred upon him, and thereupon he took the Chair of the President.

Then the Honorables P. J. Clarey and W. J. Beckett congratulated the Honorable the President-elect.

6. RECEPTION OF THE PRESIDENT-ELECT BY THE LIEUTENANT-GOVERNOR.—The Honorable P. J. Clarey announced that His Excellency the Lieutenant-Governor would be pleased to receive the Honorable the President-elect and Members of the Legislative Council at a quarter past Five o'clock this afternoon, in the Library of the Parliament House.

The President-elect, accompanied by Honorable Members, at the time appointed, proceeded to the Library, and being returned—

The President took the Chair and read the Prayer.

The President reported that, accompanied by Honorable Members, he had presented himself to His Excellency the Lieutenant-Governor, who had been pleased to approve of the choice made by the Council, and had addressed him in the following terms:—

MR. PRESIDENT,

I have much pleasure in congratulating you on your election for the second time to the high and important office of President of the Legislative Council.

I feel sure that Honorable Members have acted wisely in choosing you as their President, and that you will continue to uphold the dignity of your office with the same skill and tact you have shown in the past.

7. COMMISSION TO ADMINISTER OATH TO MEMBERS.—The President announced that he had received from His Excellency the Lieutenant-Governor a Commission, which was read by the Clerk, and is as follows:—

By His Excellency Lieutenant-General The Honorable Sir EDMUND FRANCIS HERRING, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Distinguished Service Order, upon whom has been conferred the Decoration of the Military Cross and the Australian Efficiency Decoration, Lieutenant-Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

To the Honorable SIR CLIFDEN HENRY ANDREWS EAGER, K.C., M.L.C., President of the Legislative Council of the State of Victoria.

GREETING :

WHEREAS by the thirty-fifth section of *The Constitution Act Amendment Act 1928*, No. 3660, it is enacted that no Member either of the Legislative Council or the Legislative Assembly shall be permitted to sit or vote therein respectively until he has taken and subscribed before the Governor, or some person authorized by the Governor in that behalf, the Oath set out in the Second Schedule to the aforesaid Act: Now therefore I, the Lieutenant-Governor of the State of Victoria, do by these presents command and authorize you from time to time, in the Parliament Houses, in the City of Melbourne, to administer the said Oath to such Members of the said Legislative Council as have not already taken and subscribed the same since their election to the said Legislative Council.

(L.S.) Given under my Hand and the Seal of the said State at Melbourne in the said State this second day of July, in the year of Our Lord One thousand nine hundred and forty-six, and in the tenth year of the reign of His Majesty King George VI.

E. F. HERRING.

By His Excellency's Command,

JOHN CAIN,
PREMIER.

Entered on record by me in the Register of Patents, Book 31, page 350, this second day of July, One thousand nine hundred and forty-six.

A. JAMES,
for Under-Secretary.

8. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable P. J. Clarey presented Messages from His Excellency the Lieutenant-Governor informing the Council that he had, on the dates mentioned hereunder, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:—

On the 17th May last—

Public Service Act.
Teaching Service Act.
Police Regulation Act.
Railways (Long Service) Act.

On the 27th May last—

Workers' Compensation Act.
Sewerage Districts (Amendment) Act.
Factories and Shops (Bread) Act.
Crimes (Indeterminate Sentences) Act.
Medical (Chemists' Apprentices) Act.
Soldier Settlement (Amendment) Act.
Consolidated Revenue Act (No. 3).
Consolidated Revenue Act (No. 4).
Apprenticeship Act.

9. COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The President laid upon the Table the following Warrant appointing Members of the Committee of Elections and Qualifications:—

LEGISLATIVE COUNCIL—VICTORIA.

Pursuant to the provisions of *The Constitution Act Amendment Act 1928* I do hereby appoint—

The Honorable William James Beckett, and
The Honorable Allan Elliott McDonald,

to be members of The Committee of Elections and Qualifications.

Given under my hand this second day of July, One thousand nine hundred and forty-six.

CLIFDEN EAGER,

President of the Legislative Council.

10. CHAIRMAN OF COMMITTEES.—The Honorable P. J. Clarey moved, by leave, That the Honorable Percival Pennell Inchbold be Chairman of Committees of the Council.

Question—put and resolved in the affirmative.

11. PUBLIC WORKS COMMITTEE.—The Honorable P. J. Clarey moved, by leave, That the Honorable Cyril Everett Isaac be appointed a member of the Public Works Committee.

Question—put and resolved in the affirmative.

12. STANDING ORDERS COMMITTEE.—The Honorable P. J. Clarey moved, by leave, That the Honorables the President, Sir William Angliss, W. J. Beckett, and T. Harvey be members of the Select Committee on the Standing Orders of the House.

Question—put and resolved in the affirmative.

13. HOUSE COMMITTEE.—The Honorable P. J. Clarey moved, by leave, That the Honorables Sir William Angliss and P. J. Kennelly be members of the House Committee.

Question—put and resolved in the affirmative.

14. LIBRARY COMMITTEE.—The Honorable P. J. Clarey moved, by leave, That the Honorables the President and P. L. Coleman be members of the Joint Committee to manage the Library.

Question—put and resolved in the affirmative.

15. PRINTING COMMITTEE.—The Honorable P. J. Clarey moved, by leave, That the Honorables the President, P. T. Byrnes, C. E. Isaac, Paul Jones, Colonel G. V. Lansell, L. H. McBrien, and R. C. Rankin be members of the Printing Committee.

Question—put and resolved in the affirmative.

16. STATUTE LAW REVISION COMMITTEE.—The Honorable P. J. Clarey moved, by leave, That the Honorables A. M. Fraser and A. E. McDonald be members of the Statute Law Revision Committee.

Question—put and resolved in the affirmative.

17. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

Agricultural Colleges Act 1944—Regulations—Discipline, Students' Fees, &c.

Dried Fruits Act 1938—Regulations—Allowances to members of the Dried Fruits Board.

Explosives Act 1928—

Orders in Council relating to—

Classification of Explosives—Class 6—Ammunition—Division 1—Safety Cartridge Cases (Empty) Capped.

Definition of Explosives—

Class 6—Ammunition—Divisions 1 and 2.

Class 7—Firework—Division 2.

Report of the Chief Inspector of Explosives on the working of the Act during the year 1945.

Gas Regulation Act 1933—

Gas Regulation (Emergency Powers) Regulations (No. 18).

Gas Regulation (Emergency Powers) Regulations (No. 19).

Gas Regulation (Emergency Powers) Regulations (No. 20).

Grain Elevators Act 1934—Report of the Grain Elevators Board for the year ended 31st October, 1945.

Marketing of Primary Products Act 1935—Regulations—Travelling expenses of members of Chicory Marketing Board, Egg and Egg Pulp Marketing Board, Maize Marketing Board, and Onion Marketing Board (two papers).

Public Service Act 1928—Copy of Papers in connexion with the promotion of—

Ernest William Coates from the Fourth to the Third Class, Department of Treasurer.

James Henry Davey from the Second to the First Class, Department of Treasurer.

Trade Unions Act 1928—Report of the Government Statist on Trade Unions for the year 1945.

18. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until a day and hour to be fixed by the President or, if the President is unable to act on account of illness or other cause, by the Chairman of Committees, which time of meeting shall be notified to each Honorable Member by telegram or letter.

Question—put and resolved in the affirmative.

The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirteen minutes past Six o'clock, adjourned until a day and hour to be fixed by the President or, if the President is unable to act on account of illness or other cause, by the Chairman of Committees, which time of meeting shall be notified to each Honorable Member by telegram or letter.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 21.

WEDNESDAY, 2ND OCTOBER, 1946.

1. The Council met in accordance with adjournment, the President, pursuant to resolution, having fixed this day at half-past Four o'clock as the time of meeting.
2. The President took the Chair and read the Prayer.
3. THE LATE HONORABLE SIR JOHN HARRIS, K.B.E.—The Honorable P. J. Clarey moved, by leave, That this House place on record its deep regret at the death of the Honorable Sir John Richards Harris, K.B.E., a former Member of this House, and its keen appreciation of the valuable services rendered by him to the Parliament and the people of Victoria as a Member for the North-Eastern Province, Unofficial Leader of the Legislative Council, a Minister of the Crown, and Leader of the Government in the Legislative Council.

And other Honorable Members and the President having addressed the House—

The question was put and, Honorable Members signifying their assent by standing in their places, unanimously resolved in the affirmative.

4. RESIGNATION OF MEMBER.—The President announced that he had received the following communications :—

Government House,
Melbourne, 16th August, 1946.

Mr. President,

I have the honour to transmit to you the attached communication which I have received this day from the Honorable Leonard Roy Rodda, resigning his seat as a Member of the Legislative Council representing the Western Province of Victoria.

I have the honour to be,
Sir,
Your obedient servant,
E. F. HERRING,
Lieutenant-Governor.

The Honorable Sir Clifden Eager, K.C., M.L.C.,
President of the Legislative Council,
Melbourne.

Parliament House,
Melbourne, 15th August, 1946.

To His Excellency
Lieut.-General the Hon. Sir Edmund Herring, K.B.E., D.S.O., M.C.,
Lieutenant-Governor of Victoria,
Governor's Office, Melbourne.

Your Excellency,

Pursuant to the provisions of *The Constitution Act* I hereby resign my seat in the Legislative Council of Victoria as one of the Members for the Western Province.

I resign my seat for the purpose of seeking election for the Parliament of the Commonwealth of Australia.

I have the honour to be,
Your Excellency's most obedient servant,
L. R. RODDA.

Received this resignation this 16th day of August, 1946.

E. F. HERRING,
Lieutenant-Governor.

Parliament House,
Melbourne, 15th August, 1946.

To the Honorable Sir Clifden Eager, K.C.,
President of the Legislative Council,
Parliament House, Melbourne.

Dear Mr. President,

I have to inform you that I have resigned my seat in the Legislative Council as one of the Members for the Western Province for the purpose of seeking election for the Parliament of the Commonwealth of Australia, and I hereby notify you, pursuant to the provisions of section 196 of *The Constitution Act Amendment Act 1928*, No. 3660, that it is my intention to seek such election and that it is my intention, in the event of my failing to secure such election, to become again a candidate for the vacancy in the Legislative Council created by my resignation.

Yours faithfully,
L. R. RODDA.

5. **TITLE OF "HONORABLE".**—The President announced that he had received from the Honorable the Premier a copy of a despatch from the Secretary of State for Dominion Affairs intimating that His Majesty the King had been pleased to approve of the retention of the title of "Honorable" by Mr. Richard Kilpatrick and Mr. George Bolster, who had served as Members of the Legislative Council of Victoria for a continuous period of not less than ten years.
6. **TEMPORARY CHAIRMEN OF COMMITTEES.**—The President laid upon the Table the following Warrant nominating Temporary Chairmen of Committees:—

LEGISLATIVE COUNCIL—VICTORIA.

Pursuant to the provisions of the Standing Order of the Legislative Council numbered 160, I do hereby nominate—

The Honorable Sir William Angliss,
The Honorable Paul Jones, and
The Honorable George Joseph Tuckett

to act as Temporary Chairmen of Committees whenever requested to do so by the Chairman of Committees or whenever the Chairman of Committees is absent.

Given under my hand this second day of October, One thousand nine hundred and forty-six

CLIFDEN EAGER,
President of the Legislative Council.

7. **CONSOLIDATED REVENUE BILL (No. 5).**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of Two million and sixty-six thousand six hundred and fifteen pounds to the service of the year One thousand nine hundred and forty-six and One thousand nine hundred and forty-seven*" and desiring the concurrence of the Council therein.
- On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
8. **FACTORIES AND SHOPS (WAGES BOARDS) BILL.**—On the motion (by leave without notice) of the Honorable P. J. Clarey, and after debate, leave was given to bring in a Bill to amend Section One hundred and thirty-six of the *Factories and Shops Act 1923*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
9. **TOBACCO SELLERS BILL.**—On the motion (by leave without notice) of the Honorable P. J. Clarey, leave was given to bring in a Bill to amend the *Tobacco Sellers Act 1928*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
10. **SEEDS BILL.**—On the motion (by leave without notice) of the Honorable P. J. Clarey, leave was given to bring in a Bill to amend Section Twenty of the *Seeds Act 1928*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
11. **MELBOURNE AND METROPOLITAN TRAMWAYS (AMENDMENT) BILL.**—On the motion (by leave without notice) of the Honorable P. J. Kennelly, and after debate, leave was given to bring in a Bill to amend Sections One hundred and eighteen and One hundred and nineteen of the *Melbourne and Metropolitan Tramways Act 1928*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
12. **INFECTIOUS DISEASES HOSPITAL (BORROWING) BILL.**—On the motion (by leave without notice) of the Honorable P. J. Kennelly, leave was given to bring in a Bill to increase the Borrowing Powers of the Queen's Memorial Infectious Diseases Hospital Board, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
13. **EVIDENCE BILL.**—On the motion (by leave without notice) of the Honorable A. M. Fraser, leave was given to bring in a Bill to amend the Law of Evidence, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

14. PAPERS.—The Honorable P. J. Clarey presented, by command of His Excellency the Lieutenant-Governor—

Forest Grazing—Report of the Royal Commission appointed to inquire into Grazing upon forest lands in Victoria, together with the Minutes of Evidence.

Penal Establishments, Gaols, and Reformatory Prisons—Report and Statistical Tables for the year 1945.

Severally ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

Agricultural Colleges Act 1944—Regulations prescribing fees and travelling expenses of members of the Advisory Committee.

Coal Mine Workers' Pensions Act 1942—Statements of Accounts of the Pensions Tribunal for the year 1944-45, duly audited.

Constitution Statute—Statement of Expenditure under Schedule D to Act 18 and 19 Vict., Cap. 55, and Acts Nos. 3660, 4367, and 4437 during the year 1945-46.

Country Fire Authority Act 1944—Regulations—Expenses of officers and employees of the Country Fire Authority.

Education Act 1928—Regulation LIV.—Religious Instruction in State Schools.

Explosives Act 1928—Orders in Council relating to—

Classification of Explosives.

Prohibition of the manufacture, keeping, importation, conveyance, and sale of explosives except under certain conditions or restrictions.

Sale of Explosives.

Fire Brigades Acts—Metropolitan Fire Brigades Board—Regulation.

Friendly Societies Act 1928—Sixty-eighth Annual Report of the Government Statist on Friendly Societies relating to the period of twelve months ended 30th June, 1945, with Appendices.

Gas Regulation Act 1933—

Gas Regulation (Emergency Powers) Regulations (No. 21).

Gas Regulation (Emergency Powers) Regulations (No. 22).

Gas Regulation (Emergency Powers) Regulations (No. 23).

Justices Act 1928 and Acts Interpretation Act 1928—Amendment of Rules under the Justices Acts.

Land Act 1928—Certificates of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of the Education Acts at Ballarat, California Gully, Kyneton, Numurkah, Werribee, and Wodonga (six papers).

Lands Compensation Act 1928—Return under Section 37 showing the amount of money paid for the year 1945-46 by the State Electricity Commission in connexion with the works and undertakings of the Commission.

Marketing of Primary Products Act 1935—

Proclamations declaring—

That Chicory shall become the property of the Chicory Marketing Board for a further period of two years.

That Onions shall become the property of the Onion Marketing Board for a further period of two years.

That Potatoes shall be a commodity.

Regulations—

Amendment of the Egg and Egg Pulp Marketing Board Regulations 1941.

Amendment of the Marketing of Primary Products (Polls and Elections) Regulations 1935.

Melbourne and Metropolitan Tramways Act 1928—Report and Statement of Accounts of the Melbourne and Metropolitan Tramways Board for the year 1945-46.

Milk and Dairy Supervision Act 1943—Regulation prescribing Milk Depots.

Milk Board Acts—

Proclamation declaring the municipal districts of Doncaster and Templestowe, and Eltham, to be included in the metropolis.

Regulation—Contribution on milk sold or distributed in the metropolis.

Report and Statement of Accounts of the Milk Board for the year 1944-45.

Ministry of Health Act 1943—Regulations—

Ministry of Health (Poliomyelitis) Regulations 1946.

Amendment of Ministry of Health (Poliomyelitis) Regulations 1946.

Motor Omnibus Act 1928—Amendment of Metropolitan Motor Omnibus Regulations.

Police Regulation Acts—Regulations—

Police Classification Board—Police Association approved as a body by which representations may be made.

Police Classification Board Elections Regulations.

Police Discipline Regulations.

Amendment of Police Discipline Regulations.

Powder Magazines Act 1896—Explosives Magazine Reserve at Truganina—By-laws fixing rental of magazine sites.

Public Library, National Gallery, and Museums Act 1944—Regulations—

Building Trustees Regulations.
National Gallery Regulations.
National Museums Regulations.
Public Library Regulations.

Public Service Act 1928—Copy of Papers in connexion with the promotion of—

Edmond John Patrick Condon from the Fifth Class to the Fourth Class, Department of Public Works.

John Edward Hunter from the First Class to Class 1A, Department of Lands and Survey.
Gordon Victor Mongan from the Fifth Class to the Fourth Class, Department of Treasurer.
William James Wallace from the Fifth Class to the Fourth Class, Department of Lands and Survey.

William Michael Walsh from the Fifth Class to the Fourth Class, Department of Lands and Survey.

Railways Acts—

Awards made by the Railways Classification Board together with the Report of the Victorian Railways Commissioners with regard thereto—

Award No. 88 relating to shift and night work allowances for certain grades.

Award No. 89 relating to broken shifts, other than suburban.

Award No. 90 relating to youths living away from home.

Report of the Victorian Railways Commissioners for the quarter ended 31st March, 1946.

Road Traffic Acts—Regulations—

Amendment of Road Traffic (Country) Regulations 1944.

Designation of Major Streets (two papers).

State Coal Mine Industrial Tribunal Act 1932—Award No. 68 made by the State Coal Mine Industrial Tribunal relating to rates of pay of certain workers at the State Coal Mine, Wonthaggi, together with the Report of the Victorian Railways Commissioners with regard thereto.

State Development Act 1941—Report of the State Development Committee on the Development of Western Port Bay with particular reference to Phillip Island, French Island, and their transport facilities.

State Savings Bank Act 1928—State Savings Bank of Victoria—Statements and Returns for the year 1945–46.

Supreme Court Acts—Amendment of Rules of the Supreme Court (three papers).

Town and Country Planning Act 1944—Town and Country Planning Regulations (No. 1)—Preparation and Submission of Planning Schemes.

Victorian Inland Meat Authority Act 1942—Second Annual Report of the Victorian Inland Meat Authority for the year 1944–45.

Workers' Compensation Act 1937—Workers' Compensation Board Fund—Balance-sheet as at 30th June, 1946, and Statement of Receipts and Expenditure for the year 1945–46.

Zoological Gardens Act 1936—Amendment of Regulations—Charges for Admission to Gardens.

15. CONSOLIDATED REVENUE BILL (No. 5).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inehbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

16. FACTORIES AND SHOPS (WAGES BOARDS) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

17. TOBACCO SELLERS BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

18. MELBOURNE AND METROPOLITAN TRAMWAYS (AMENDMENT) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Kennelly moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

19. INFECTIOUS DISEASES HOSPITAL (BORROWING) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Kennelly moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

20. EVIDENCE BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable A. M. Fraser moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

21. SEEDS BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

22. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday, the 22nd instant.

Question—put and resolved in the affirmative.

And then the Council, at forty-one minutes past Nine o'clock, adjourned until Tuesday, the 22nd instant.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 22.

TUESDAY, 22ND OCTOBER, 1946.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Lieutenant-Governor informing the Council that he had, on the 3rd instant, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments, viz. :—
Consolidated Revenue Act.
3. MELBOURNE AND METROPOLITAN BOARD OF WORKS (CONTRIBUTIONS) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the ‘Melbourne and Metropolitan Board of Works (Contributions) Act 1927’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
4. CONSOLIDATED REVENUE BILL (No. 6).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to apply out of the Consolidated Revenue the sum of Four hundred and forty-seven thousand five hundred and forty-one pounds to the service of the year One thousand nine hundred and forty-five and One thousand nine hundred and forty-six*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
5. CATTLE AND SWINE COMPENSATION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Sub-section (3) of Section Seven of the ‘Cattle Compensation Act 1928’ and Sub-section (3) of Section Eight of the ‘Swine Act 1928’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
6. STOCK FOODS (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the Law relating to Stock Foods*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
7. JURIES (FEES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to increase the Rates of Compensation payable to Jurors and consequently to amend the Law relating to Court Fees payable for Civil Cases tried before Juries*” and desiring the concurrence of the Council therein.
On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
8. NICHOLSON-STREET TRAMWAY CONSTRUCTION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to authorize the Construction by the Melbourne and Metropolitan Tramways Board of an Electric Tramway in Nicholson-street East Brunswick*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
9. PATRIOTIC FUNDS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the ‘Patriotic Funds Act 1939’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

10. **BURKE-ROAD TRAMWAY CONSTRUCTION BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to authorize the Construction by the Melbourne and Metropolitan Tramways Board of an Electric Tramway in Burke-road in the Cities of Camberwell and Kew*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

11. **PAPERS.**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

Anti-Cancer Council Act 1936—Tenth Annual Report of the Anti-Cancer Council of Victoria for the year 1945–46, together with Statement of Receipts and Expenditure and audited Balance-sheet.

Co-operative Housing Societies Acts—Co-operative Housing Societies (Advisory Committee) Regulations.

Dairy Products Acts—Report of the Victorian Dairy Products Board for the six months ended 30th June, 1946.

Education Act 1928—Regulations—

Regulation XV. (B)—Nomination of Teachers for University Courses.

Regulation XX.—Allowances for School requisities and maintenance to pupils attending Post-Primary Schools and Classes.

Regulation XXI.—Scholarships.

Regulation XXXVI. (B)—Consolidated Schools.

Fire Brigades Acts—Metropolitan Fire Brigades Board—Regulation.

Health Act 1928—Report of the Commission of Public Health for the year 1945–46.

Land Act 1928—Particulars of Lease of Swamp or Reclaimed Land under section 110.

Marketing of Primary Products Act 1935—Regulations—Registration of Producers of Onions.

Mental Hygiene Acts—Report of the Director of Mental Hygiene for the year 1945.

Motor Car (Third-Party Insurance) Act 1939—Statistical Returns by Authorized Insurers for the year 1945–46.

Public Service Act 1928—

Copy of Papers in connexion with the promotion of—

George Edward Barker from the Fifth Class to the Fourth Class, Department of Chief Secretary.

John Clifford Clinnick from the Fifth Class to the Fourth Class, Department of Chief Secretary.

Frederick Norman Cox from the Fifth Class to the Fourth Class, Department of Chief Secretary.

John Leslie Eabry from the Second Class to the First Class, Department of Chief Secretary.

Regulations—

Classification of General Division, Chapter VII.—

Department of Agriculture (six papers).

Department of Chief Secretary (five papers).

Department of Health (eleven papers).

Department of Labour.

Department of Public Instruction.

Department of Public Works (three papers).

Department of State Forests.

Department of Treasurer (two papers).

Department of Water Supply (two papers).

Leave of Absence, Chapter XIII.—Sick Leave.

Professional Division, Chapter II.—

Department of Agriculture (six papers).

Department of Chief Secretary (six papers).

Department of Health (two papers).

Department of Law.

Department of Mines.

Department of Public Instruction.

Department of Public Works (five papers).

Department of State Forests (three papers).

Department of Treasurer (two papers).

Department of Water Supply (three papers).

Travelling Allowances, Chapter IX.—Part II.—Allowances to certain Officers—

Department of State Forests.

Department of Water Supply.

Railways—Award No. 91 made by the Railways Classification Board relating to certain conditions of employment affecting Guard (Class 2) Goods, and Guard (Class 1) Passenger or Express, &c., together with the Report of the Victorian Railways Commissioners with regard thereto.

River Murray Waters Act 1915—Report of the River Murray Commission for the year 1945–46.

Town and Country Planning Act 1944—First Annual Report of the Town and Country Planning Board for the period ended 30th June, 1946.

Workers' Compensation Acts—Amendment of the Workers' Compensation Regulations 1942.

12. **FACTORIES AND SHOPS (SATURDAYS) BILL.**—On the motion of the Honorable P. J. Clarey, leave was given to bring in a Bill to amend the Law relating to the Closing of Shops on Saturday Afternoon, and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave and after debate, to be read a second time later this day.

13. **FACTORIES AND SHOPS (WAGES BOARDS) BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

14. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 and 3, be postponed until later this day.

15. **INFECTIOUS DISEASES HOSPITAL (BORROWING) BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

16. **CONSOLIDATED REVENUE BILL (No. 6).**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

17. **BALLAARAT GAS COMPANY'S BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend The Ballaarat Gas Company's Acts*" and desiring the concurrence of the Council therein.

Bill ruled to be a Private Bill.

The Honorable P. J. Clarey moved, That this Bill be dealt with as a Public Bill except in relation to the payment of fees.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That the Bill be read a first time on the next day of meeting.

18. **MEDICAL PRACTITIONERS' REGISTRATION BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act relating to the Registration of Medical Practitioners*" and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

19. **ADJOURNMENT.**—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at ten minutes past Eleven o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 23.

TUESDAY, 29TH OCTOBER, 1946.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Kennelly presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments, viz. :—
Consolidated Revenue Act.
3. FARM WATER SUPPLIES AND DRAINAGE ADVANCES BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend Sections Three Four and Five of the ‘ Farm Water Supplies Advances Act 1944’* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
4. MARINE (PILOTS AND PILOTAGE RATES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend Section Seventy-six of, and increase temporarily certain Maximum Rates of Pilotage under, the ‘ Marine Act 1928’* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Kennelly, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
5. WATER BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend the Water Acts* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
6. LOCAL GOVERNMENT (DANDENONG STREET CONSTRUCTION) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to make provision for Payment by the Owners of certain Lands in the Shire of Dandenong of certain Sums in respect of the Construction of certain Streets and Outfall Drains in the said Shire and to make the Payment of the said Sums a Charge upon the said Lands and to Validate the raising of certain Loans for the purpose of the Construction of the said Streets and Outfall Drains, and for other purposes* ” and desiring the concurrence of the Council therein.
Bill ruled to be a Private Bill.
The Honorable P. J. Kennelly moved, That this Bill be dealt with as a Public Bill.
Debate ensued.
Question—put and resolved in the affirmative.
The Honorable P. J. Kennelly moved, That this Bill be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time and ordered to be printed and to be read a second time on the next day of meeting.
7. CONSOLIDATED REVENUE BILL (No. 7).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to apply out of the Consolidated Revenue the sum of Four million and three hundred and ninety-one thousand three hundred and fifty-one pounds to the service of the year One thousand nine hundred and forty-six and One thousand nine hundred and forty-seven* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

8. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—

Country Fire Authority Act 1944—Amendment of Regulations.

Fisheries Acts—Notices of Intention to issue Proclamations—

To fix a minimum length for Bream.

To prohibit All Fishing in or the Taking of Fish from Lake Wendouree until 30th April, 1947.

Gas Regulation Act 1933—Gas Regulation (Emergency Powers) Regulations (No. 24).

Railways Act 1928—Report of the Victorian Railways Commissioners for the year 1945-46.

Transport Regulation Act 1932—Report of the Transport Regulation Board for the year 1945-46.

Water Acts—Copy of Declaration of the Honorable the Minister of Water Supply (together with plan) defining the area that ought to be constituted the Dingee Drainage District.

9. CONSOLIDATED REVENUE BILL (NO. 7).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

10. ADJOURNMENT.—The Honorable P. J. Kennelly moved, by leave, That the Council, at its rising, adjourn until Wednesday, the 6th November next.

Question—put and resolved in the affirmative.

And then the Council, at four minutes past Six o'clock, adjourned until Wednesday, the 6th November next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 24.

WEDNESDAY, 6TH NOVEMBER, 1946.

- 1. The President took the Chair and read the Prayer.
- 2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, on the 31st October last, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments, viz. :—
Consolidated Revenue Act.
- 3. MUNICIPAL ENDOWMENT (TEMPORARY DISCONTINUANCE) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to provide for the Temporary Discontinuance of the Payment of Municipal Endowment* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 4. COUNTRY ROADS BOARD FUND (AMENDMENT) BILL (No. 2).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to further amend the ‘ Country Roads Board Fund Act 1932 (No. 2) ’* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, after debate, to be read a second time on the next day of meeting.
- 5. CLIFTON HILL LAND BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to sever certain Land in the City of Melbourne from the Municipal District of the City of Melbourne and to annex the said Land to the Municipal District of the City of Collingwood and for other purposes* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 6. MOORPANYAL LAND BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to ratify an Agreement between the Commissioner of Crown Lands and Survey, the Geelong Harbor Trust Commissioners, and the Ford Manufacturing Company of Australia Proprietary Limited, to authorize the Divesting of certain Lands from the Geelong Harbor Trust Commissioners and the Transfer thereof to the said Company, and for other purposes* ” and desiring the concurrence of the Council therein.

The Honorable A. M. Fraser moved, That this Bill be now read a first time.

The Honorable W. J. Beckett having asked for a ruling on the question whether this Bill is a Private Bill—

The President said—

Having read the Bill, I thought there was no question as to its being a public Bill. However, as the matter has been specifically raised I shall now give it further consideration.

Having again examined the Bill and given the question further consideration, I am fortified in the view that it is not a private Bill. The essential clauses are 3 and 4. Clause 3 provides that the Geelong Harbor Trust Commissioners may transfer and surrender to His Majesty the land described in the Second Schedule to the Bill and that upon the registration in the Office of Titles of that transfer and surrender the land shall become unalienated Crown land free from all encumbrances. The clause then provides that the land described in the First Schedule shall, notwithstanding anything in the Geelong Harbor Trust Acts, be divested from that Trust and be deemed to be unalienated land of the Crown. By clause 4 the Governor in Council may make a grant of the land, which will have become unalienated at that stage, to the particular company named.

I would think that the essence of the Bill is that it deals with land, first converting certain land into unalienated land of the Crown and then authorizing the Crown, through the Governor in Council, to grant it to the Company. I think, therefore, that the Bill in substance is a land Bill, and that it is a public Bill and not a private Bill.

The Honorable W. J. Beckett.—I raised the question because the main purpose of the Bill as I understand it is to benefit a private company. However, I am glad to have your ruling, Mr. President.

The President.—It is true that the main purpose of the Bill is to transfer the land in question to a company which, although it is an incorporated company, can be regarded as a private company in the sense conveyed by the Unofficial Leader. Some Bills introduced to deal with lands of companies and persons are properly treated as private Bills, but I consider that the fact that this Bill makes certain land Crown land and then deals with the transfer of such land as Crown land makes it a public Bill.

THE HONORABLE Sir Frank Clarke.—I am not sure of my ground and, of course, I bow to your superior legal knowledge, Mr. President. However, the Bill ratifies an agreement involving the Crown a Crown instrumentality—if the Geelong Harbor Trust can be termed such—and a third party which is a private company. I do not know whether the agreement would affect your judgment.

The President.—I should say that once one reaches the conclusion that the main purpose of the Bill is to make and deal with land as Crown land, the fact that there is some other agreement relating to it does not change the character of the Bill. It cannot be both a public Bill and a private Bill. In a public Bill there may be clauses which, if they stood alone, might make it a private Bill, and vice versa. If the Bill is in essence one dealing with land in the manner I have stated and treating it as Crown land, the fact that it contains other clauses, which regarded by themselves may be of another character, does not affect the essential character of the Bill as a public Bill. It must be one thing or the other; it cannot be treated as a hybrid Bill. Sir Frank Clarke referred to the Geelong Harbor Trust as an instrumentality of the Crown, but I have not regarded the Bill as a public Bill on that account because I am not certain that this Trust is a Crown instrumentality. If it were, the Bill would be beyond doubt a public Bill. I do not found my ruling on that point. I found it on the fact that the Bill makes certain land unalienated land of the Crown and deals with it as such.

Question—That this Bill be now read a first time—put and resolved in the affirmative.—Bill read a first time and ordered to be printed and to be read a second time on the next day of meeting.

7. STAMPS (BETTING TAX) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend the Provisions of the Stamps Acts relating to Bookmakers' Licences Permits and Authorities and Bookmakers' Statements and Betting-tickets, and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

8. ISSUE OF WRIT.—The President announced that he had, on the 1st instant, issued a Writ for the election of a Member to serve for the Western Province in the place of the Honorable Leonard Roy Rodda who resigned for the purpose of seeking election for the Parliament of the Commonwealth, and that by such Writ the following dates had been fixed for the election:—

Nomination Day—Monday, 11th November, 1946.

Polling Day—Saturday, 30th November, 1946.

Return of Writ—Before or on Friday, 13th December, 1946.

9. LEAVE OF ABSENCE.—The Honorable A. E. McDonald moved, by leave, That leave of absence be granted to the Honorable Robert Chisholm Rankin for one month on account of ill-health.

Question—put and resolved in the affirmative.

10. MARRIAGE (AMENDMENT) BILL.—On the motion of the Honorable W. J. Beckett, leave was given to bring in a Bill to amend the *Marriage Act 1928*, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

11. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

Education Act 1928—Regulations—

Regulation XV. (C).—Student Instructors in Technical Schools.

Regulation XL.—Special Classes in Approved Subjects.

Gas Regulation Act 1933—Regulations—

Gas Regulation (Emergency Powers) Regulations (No. 25).

Gas Regulation (Emergency Powers) Regulations (No. 26).

Gas Regulation (Emergency Powers) Regulations (No. 27).

Public Service Acts—

Copy of Papers in connexion with the promotion of Cyril John Bennett McPherson from the Fifth Class to the Fourth Class, Department of Agriculture.

Regulations—

Public Service (Governor in Council) Regulations.

Public Service (Public Service Board) Regulations.

12. **TOBACCO SELLERS BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
13. **SEEDS BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
14. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 13 inclusive, be postponed until later this day.
15. **BALLAARAT GAS COMPANY'S BILL.**—The Order of the Day for the first reading of this Bill having been read, the Honorable P. J. Clarey produced a receipt showing that the sum of £20 had been paid into the Treasury for the public uses of the State and moved, That this Bill be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time and ordered to be printed and to be read a second time on the next day of meeting.
16. **MELBOURNE AND METROPOLITAN TRAMWAYS (AMENDMENT) BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
17. **ADJOURNMENT.**—The Honorable P. J. Clarey moved, That the House do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.

And then the Council, at forty-four minutes past Ten o'clock, adjourned until to-morrow.

P. T. POOK,
Clerk of the Legislative Council.

No. 25.

THURSDAY, 7TH NOVEMBER, 1946.

1. The President took the Chair and read the Prayer.
2. **PAPERS.**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
Motor Car (Third-Party Insurance) Act 1939—State Motor Car Insurance Office—Report, Profit and Loss Account, and Balance-sheet for the year 1945–46.
Workers' Compensation Act 1928—State Accident Insurance Office—Report, Profit and Loss Account, and Balance-sheet for the year 1945–46.
3. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until the next day of meeting.

4. NICHOLSON-STREET TRAMWAY CONSTRUCTION BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
5. EVIDENCE BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
6. BURKE-ROAD TRAMWAY CONSTRUCTION BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
7. BALLAARAT GAS COMPANY'S BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
8. MELBOURNE AND METROPOLITAN BOARD OF WORKS (CONTRIBUTIONS) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
9. FACTORIES AND SHOPS (SATURDAYS) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.
Debate ensued.
The Honorable J. A. Kennedy moved, That the debate be now adjourned.
Debate ensued.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Thursday next.
10. JURIES (FEES) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable A. M. Fraser moved, That this Bill be now read a second time.
Debate ensued.
The Honorable W. J. Beckett moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.

And then the Council, at twenty-five minutes past Ten o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 26.

TUESDAY, 12TH NOVEMBER, 1946.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—
Nicholson-street Tramway Construction Act.
Burke-road Tramway Construction Act.
Ballaarat Gas Company's Act.
Melbourne and Metropolitan Board of Works (Contributions) Act.
3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 Gas Regulation Act 1933—Gas Regulation (Emergency Powers) Regulations (No. 28).
 Geelong Harbor Trust Act 1928—Accounts and Statement of Receipts and Expenditure of the Geelong Harbor Trust Commissioners for the year 1945.
 Public Service Act 1928—Copy of Papers in connexion with the promotion of Reginald Henry Jennings from the Fifth Class to the Fourth Class, Department of Public Instruction.
4. ALTERATION OF SESSIONAL ORDERS.—The Honorable P. J. Clarey moved, That so much of the Sessional Orders as provides that half-past Four o'clock shall be the hour of meeting of the Council on Wednesday and Thursday in each week be rescinded and that for the remainder of the Session the hour of meeting on Wednesdays and Thursdays shall be Two o'clock.
 Debate ensued.
 Question—put and resolved in the affirmative.
5. STAMPS (BETTING TAX) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
 House in Committee.
 The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
 Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
6. JURIES (FEES) BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
 House in Committee.
 The Deputy-President resumed the Chair; and the Honorable G. J. Tuckett having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
 Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

7. **CATTLE AND SWINE COMPENSATION BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The Deputy-President resumed the Chair; and the Honorable Sir William Angliss having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
8. **MARINE (PILOTS AND PILOTAGE RATES) BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
9. **ADJOURNMENT.**—The Honorable P. J. Clarey moved, That the House do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.

And then the Council, at thirty-three minutes past Ten o'clock, adjourned until to-morrow.

P. T. POOK,
Clerk of the Legislative Council.

No. 27.

WEDNESDAY, 13TH NOVEMBER, 1946.

1. The President took the Chair and read the Prayer.
2. **PAPERS.**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Education Act 1928 and Teaching Service Act 1946—Regulations—
 - Regulation XXIII.—School Hours and Organization.
 - Regulation XXVIII.—Holidays.
 - Public Service Act 1928—Regulations—
 - Classification of General Division, Chapter VII.—
 - Department of Chief Secretary (two papers).
 - Department of Health (three papers).
 - Department of Lands and Survey (three papers).
 - Department of Law.
 - Department of State Forests.
 - Department of Water Supply (two papers).
 - Professional Division, Chapter II.—
 - Department of Agriculture (three papers).
 - Department of Chief Secretary.
 - Department of Health (two papers).
 - Department of Lands and Survey (two papers).
 - Department of Law (three papers).
 - Department of Mines.
 - Department of Premier.
 - Department of Public Instruction.
 - Department of Public Works.
 - Department of State Forests (four papers).
 - Department of Treasurer.
 - Department of Water Supply (six papers).
 - Travelling Allowances, Chapter IX.—Part II.—Allowances to certain officers—Department of Mines.
 - Teaching Service Act 1946—Regulations—
 - Regulation V. (C).—Subsidized Schools.
 - Regulation XV. (B).—Nomination of Teachers for Courses at the University or other Approved Institutions.
 - Regulation XLI.—Technical Schools.
 - Teaching Service (Governor in Council) Regulations.
 - Teaching Service (Teachers Tribunal) Regulations.

3. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of the Order of the Day, General Business, be postponed until the next day of meeting.
4. **FACTORIES AND SHOPS (ANNUAL HOLIDAYS) AMENDMENT BILL.**—On the motion of the Honorable A. M. Fraser for the Honorable P. J. Clarey, leave was given to bring in a Bill to amend the *Factories and Shops (Annual Holidays) Act 1946*, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
5. **PATRIOTIC FUNDS BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
6. **STOCK FOODS (AMENDMENT) BILL.**—This Bill was, according to Order, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
7. **FARM WATER SUPPLIES AND DRAINAGE ADVANCES BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.
8. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of Order of the Day, Government Business, No. 4, be postponed until the next day of meeting.
9. **MUNICIPAL ENDOWMENT (TEMPORARY DISCONTINUANCE) BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
10. **MEDICAL PRACTITIONERS' REGISTRATION BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

And then the Council, at twenty-three minutes past Five o'clock, adjourned until to-morrow.

P. T. POOK,
Clerk of the Legislative Council.

No. 28.

THURSDAY, 14TH NOVEMBER, 1946.

1. The President took the Chair and read the Prayer.
2. **FACTORIES AND SHOPS (ANNUAL HOLIDAYS) AMENDMENT BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

3. **FORESTS (EXCHANGE OF LANDS) EXTENSION BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to extend the Operation of the ‘ Forests (Exchange of Lands) Act 1943’* ” and desiring the concurrence of the Council therein.
- On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
4. **FARMERS PROTECTION (AMENDMENT) BILL (No. 2).**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend Sections Five, Six, and Seventeen of the ‘ Farmers Protection Act 1941’* ” and desiring the concurrence of the Council therein.
- On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
5. **SEEDS BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.
6. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 and 3, be postponed until the next day of meeting.
7. **WATER BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable Paul Jones having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

8. **CLIFTON HILL LAND BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable Paul Jones having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

And then the Council, at twenty minutes past Four o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 29.

TUESDAY, 19TH NOVEMBER, 1946.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—
 - Stamps (Betting Tax) Act.*
 - Juries (Fees) Act.*
 - Cattle and Swine Compensation Act.*
 - Marine (Pilots and Pilotage Rates) Act.*
 - Patriotic Funds Act.*
 - Stock Foods (Amendment) Act.*
 - Municipal Endowment (Temporary Discontinuance) Act.*
 - Medical Practitioners' Registration Act.*
 - Seeds Act.*
 - Water Act.*
 - Clifton Hill Land Act.*
 - Tobacco Sellers Act.*
3. UNIVERSITY (MILDURA BRANCH) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to make provision for the Establishment of a Branch of the University of Melbourne at or near Mildura and for purposes connected therewith* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
4. TOBACCO SELLERS BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.
5. COUNTRY ROADS BOARD FUND (AMENDMENT) BILL (NO. 2).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable G. J. Tuckett having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
6. MOORPANYAL LAND BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable G. J. Tuckett having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

7. **FACTORIES AND SHOPS (SATURDAYS) BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

The Honorable C. P. Gartside moved, by leave, That it be an instruction to the Committee that they have power to consider amendments to provide that a poll of ratepayers may be held to determine on what day in any municipality the weekly half-holiday shall be observed.

Debate ensued.

The Honorable P. J. Clarey, having asked whether the proposed amendments could properly be the subject of an instruction—

The President said—

The question upon which I have to rule is whether the proposed instruction is a proper one to be submitted to the House. I have not to rule upon whether or not it is a proper amendment. That would be the function of the Chairman of Committees. If it came before me I would say it was not a proper subject for amendment without an instruction because I do not think it is directly relevant to the subject matter of the Bill. The motion before the Chair assumes that it is not a proper matter for amendment because, if it were, Standing Order No. 214 would come into operation. That Standing Order provides that: "No instruction may be moved . . . to empower a Committee to make provision if they already have that power." If the subject of this instruction could be moved as an ordinary amendment I would therefore have to rule out this motion. In my view, however, it could not properly be moved as an amendment. The motion then is that it be an instruction to the Committee that they have power to consider amendments to provide for a poll of ratepayers to be held to determine on what day in any municipality the weekly half-holiday shall be observed.

In my view, that matter is cognate to the subject matter of the Bill and might properly be the subject of an instruction. It will, of course, be for the House to deal with the matter on its merits and decide whether it will give the instruction to the Committee. I think I would not be at liberty to reject this motion on the ground that the matter referred to is not a proper subject matter of an instruction. It seems to impose a condition upon the general Saturday half-holiday, the enforcement of which is substantially the subject matter of this Bill. That may be stating in other words what Sir Frank Clarke has said. The proposed amendment, if carried, would say in effect, "You cannot impose this Saturday half-holiday upon the shopkeepers unless in any particular district the ratepayers have the opportunity first of saying that they want it." It goes a little further than that, for it is not restricted to that day. The proposed instruction is that the Committee may consider amendments to provide that a poll of ratepayers may be held to determine on what day in any municipality the weekly half-holiday shall be observed. Even in the broadest view of the proposed amendment it deals with the weekly half-holiday, and that is the substantial subject matter of the Bill. When shall the weekly half-holiday be imposed upon the shopkeepers? The purpose of Mr. Gartside's proposed amendment, if the instruction is given, is to say that the Saturday half-holiday shall not be imposed except after a poll of ratepayers has been made possible to determine it. In other words, he would seek to impose a condition on what would be the unconditional operation of the Bill if his amendment were not carried. I therefore think the matter may properly be the subject matter of an instruction.

Debate continued.

Question—put.

The Council divided.

Ayes, 18.

The Hon. Sir William Angliss,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
W. H. Edgar,
C. P. Gartside,
Sir George Goudie,
T. Harvey,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson (*Teller*),
G. S. McArthur,
L. H. McBrien,
A. E. McDonald,
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters,
A. G. Warner (*Teller*).

Noes, 7.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman (*Teller*),
A. M. Fraser,
Paul Jones (*Teller*),
P. J. Kennelly,
D. L. McNamara.

And so it was resolved in the affirmative.

The President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable G. J. Tuckett reported that the Committee had made progress in the Bill, and asked leave to sit again.

*Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

8. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-one minutes past Ten o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.



VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 30.

TUESDAY, 26TH NOVEMBER, 1946.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—
 - Country Roads Board Fund (Amendment) Act.*
 - Moorpanyal Land Act.*
 - Factories and Shops (Annual Holidays) Amendment Act.*
3. SOLDIER SETTLEMENT (AMENDMENT) BILL (No. 2).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to make further Provision with respect to Soldier Settlement and to amend the Soldier Settlement Acts, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
4. MONEY LENDERS (CASH ORDERS) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to Cash Orders, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave and after debate, to be read a second time later this day.
5. CATTLE BREEDING BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the ‘Cattle Breeding Act 1938’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave and after debate, to be read a second time later this day.
6. MESSAGES FROM THE ASSEMBLY.—The President announced the receipt of Messages from the Assembly returning the following Bills and acquainting the Council that they have agreed to the same without amendment :—
 - Factories and Shops (Wages Boards) Bill.*
 - Factories and Shops (Annual Holidays) Amendment Bill.*
 - Melbourne and Metropolitan Tramways (Amendment) Bill.*
 - Infectious Diseases Hospital (Borrowing) Bill.*
7. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Education Act 1928—Regulations—
 - Regulation IV. (H).—Accountancy Certificate.
 - Regulation XVI.—Tuition Fees for Secondary Education.
 - Regulation XXX.—School Endowment Plantations.
 - Regulation XXXIX.—District High Schools.
 - Explosives Act 1928—Order in Council relating to the Definition of Explosives—Class 6—Ammunition—Division 2.
 - Land Act 1928—Certificate of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of a school site at Heidelberg.
 - Railways Acts—
 - Award No. 92 made by the Railways Classification Board relating to certain conditions of employment, together with the Report of the Victorian Railways Commissioners with regard thereto.
 - Report of the Victorian Railways Commissioners for the quarter ended 30th June, 1946.
 - Soil Conservation Act 1940—Report of the Soil Conservation Board for the year 1945–46.

8. UNIVERSITY (MILDURA BRANCH) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

9. FARM WATER SUPPLIES AND DRAINAGE ADVANCES BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was, after debate, read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.

10. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.

11. FARMERS PROTECTION (AMENDMENT) BILL (No. 2).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

12. FORESTS (EXCHANGE OF LANDS) EXTENSION BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

13. ADJOURNMENT.—The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-four minutes past Ten o'clock, adjourned until to-morrow.

P. T. POOK,
Clerk of the Legislative Council.

No. 31.

WEDNESDAY, 27TH NOVEMBER, 1946.

1. The President took the Chair and read the Prayer.
2. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the Order of the Day, General Business, be postponed until the next day of meeting.
3. MONEY LENDERS (CASH ORDERS) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment and desiring their concurrence therein.

4. CATTLE BREEDING BILL.—This Bill was, according to Order and after debate, read a second time.
Ordered—That the Bill be committed to a Committee of the whole on Tuesday next.
5. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 3, be postponed until the next day of meeting.
6. LOCAL GOVERNMENT (DANDENONG STREET CONSTRUCTION) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
7. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:—
Land Act 1928—Certificate of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of a school site at Geelong West.
8. FACTORIES AND SHOPS (BREAD CARTERS) BILL.—On the motion (by leave without notice) of the Honorable P. J. Clarey, leave was given to bring in a Bill to amend Section Two hundred and twelve of the *Factories and Shops Act 1928*, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
9. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.
Question—put and resolved in the affirmative.

And then the Council, at three minutes past Six o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 32.

TUESDAY, 3RD DECEMBER, 1946.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—
 - Factories and Shops (Wages Boards) Act.*
 - Melbourne and Metropolitan Tramways (Amendment) Act.*
 - Infectious Diseases Hospital (Borrowing) Act.*
 - University (Mildura Branch) Act.*
 - Farmers Protection (Amendment) Act.*
 - Forests (Exchange of Lands) Extension Act.*
3. ADMINISTRATION AND PROBATE DUTIES BILL (No. 2).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to continue the Operation of Part III. of the ‘Finance Act 1930’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
4. CO-OPERATIVE HOUSING SOCIETIES (GUARANTEES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Section Sixty-one of the ‘Co-operative Housing Societies Act 1944’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
5. GAS COMMISSION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to constitute a Gas Commission, to provide for the Establishment Acquisition and Operation of Gas Undertakings by the said Commission, and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
6. WHEAT INDUSTRY STABILIZATION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to the Stabilization of the Wheat Industry and to provide for the Control of Production of Wheat*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
7. MONEY LENDERS (CASH ORDERS) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendment made in such Bill by the Council.
8. FARM WATER SUPPLIES AND DRAINAGE ADVANCES BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have disagreed with the amendments made in such Bill by the Council.
Ordered—That the foregoing Message be taken into consideration later this day.
9. LEAVE OF ABSENCE.—The Honorable T. Harvey moved, by leave, That leave of absence be granted to the Honorable Robert Chisholm Rankin for a further period of one month on account of ill-health.
Question—put and resolved in the affirmative.

10. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—

- Explosives Act 1928—Order in Council relating to the Classification of Explosives—Class 6—Ammunition—Division 2—Insecticide Smoke Candles and Primed Cambric.
- National Security (Repeal) Act 1945—Revocation of the National Security (Milk Distribution) Regulations.
- Police Regulation Act 1946—Determinations of the Police Classification Board—
Determination No. 1—Salaries and Allowances.
Determination No. 2—Uniforms.
- Public Service Act 1928—Copy of Papers in connexion with the promotion of Francis William Corrie from the Fifth Class to the Fourth Class, Department of Chief Secretary.
- Public Service Act 1946—Public Service (Public Service Board) Regulations—Salaries, Increments, and Allowances (Part III)—
Officers and Rates of Salary—Technical and General Division (two papers).
Overtime Allowances.
- Town and Country Planning Act 1944—Town and Country Planning Regulations (No. 2)—Joint Committees.
- Victorian Inland Meat Authority Act 1942—Third Annual Report of the Victorian Inland Meat Authority for the year 1945-46.

11. SOLDIER SETTLEMENT BILL (No. 2).—The Order of the Day for the second reading of this Bill having been read, the Honorable A. M. Fraser moved, That this Bill be now read a second time.

Debate ensued.

The Honorable T. Harvey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

12. STAMPS (INCREASED DUTY CONTINUANCE) BILL (No. 2).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to continue the Operation of certain Provisions of the Stamps Acts relating to the Imposition of Increased Stamp Duties on certain Instruments* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

13. LAND TAX BILL (No. 2).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to declare the rate of Land Tax for the year ending the thirty-first day of December One thousand nine hundred and forty-seven* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

14. LOCAL GOVERNMENT (DANDENONG STREET CONSTRUCTION) BILL.—The President announced the receipt of a Message from the Assembly transmitting a communication from the Clerk of the Parliaments (pursuant to Joint Standing Order No. 21), calling attention to certain clerical errors in this Bill, viz. :—

In clause 2, sub-clause (1), in the interpretation of “ Private street register ” the word “ twenty-six ” has been inserted instead of the word “ twenty-sixth ”.

In clause 5, sub-clause (4), page 11, after the word “ ending ” the word “ the ” has been omitted—

and acquainting the Council that they have agreed that such errors be corrected by the insertion of the word “ twenty-sixth ” instead of the word “ twenty-six ” in clause 2, sub-clause (1), in the interpretation of “ Private street register ”, and by the insertion of the word “ the ” after the word “ ending ” in clause 5, sub-clause (4), and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Council concurred with the Assembly in the correction of the clerical errors discovered in this Bill and ordered that a Message be sent to the Assembly acquainting them therewith.

And then the Council, at fifty-five minutes past Ten o'clock, adjourned until to-morrow.

P. T. POOK,
Clerk of the Legislative Council.

No. 33.

WEDNESDAY, 4TH DECEMBER, 1946.

1. The President took the Chair and read the Prayer.

2. CONSOLIDATION OF THE LOCAL GOVERNMENT ACTS.—The Honorable A. M. Fraser brought up a Report from the Joint Statute Law Revision Committee of the Legislative Council and the Legislative Assembly on the Consolidation of the Local Government Acts.

Ordered to lie on the Table and be printed together with the Minutes of Evidence.

3. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
Land Act 1928—Report for the year 1945–46.
4. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the Order of the Day, General Business, be postponed until the next day of meeting.
5. STAMPS (INCREASED DUTY CONTINUANCE) BILL (No. 2).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair ; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
6. LAND TAX BILL (No. 2).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair ; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
7. SOLDIER SETTLEMENT BILL (No. 2).—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair ; and the Honorable P. P. Inchbold reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
8. CATTLE BREEDING BILL.—This Bill was, according to Order, committed to a Committee of the whole.
House in Committee.
The President resumed the Chair ; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
9. FARM WATER SUPPLIES AND DRAINAGE ADVANCES BILL.—The Order of the Day for the consideration of the amendments made in this Bill by the Council and disagreed with by the Assembly having been read, the said amendments were read and are as follows :—

Amendments made by the Legislative Council.

How dealt with by the Legislative Assembly.

1. Clause 4, line 25, omit " sub-section " and insert " sub-sections ".
2. " line 31, after " 1928 " insert—

" (5) When an advance has been made to any farmer pursuant to this Act any such mortgagee or encumbrancer as aforesaid shall be entitled at any time, upon giving two weeks' notice to the Board of intention so to do, to repay to the Board the outstanding capital liability in respect of such advance together with any interest due at the date of such repayment ; and upon such repayment the Board shall execute a transfer of the mortgage held by the Board to the said mortgagee or other encumbrancer ".

Disagreed with.

The Honorable A. M. Fraser moved, that the Council do not insist on their amendments disagreed with by the Assembly.

The Honorable J. H. Lienhop moved, as an amendment, That all the words after " That " be omitted with the view of inserting in the place thereof the following words, viz. :—" the Council insist on their amendments disagreed with by the Assembly but with the following amendment, viz. :—after ' time ' insert ' with the consent of the farmer and ' ".

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

Ayes, 7.

The Hon. P. T. Byrnes (*Teller*),
P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
Paul Jones (*Teller*),
P. J. Kennelly,
D. L. McNamara.

Noes, 21.

The Hon. Sir Frank Beaurepaire,
W. J. Beckett,
G. L. Chandler,
Sir Frank Clarke,
W. H. Edgar,
C. P. Gartside,
Sir George Goudie,
T. Harvey,
P. P. Inchbold,
J. A. Kennedy,
J. F. Kittson (*Teller*),
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
A. E. McDonald,
A. J. Pittard,
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters (*Teller*),
A. G. Warner.

And so it passed in the negative.

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That the Council insist on their amendments disagreed with by the Assembly but with the following amendment, viz. :—after “time” insert “with the consent of the farmer and”—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council insist on their amendments disagreed with by the Assembly but have made an amendment in one of such amendments and desiring their concurrence therein.

10. POLICE OFFENCES (RACE-MEETINGS) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend temporarily Section One hundred and fifty-one of the ‘Police Offences Act 1928’ and the First Schedule to the ‘Police Offences (Race-Meetings) Act 1929’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

11. FACTORIES AND SHOPS (BREAD CARTERS) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

12. ADMINISTRATION AND PROBATE DUTIES BILL (No. 2).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

13. CO-OPERATIVE HOUSING SOCIETIES (GUARANTEES) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

14. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at nine minutes past Ten o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 34.

TUESDAY, 10TH DECEMBER, 1946.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—
 - Money Lenders (Cash Orders) Act.*
 - Local Government (Dandenong Street Construction) Act.*
 - Stamps (Increased Duty Continuance) Act.*
 - Land Tax Act.*
 - Cattle Breeding Act.*
 - Administration and Probate Duties Act.*
 - Co-operative Housing Societies (Guarantees) Act.*
3. STATE FORESTS LOAN AND APPLICATION BILL (No. 2).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to Authorize the Raising of Money for State Forests and to sanction the Issue and Application for that purpose of the Money so raised or of Money in the State Loans Repayment Fund, and for other purposes* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
4. RAILWAYS (SICK LEAVE) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act relating to Sick Leave for Daily Paid Employés in the Railway Service* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
5. MELBOURNE SOUTH LAND BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to revoke the Reservation of certain Lands in the Parish of Melbourne South permanently reserved as Sites for Road Purposes and Ornamental Purposes respectively and to provide for the Reservation of a Portion of the said Lands together with certain unalienated Crown Land adjacent thereto as a Site for a National Art Gallery and Cultural Centre, and for other purposes* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
6. AGRICULTURAL COLLEGES (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend Section Five of the ‘ Agricultural Colleges Act 1944 ’* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
7. TRANSPORT REGULATION (LICENCES AND FEES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend the ‘ Transport Regulation Act 1933 ’* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
8. FRUIT AND VEGETABLES BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend Part II. of the ‘ Fruit and Vegetables Act 1928 ’* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

9. RAILWAYS (MONT PARK SIDING) BILL.—On the motion (by leave without notice) of the Honorable A. M. Fraser, leave was given to bring in a Bill to authorize The Victorian Railways Commissioners to operate a Public Passenger Service upon a Siding constructed between Macleod Railway Station and the Mont Park Mental Hospital under Agreement with the Board of Land and Works, and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
10. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
- Cemeteries Acts—Certificate of the Minister of Health in relation to the purchase or taking of certain lands for the purposes of the Cheltenham Public Cemetery.
Land Act 1928—Schedule of country lands proposed to be sold by public auction.
11. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.
12. SOLDIER SETTLEMENT BILL (No. 2).—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Question—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein—proposed.

The Honorable P. T. Byrnes moved, as an amendment, That the following words be added to the question :—“and, as the Council is not empowered under *The Constitution Act* or *The Constitution Act Amendment Acts* to suggest amendments in the Bill to provide each soldier settler with an adequate equity in his allotment by some writing down of his liabilities so as to ensure his success or to originate a Bill to make such provision, requesting the Assembly to pass a Bill making such provision and to transmit such Bill for the concurrence of the Council”.

Debate ensued.

The Honorable Sir Frank Clarke having asked for a ruling on the question whether the proposed amendment was in order—

The President said—

I cannot see any constitutional impediment to the addition of the words proposed to be added. The prohibition contained in *The Constitution Act Amendment Act* is against the suggestion of an amendment to a Bill which would increase any proposed charge or burden on the people. These words proposed to be added do not suggest any amendment to this Bill. They merely request that the Assembly do what the Council cannot do, namely, introduce hereafter an amending Bill. The only relevant prohibition in the Constitution is to the Council's suggesting amendments to this Bill for the purpose desired by the Council, and I cannot see any impediment to this House, if it so resolves, asking the Assembly hereafter to send up another Bill for the purpose stated in the words proposed to be added.

It is not for me, of course, to give any opinion—and certainly not to rule—upon the propriety of the amendment from the point of view of the dignity of the House, or for any other than a constitutional reason. I think I should add, however, that traditionally, in the long practice of this House, so long as there is no constitutional limitation, honorable members have never been deterred from giving full expression to their opinions and conveying them to the other House, provided they are conveyed in a proper and respectful way, as they are by these words proposed to be added to the usual Message.

Question—That the words proposed to be added be so added—put.

The Council divided.

Ayes, 19.

The Hon. Sir William Angliss,
Sir Frank Beaufort,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
Sir George Goudie,
T. Harvey,
P. P. Inchbold,
J. A. Kennedy,
J. F. Kittson,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay (*Teller*),
A. E. McDonald,
A. J. Pittard,
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters,
A. G. Warner (*Teller*).

Noes, 8.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
C. P. Gartside,
C. E. Isaac (*Teller*),
Paul Jones (*Teller*),
D. L. McNamara.

And so it was resolved in the affirmative.

Question—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein and, as the Council is not empowered under *The Constitution Act* or *The Constitution Act Amendment Acts* to suggest amendments in the Bill to provide each soldier settler with an adequate equity in his allotment by some writing down of his liabilities so as to ensure his success or to originate a Bill to make such provision, requesting the Assembly to pass a Bill making such provision and to transmit such Bill for the concurrence of the Council—put and resolved in the affirmative.

13. **DROUGHT RELIEF (AMENDMENT) BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Section Six of the ‘Drought Relief Act 1946’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

14. **MELBOURNE AND METROPOLITAN TRAMWAYS (APPEAL BOARD) BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Section Seventeen of the ‘Melbourne and Metropolitan Tramways Act 1928’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey for the Honorable P. J. Kennelly, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

15. **ADJOURNMENT.**—The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at three minutes past Eleven o'clock, adjourned until to-morrow.

P. T. POOK,

Clerk of the Legislative Council.

No. 35.

WEDNESDAY, 11TH DECEMBER, 1946.

1. The President took the Chair and read the Prayer.

2. **PAPER.**—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:—

Marketing of Primary Products Act 1935—Regulations—Onion Marketing Board—Thirty-fifth period of time for computation of or accounting for the net proceeds of the sale of onions.

3. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of the Order of the Day, General Business, be postponed until the next day of meeting.

4. **RAILWAYS (SICK LEAVE) BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

5. **STATE FORESTS LOAN AND APPLICATION BILL (No. 2).**—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Kennelly moved, That this Bill be now read a second time.

Debate ensued.

The Honorable C. E. Isaac moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

6. **RETURN TO WRIT.**—The President announced that there had been returned to him the writ issued by him for the election of a Member of the Council for the Western Province, and that by the indorsement on such writ it appeared that Hugh Vernon MacLeod had been elected in pursuance thereof.

7. **RAILWAYS (MONT PARK SIDING) BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
8. **FRUIT AND VEGETABLES BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
9. **LEGAL PROFESSION PRACTICE BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend the Law Relating to Legal Practitioners*" and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey for the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
10. **FARM WATER SUPPLIES AND DRAINAGE ADVANCES BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they do not insist on disagreeing with the amendments made and insisted on by the Council in such Bill, and have agreed to the amendment made by the Council in one of such amendments.
11. **MELBOURNE AND METROPOLITAN TRAMWAYS (APPEAL BOARD) BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
12. **GAS COMMISSION BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.
Debate ensued.
The Honorable Sir William Angliss having asked whether a Member who is a shareholder in a gas company affected by this Bill would be in order in voting on the Bill—
The President said—

The point of order—for that is, in substance, what Sir William Angliss has raised—is whether a member who is a shareholder in a gas company affected by this Bill would be in order in voting on the measure. I take it that by that he means in voting on the second reading of the Bill, which is the question now before the House. The point of order raises a question of great parliamentary and public importance, and it depends upon the proper interpretation and application of Standing Order 155 of this House, which reads as follows:—

No Member shall be entitled to vote either in the Council or in any Committee thereof upon any question in which he has a direct pecuniary interest, and the vote of any Member so interested shall be disallowed.

This Standing Order is in derogation of the duty of every member to attend the service of the House and to vote upon every question put to the House while he is in attendance. This duty is inherent in the parliamentary institution, and is specifically set out in Standing Order 55 and Standing Order 146. Standing Order 55 provides—

Every Member is bound to attend the service of the Council unless leave of absence be given to him by the Council . . .

Standing Order 146 reads—

Every Member present in the Chamber when the question is put with the doors locked shall be required to vote.

Standing Order 155 must therefore be applied with great caution, and only to cases that clearly fall within the intendment of the Standing Order. The Standing Order reduces to written form a rule which was stated and explained by Mr. Speaker Abbot in the House of Commons in 1811, and which has been followed ever since in that House, and, I think, in all parliaments based on the British parliamentary system.

In view of the great growth in recent times of incorporated companies registered under the Companies Acts for the carrying on of industrial and other enterprises, and in which the share capital is contributed or held frequently by a very large number of members of the public, and of the fact that much present-day legislation closely affects these enterprises and the companies carrying them on, it is important to determine how far, if at all, a member of this House who is a

shareholder in such a company is precluded from voting upon such legislation. The rule that the personal pecuniary interest of a member precludes him from voting upon a question in which he has such an interest was originated long before the modern and prolific growth of incorporated companies, and at a time when the introduction of legislation such as the Bill now before the House was very rare. It follows that the pecuniary interest which it may be alleged or suggested that members have in legislation brought before Parliament in more modern times may be thought to be largely extended.

But whatever be the application of the principle stated in Standing Order 155 to particular interests, the principle must remain the same. The words of Standing Order 155 are not, in my opinion, to be given a mere literal interpretation on the one hand or, on the other, a technical legal interpretation. In the interpretation of the Standing Order regard must be had to the character of parliamentary representation and to the duties of a member as a parliamentary representative, including his duty to his constituents as their elected representative. The Standing Order must also be interpreted in the light of its parliamentary history and of parliamentary practice. Further, as containing an exception from the right and duty of a member to vote upon all questions brought before the House, the Standing Order must be strictly construed so as not to bring within its operation any case that does not clearly fall within it. In my opinion the Standing Order must also be considered in relation to the character of the particular Bill or question in relation to which it may be suggested that the pecuniary interest of a member exists.

The Bill now before the House is a public Bill, and its title is "An Act to constitute a Gas Commission, to provide for the Establishment Acquisition and Operation of Gas Undertakings by the said Commission, and for other purposes." Its purpose is to provide for the public ownership and, for that purpose, the compulsory acquisition by a governmental authority, of gas undertakings in this State. The Minister in his speech said, and I think in words to which no one could take exception, that the question before the House was "whether this vital public utility should be owned and controlled by the community rather than by private enterprise." He further said that the question was an urgent one from the standpoint of the people of this State. The question therefore upon the second reading is one of high public policy far transcending the pecuniary interests of any particular company or of any of the shareholders of that company.

Having regard to all the considerations I have stated, I am of the opinion, and I rule, that Standing Order 155 does not preclude a member of this House from voting upon the second reading of this Bill because of the fact that he is a shareholder of a gas company whose undertaking is authorized to be acquired by the Gas Commission under this Bill. All of the companies affected by this measure are public incorporated companies, and it appears from the official records that they all have a share capital of a considerable amount issued to and held by a large number of members of the public. The interest of a shareholder in any such company in the question raised by a Public Bill of this kind is, in my opinion, outside the purview of the Standing Order.

Present-day legislation is continually extending its ambit and is continually touching industry and companies engaged in industry, and directly or indirectly persons who have shares in those companies. The question raised is, therefore, one of considerable importance to this House and its members in the exercise of their legislative function. I think it might therefore be well if I support the views I have expressed by reference to one or two parliamentary authorities in the first place, and secondly to one or two judicial authorities so far as the legal decisions may afford any guidance.

In the last edition—the fourteenth—of May's *Parliamentary Practice*, at page 411, the author states this rule under the heading "Personal Pecuniary Interest"—

In both Houses personal interest affects the right of members to vote in certain cases.

On page 412, he goes on to say—

In the Commons it is a rule that no Member who has a direct pecuniary interest in a question shall be allowed to vote upon it: but, in order to operate as a disqualification, this interest must be immediate and personal, and not merely of a general or remote character. On 17 July, 1811, the rule was thus explained by Mr. Speaker Abbot: "This interest must be a direct pecuniary interest, and separately belonging to the persons whose votes were questioned, and not in common with the rest of His Majesty's subjects, or on a matter of state policy."

The important words in this passage in its application to this Bill are the words "or on a matter of state policy". The Bill by its provisions contains internal evidence that it touches a matter of state policy, and the Minister rightly and properly described the Bill as one raising an important public question. He said that it dealt with a matter vitally affecting the people of Victoria, and, without using his precise words, he said that from his point of view it was urgent from the standpoint of the people of the State that the Bill should be passed. *May* goes on to say—

The only instance to be found in the Journals in which the vote of a Member has been disallowed upon a question of public policy is the case of the votes of three Members given in session 1892 in favour of the grant in aid of a preliminary survey for a railway from the coast to Lake Victoria Nyanza, which had been undertaken on behalf of the Government by the British East Africa Company, of which two of the Members in question were directors and shareholders and the third was a shareholder.

I have looked at that case, but it seems to be clearly distinguishable from the present case because, under the Bill there before Parliament, there was a direct grant of money to the company concerned. It would appear on looking up further records that the members there in question were said to be personally liable for certain obligations of the company and that they would personally obtain some benefit from the grant. That is the only case to be found in the Journals in which a member's vote has been disallowed on a question of public policy, although the question has been raised on many occasions.

The question of disallowance of a member's vote on the ground of pecuniary interest arose very early in the parliamentary history of Victoria, when in 1857 the new Parliament established under the Constitution Act of 1855 was in its first Session. It arose in the Legislative Assembly when The Speaker, Mr., afterwards Sir, Francis Murphy, gave an opinion upon it. In that case there was a Crown Lands Bill which materially affected the rights and obligations of a class of men, called "squatters" in respect of land which they occupied. The Bill if passed into law would have had the effect of depriving them of certain rights and making them subject to further pecuniary obligations which, up to that time, they had not been called upon to bear. It appears that there were a number of "squatters," so-called, who were members of the Legislative Assembly. One of the members of that House raised the same question that has been raised to-night, and he brought forward a motion, the substance of which was that certain members had no right to vote upon the Bill, and that their names should be removed from the division list. Before putting the question upon that motion the Speaker (as reported in *Victorian Hansard* for Sessions 1856-57, at page 881) said this—

The rule that a member pecuniarily interested in a question should not vote upon it was correctly laid down as a regulation of the House of Commons. But it had also been laid down on more than one occasion, that the rules must not be interpreted in their literal sense, but in the way in which it was the practice and usage of the House to deal with them. The usual practice had been stated correctly—that the rules referred to did not apply to questions of public policy, or to public questions at all. That had been distinctly stated on several occasions, and was laid down in *May* and *Hansard*. From these authorities the honorable gentleman proceeded to quote, to the effect that, generally speaking, the rule applied only in cases of private Bills or questions of a similar nature, and not to questions of public policy, or to questions of interest arising out of public measures. It therefore appeared to him (the Speaker) conclusive on the point as to all public questions.

The same question has frequently been raised in the House of Commons, and there is a useful collection of the cases in volume 2 of the Commons Papers of 1896, appended to the Report of a Select Committee of the House appointed to consider the question. One of the decisions given in the House of Commons upon this question was upon a Bill closely resembling the present measure. In 1884 there was a Bill before the House authorizing the Corporation of London to take over the waterworks of eight companies which theretofore had carried on those works. It was held that a director who was no doubt also a shareholder of one of those companies was not precluded from voting on the Bill. Mr. Speaker Peel stated that although in form that Bill was a private Bill, it involved great questions of public policy; and he left it to the House to decide whether the vote of the member in question ought to be disallowed. The motion for disallowance of the member's vote was thereupon negatived, 36 voting for the motion and 235 against it.

The observations of Mr. Speaker Peel and the decision of the House of Commons in that case appear to me to be very much in point in the present case. It seems to me that if the rule were interpreted and applied otherwise than I have stated, parliamentary work could not be carried out effectively. Let us take a few Bills that have come before us in the present session of this Parliament. Is a member of the legal profession to be precluded from voting on the Legal Profession Practice Bill because it places on him the obligation to pay a sum of money into a guarantee fund? No doubt, he has a direct pecuniary interest in such a matter, and the passage of the Bill will mulct him in a sum of money. Is a wheat farmer to be precluded from voting on the Wheat Industry Stabilization Bill because, if passed, it will affect his pecuniary interests as a wheat farmer? Is an industrialist to be prevented from voting on a Factories and Shops Bill which will increase the wages he has to pay to his employees? Are members who are shareholders in any type of company—and I presume most members own shares in companies of some sort—to be precluded from voting on a Bill imposing a special tax on companies?

Instances could be multiplied. It seems to me that in the great modern development of industry and in the modern wide field of legislation that Parliament now enters upon, it is impossible to apply the words of the Standing Order literally to all cases. One has to look to its parliamentary history and interpret and apply it in the light of that history and of established parliamentary practice.

There is a great deal to be said for the view that, apart from the public character of this Bill, the interest in the Bill of a shareholder in a company affected by the measure is not a "direct" interest within the meaning of the Standing Order, and that, while the company itself has a direct interest, the interest of the shareholder is indirect, although this may be rather a technical legal view of the word. Support for that view is found in the case of *Lapish v. Braithwaite*, decided by the House of Lords and reported in 1926 Appeal Cases, page 275. The question there was whether a shareholder and managing director of companies having contracts with a borough council was disqualified from being an alderman as a person having a share or interest in a contract with the council. It was held that he was not. The Lord Chancellor, Viscount Cave, said on page 275—

It may well be that as a shareholder he had an indirect interest in the contracts entered into by the four companies with the council . . .

Viscount Cave would not have it that the man was disqualified as having a "share or interest" in the contract. Lord Atkinson, Lord Buckmaster, Lord Carson, and Lord Blanesburgh, agreed with the Lord Chancellor. If the Standing Order were to be interpreted in a strict legal way, one perhaps need go no further than to say in the present case that a shareholder in a gas company has, as such shareholder, no "direct" pecuniary interest in the question raised by the Bill. I do not, however, base my ruling on that ground. I put my ruling on the broader ground that here is a Bill raising a question of high public policy and that the separate personal interest of a shareholder in a company which comes within the purview of the Bill does not preclude him as a member of this House from voting on the Bill.

The Honorable Paul Jones moved, That the debate be now adjourned.

Debate ensued.

Question—That the debate be now adjourned—put.

The Council divided.

Ayes, 8.

The Hon. Sir William Angliss,
W. J. Beckett,
P. J. Clarey,
P. L. Coleman (*Teller*),
A. M. Fraser,
Paul Jones (*Teller*),
P. J. Kennelly,
D. L. McNamara.

Noes, 21.

The Hon. Sir Frank Beaurepaire,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
W. H. Edgar,
C. P. Gartside,
Sir George Goudie,
T. Harvey,
P. P. Inchbold,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson,
J. H. Lienhop,
G. S. McArthur (*Teller*),
W. MacAulay,
L. H. McBrien (*Teller*),
A. J. Pittard,
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters,
A. G. Warner.

And so it passed in the negative.

Debate on the main question continued.

And the Council having continued to sit until after Twelve o'clock midnight—

THURSDAY, 12TH DECEMBER, 1946.

Debate continued.

Question—That this Bill be now read a second time—put.

The Council divided.

Ayes, 7.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. M. Fraser (*Teller*),
Paul Jones (*Teller*),
P. J. Kennelly,
D. L. McNamara.

Noes, 21.

The Hon. Sir Frank Beaurepaire,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
W. H. Edgar,
C. P. Gartside (*Teller*),
Sir George Goudie,
T. Harvey,
P. P. Inchbold,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
L. H. McBrien,
A. J. Pittard,
I. A. Swinburne (*Teller*),
G. J. Tuckett,
D. J. Walters,
A. G. Warner.

And so it passed in the negative.

13. LOCAL GOVERNMENT BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to consolidate the Law relating to Local Government*" and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Kennelly, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

14. ADJOURNMENT.—The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty-one minutes past Two o'clock in the morning, adjourned until this day.

No. 36.

THURSDAY, 12TH DECEMBER, 1946.

1. The President took the Chair and read the Prayer.
2. PAPERS.—The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk :—
 - Gas Regulation Act 1933—Regulations—
 - Gas Regulation (Emergency Powers) Regulations (No. 31).
 - Gas Regulation (Emergency Powers) Regulations (No. 32).
 - Gas Regulation (Emergency Powers) Regulations (No. 33).
3. ALTERATION OF SESSIONAL ORDERS.—The Honorable P. J. Clarey moved, That so much of the Sessional Orders as provides that half-past Four o'clock shall be the hour of meeting of the Council on Tuesday in each week be rescinded and that for the remainder of the Session the hour of meeting on Tuesdays shall be Two o'clock.

Question—put and resolved in the affirmative.
4. LOCAL GOVERNMENT BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
5. SWEARING-IN OF NEW MEMBER.—The Honorable Hugh Vernon MacLeod, having been introduced, took and subscribed the Oath of Allegiance, and delivered to the Clerk the Declaration required by the fifty-fifth section of the Act No. 3660 as hereunder set forth :—

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, HUGH VERNON MACLEOD*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of the Borough of Portland, and are known as ‘ Yarella,’ Gawler-street, Portland.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of the Borough of Portland are rated in the rate-book of the said municipality upon a yearly value of £75.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.”

“H. V. MACLEOD.”
6. STATE FORESTS LOAN AND APPLICATION BILL (No. 2).—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
7. POLICE OFFENCES (RACE-MEETINGS) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment and desiring their concurrence therein.

8. MELBOURNE SOUTH LAND BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

9. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 5, be postponed until later this day.

10. AGRICULTURAL COLLEGES (AMENDMENT) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

11. DROUGHT RELIEF (AMENDMENT) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

And then the Council, at fourteen minutes past Nine o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.



VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 37.

TUESDAY, 17TH DECEMBER, 1946.

1. The President took the Chair and read the Prayer.
2. ADULT EDUCATION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to provide for the Constitution and Functions of a Council of Adult Education, and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave and after debate, to be read a second time later this day.
3. HOUSING (DISCHARGED SERVICEMEN) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Section Four of the ‘Housing Act 1943’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Kennelly, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
4. FREE LIBRARY SERVICE BOARD BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to provide for the Constitution and Functions of a Free Library Service Board, and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
5. FRIENDLY SOCIETIES BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the Law relating to Friendly Societies*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave and after debate, to be read a second time later this day.
6. SOLDIER SETTLEMENT BILL (No. 2).—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made in such Bill by the Council.
7. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
 - Factories and Shops Acts—Report of the Chief Inspector of Factories and Shops for the year 1945.
 - Fire Brigades Act 1928—Metropolitan Fire Brigades Board—Report for the year 1945–46.
 - Gas Regulation Act 1933—Regulations—
 - Gas Regulation (Emergency Powers) Regulations (No. 34).
 - Gas Regulation (Emergency Powers) Regulations (No. 35).
 - Hospitals and Charities Act 1928—Report of the Charities Board of Victoria for the year 1945–46.
 - Land Act 1928—Schedule of country lands proposed to be sold by public auction.
 - Milk and Dairy Supervision Act 1943—Amendment of the Metropolitan Milk Supply Regulations.
 - Public Library National Gallery and Museums Act 1944—Reports, with Statements of Income and Expenditure, for the year 1945–46 of the—
 - Trustees of the Public Library of Victoria.
 - Trustees of the National Gallery of Victoria.
 - Trustees of the National Museums of Victoria.
 - Building Trustees of the Public Library, National Gallery, and National Museums of Victoria.
 - State Electricity Commission Act 1928—Report of the State Electricity Commission of Victoria for the year 1945–46.

8. ALTERATION OF SESSIONAL ORDERS.—The Honorable P. J. Clarey moved, That so much of the Sessional Orders as provides that no new business shall be taken after the hour of half-past Ten o'clock be suspended during the remainder of this month.

Debate ensued.

The Honorable J. H. Lienhop moved, as an amendment, That the following words be added to the question :—“ and that during such period the Council, at any time after half-past Ten o'clock during a sitting of the Council, may upon motion, without notice or debate, fix a time after which no new business shall be taken at that sitting.”

Debate ensued.

Question—That the words proposed to be added be so added—put and resolved in the affirmative.

Question—That so much of the Sessional Orders as provides that no new business shall be taken after the hour of half-past Ten o'clock be suspended during the remainder of this month and that during such period the Council, at any time after half-past Ten o'clock during a sitting of the Council, may, upon motion, without notice or debate, fix a time after which no new business shall be taken at that sitting—put and resolved in the affirmative.

9. TRANSPORT REGULATION (LICENCES AND FEES) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold reported that the Committee had made progress in the Bill, and had agreed to the following resolution :—

That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 7, page 4, lines 22-4, omit “ If at the end of any financial year there is a surplus in the said fund that surplus shall be paid into the consolidated revenue but ”—

and asked leave to sit again.

On the motion of the Honorable P. J. Clarey, the Council adopted the resolution reported from the Committee of the whole.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

Resolved—That the Council will, on the next day of meeting, again resolve itself into a Committee of the whole.

10. PARLIAMENTARY CONTRIBUTORY RETIREMENT FUND BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to provide for a Contributory Retirement Fund for Members of Parliament, and for other purposes* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

11. LEGAL PROFESSION PRACTICE BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

And the Council having continued to sit until after Twelve o'clock midnight—

WEDNESDAY, 18TH DECEMBER, 1946.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.

12. MARKETING (EGGS AND EGG PULP) AMENDMENT BILL.—DISCHARGE OF ORDER OF THE DAY.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

The Honorable P. J. Clarey moved, That the said Order be discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

13. FACTORIES AND SHOPS (SATURDAYS) BILL.—DISCHARGE OF ORDER OF THE DAY.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—

The Honorable P. J. Clarey moved, That the said Order be discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

14. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 5, be postponed until the next day of meeting.

15. **FREE LIBRARY SERVICE BOARD BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time Debate ensued.
The Honorable W. J. Beckett moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
16. **ADULT EDUCATION BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.
Debate ensued.
The Honorable W. J. Beckett moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.

And then the Council, at fifty-four minutes past One o'clock in the morning, adjourned until this day.

P. T. POOK,
Clerk of the Legislative Council.

No. 38.

WEDNESDAY, 18TH DECEMBER, 1946.

1. The President took the Chair and read the Prayer.
2. **COUNTRY FIRE AUTHORITY BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the ‘Country Fire Authority Act 1944’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
3. **TROTting RACES BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to provide for the Control and Conducting of Trotting Races and to amend Provisions of the Police Offences Acts relating to Trotting Races, and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read second time on the next day of meeting.
4. **HOUSE COMMITTEE.**—The Honorable P. J. Clarey moved, by leave, That the Honorable P. T. Byrnes be a Member of the House Committee.
Question—put and resolved in the affirmative.
5. **LIBRARY COMMITTEE.**—The Honorable P. J. Clarey moved, by leave, That the Honorable R. C. Rankin be a Member of the Joint Committee to manage the Library.
Question—put and resolved in the affirmative.
6. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of the Order of the Day, General Business, be postponed until the next day of meeting.
7. **FREE LIBRARY SERVICE BOARD BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
8. **TRANSPORT REGULATION (LICENCES AND FEES) BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the Bill in Committee that the Assembly make a certain amendment in such Bill, have decided not to make the amendment suggested by the Council.
Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.
9. **LEGAL PROFESSION PRACTICE BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made in such Bill by the Council.
10. **PUBLIC WORKS COMMITTEE.**—The Honorable P. J. Clarey moved, by leave, That the Honorable William MacAulay be appointed a Member of the Public Works Committee.
Debate ensued.
Question—put and resolved in the affirmative.

11. ADULT EDUCATION BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put, was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
12. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 5 inclusive, be postponed until later this day.
13. TRANSPORT REGULATION (LICENCES AND FEES) BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold reported that the Committee had agreed to the Bill with amendments.
On the motion of the Honorable P. J. Clarey, the Bill was re-committed to a Committee of the whole in respect of new clause AA.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with a further amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.
14. HOUSING (DISCHARGED SERVICEMEN) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, later this day, again resolve itself into the said Committee.
15. PARLIAMENTARY CONTRIBUTORY RETIREMENT FUND BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.
16. EVIDENCE BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.
17. STAMPS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to consolidate the Law relating to Stamps*" and desiring the concurrence of the Council therein.
On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
18. CONSOLIDATION OF THE STAMPS ACTS.—The Honorable A. M. Fraser brought up a Report from the Joint Statute Law Revision Committee of the Legislative Council and the Legislative Assembly on the Consolidation of the Stamps Acts.
Ordered to lie on the Table and be printed together with the Minutes of Evidence.
19. STAMPS BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

20. FRIENDLY SOCIETIES BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.
Debate ensued.

And the Council having continued to sit until after Twelve o'clock midnight—

THURSDAY, 19TH DECEMBER, 1946.

Debate continued.

Question—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.

21. LAND (GRAZING LICENCES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Section One hundred and twenty-one of the ‘Land Act 1928’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

And then the Council, at forty-eight minutes past One o'clock in the morning, adjourned until this day.

P. T. POOK,
Clerk of the Legislative Council.

No. 39.

THURSDAY, 19TH DECEMBER, 1946.

1. The President took the Chair and read the Prayer.
2. ECONOMIC STABILITY BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to make Provision for the Preservation of Economic Stability and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
3. LICENSING BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to make provision with Respect to Liquor in and in the Vicinity of Public Halls, and to repeal certain Provisions in the ‘Licensing Act 1928’ relating to Polls for the Abolition of Licences*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
4. METROPOLITAN GAS COMPANY'S BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to extend the Limits of ‘The Metropolitan Gas Company's Act 1878’ and to enable the Council of the City of Heidelberg to sell and The Metropolitan Gas Company to purchase the Gas Undertaking of the said Council at Heidelberg*” and desiring the concurrence of the Council therein.
Bill ruled to be a Private Bill.
The Honorable A. M. Fraser moved, That this Bill be dealt with as a Public Bill except in relation to the payment of fees.
Debate ensued.
Question—put and resolved in the affirmative.
The Honorable A. M. Fraser, having produced a receipt showing that the sum of £20 had been paid into the Treasury for the public uses of the State to meet the expenses of the Bill moved, That this Bill be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, and ordered to be printed and, by leave, to be read a second time later this day.

5. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
- Forests Act 1928—Twenty-seventh Annual Report of the Forests Commission of Victoria, Financial Year, 1945–46.
- Railways Act 1928—
- Award No. 93 made by the Railways Classification Board relating to certain conditions of employment, together with the Report of the Victorian Railways Commissioners with regard thereto.
- Report of the Victorian Railways Commissioners for the quarter ended 30th September, 1946.
- State Development Act 1941—Report of the State Development Committee on the proposal of the Victorian Railways Commissioners to close the Benalla to Tatong Railway Line to all traffic beyond the Vacuum Oil Company's siding at Benalla.
6. ALTERATION OF SESSIONAL ORDERS.—The Honorable P. J. Clarey moved, That the Council meet for the despatch of business on Friday, the 20th instant, and that Two o'clock be the hour of meeting.
- Debate ensued.
- Question—put and resolved in the affirmative.
7. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.
8. HOUSING (DISCHARGED SERVICEMEN) BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.
- House in Committee.
- The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
9. COUNTRY FIRE AUTHORITY BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
- House in Committee.
- The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
- Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.
10. PARLIAMENTARY CONTRIBUTORY RETIREMENT FUND BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made in such Bill by the Council.
11. FRIENDLY SOCIETIES BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made in such Bill by the Council.
12. POLICE OFFENCES (RACE-MEETINGS) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendment made in such Bill by the Council.
13. RAILWAYS (MONT PARK SIDING) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.
14. TRANSPORT REGULATION (LICENCES AND FEES) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to some of the amendments made in such Bill by the Council and have disagreed with one of the said amendments.
- Ordered—That the foregoing Message be taken into consideration later this day.
15. SUPREME COURT (JUDGES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend Section Seven of the 'Supreme Court Act 1928'*" and desiring the concurrence of the Council therein.
- On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
16. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
- Teaching Service Act 1946—Teaching Service (Classification, Salaries—and Allowances) Regulations.
- Water Acts—Annual Report of the State Rivers and Water Supply Commission, 1945–46,

17. LAND (GRAZING LICENCES) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

18. FACTORIES AND SHOPS (BREAD CARTERS) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.

19. TROTTING RACES BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put.

The Council divided.

Ayes, 10.

The Hon. Sir William Angliss,
W. J. Beckett,
G. L. Chandler,
C. P. Gartside,
Sir George Goudie,
P. P. Inchbold,
C. E. Isaac (*Teller*),
Paul Jones,
J. A. Kennedy,
W. MacAulay (*Teller*).

Noes, 12.

The Hon. P. J. Clarey,
W. H. Edgar,
A. M. Fraser,
T. Harvey,
P. J. Kennelly,
J. F. Kittson (*Teller*),
J. H. Lienhop,
G. S. McArthur,
L. H. McBrien (*Teller*),
H. V. MacLeod,
I. A. Swinburne,
D. J. Walters.

And so it passed in the negative.

Debate on the main question continued.

The Honorable J. A. Kennedy moved, as an amendment, That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read a second time a Bill which provides for trotting races at night with gambling facilities attached thereto".

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

Ayes, 20.

The Hon. Sir William Angliss,
Sir Frank Beaufrepaire,
P. T. Byrnes,
P. J. Clarey,
Sir Frank Clarke,
P. L. Coleman,
A. M. Fraser,
C. P. Gartside,
T. Harvey,
C. E. Isaac,
Paul Jones (*Teller*),
P. J. Kennelly,
J. H. Lienhop,
G. S. McArthur,
L. H. McBrien,
H. V. MacLeod,
A. J. Pittard,
I. A. Swinburne,
D. J. Walters (*Teller*),
A. G. Warner.

Noes, 8.

The Hon. W. J. Beckett,
G. L. Chandler (*Teller*),
W. H. Edgar,
Sir George Goudie,
P. P. Inchbold,
J. A. Kennedy (*Teller*),
J. F. Kittson,
W. MacAulay.

And so it was resolved in the affirmative.—Amendment negatived.

Debate on the main question continued.

The Honorable G. L. Chandler moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and negatived.

Debate on the main question continued.

Question—put and resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was, after debate, read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.

20. RAILWAYS (TEMPORARY EMPLOYÉES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to the Appointment of certain Persons temporarily employed in the Railway Service to Permanent Offices therein*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed.

The Honorable P. J. Clarey moved, That this Bill be read a second time on the next day of meeting.

Debate ensued.

And the Council having continued to sit until after Twelve o'clock midnight—

FRIDAY, 20TH DECEMBER, 1946.

Debate continued.

Question—put and resolved in the affirmative.

21. TOWN AND COUNTRY PLANNING BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to make provision, in connexion with Town and Country Planning Schemes outside the Metropolitan Area, for the Acquisition of Land for the Establishment or Extension of Industries*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Kennelly, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave and after debate, to be read a second time later this day.

22. RAILWAY LOAN APPLICATION BILL (No. 2).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to sanction the Issue and Application of certain Sums of Money available for Railways under Loan Acts or in the State Loans Repayment Fund, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

23. RAILWAYS (STATE COAL MINE) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to make Provision with respect to the Granting of Long Service Leave with Pay to certain Officers and Employés at the State Coal Mine*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

24. LIMITATION OF TIME FOR TAKING NEW BUSINESS.—The Honorable W. J. Beckett moved, That the hour of Two o'clock in the morning be fixed as the time after which no new business shall be taken during this sitting of the Council.

Question—put and resolved in the affirmative.

25. WATER SUPPLY LOANS AND APPLICATION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to authorize the Raising of Money for Irrigation Works, Water Supply Works, Drainage and Flood Protection Works in Country Districts and Works under the River Murray Waters Acts, and to sanction the Issue and Application of the Money so raised and of other Money available for such purposes under Loan Acts or in the State Loans Repayment Fund, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

26. COUNTRY FIRE AUTHORITY BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made in such Bill by the Council.

27. LICENSING BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable A. M. Fraser moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

28. ECONOMIC STABILITY BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

29. RAILWAY LOAN APPLICATION BILL (No. 2).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

30. SUPREME COURT (JUDGES) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

And then the Council, at three minutes past Two o'clock in the morning, adjourned until this day.

P. T. POOK,
Clerk of the Legislative Council.

No. 40.

FRIDAY, 20TH DECEMBER, 1946.

1. The President took the Chair and read the Prayer.
2. PUBLIC WORKS LOAN AND APPLICATION BILL (No. 3).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to authorize the Raising of further Money for Public Works and other purposes and to sanction the Issue and Application for such purposes of the Money so raised or of Money in the State Loans Repayment Fund, and for other purposes* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Kennelly, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Gas Regulation Act 1933—Regulations—
 - Gas Regulation (Emergency Powers) Regulations (No. 36).
 - Gas Regulation (Emergency Powers) Regulations (No. 37).
 - Teaching Service Act 1946—Amendment of Teaching Service (Teachers’ Tribunal) Regulations—
 - Regulation II.— Temporary Employment.
4. LICENSING BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment and desiring their concurrence therein.
5. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 5 inclusive, be postponed until later this day.
6. METROPOLITAN GAS COMPANY’S BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
7. RAILWAYS (TEMPORARY EMPLOYÉS) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
8. RAILWAYS (STATE COAL MINE) BILL.—This Bill was, according to Order, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

9. LICENSING BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendment made in such Bill by the Council.
10. TROTTING RACES BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made in such Bill by the Council.
11. TOWN AND COUNTRY PLANNING BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
12. ECONOMIC STABILITY BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time having been read—
Debate resumed.
Question—put.
The Council divided.

Ayes, 14.
The Hon. W. J. Beckett,
P. T. Byrnes,
P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
T. Harvey (*Teller*),
P. P. Inchbold,
Paul Jones,
P. J. Kennelly,
J. H. Lienhop,
W. MacAulay,
D. L. McNamara,
I. A. Swinburne,
D. J. Walters (*Teller*).

Noes, 12.
The Hon. Sir William Angliss,
Sir Frank Beaurepaire,
G. L. Chandler,
Sir Frank Clarke,
C. P. Gartside,
Sir George Goudie,
C. E. Isaac (*Teller*),
J. A. Kennedy,
J. F. Kittson (*Teller*),
G. S. McArthur,
L. H. McBrien,
A. G. Warner.

And so it was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment and desiring their concurrence therein.

13. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:—

Coal Mines Regulation Act 1928—Annual Report of the General Manager of the State Coal Mine, including the State Coal Mine Balance-sheet and Statement of Accounts duly audited, &c., for the year 1945–46.

14. PUBLIC WORKS LOAN AND APPLICATION BILL (No. 3).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

And the Council having continued to sit until after Twelve o'clock midnight—

SATURDAY, 21ST DECEMBER, 1946.

15. WATER SUPPLY LOANS AND APPLICATION BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

16. TRANSPORT REGULATION (LICENCES AND FEES) BILL.—The Order of the Day for the consideration of the amendment made in this Bill by the Council and disagreed with by the Assembly having been read, the said amendment was read and is as follows :—

Amendment made by the Legislative Council.

How dealt with by the
Legislative Assembly.

4. *Insert the following new clause to follow Clause 5 :—*

A. In paragraph (c) of section twenty-two of the *Transport Regulation Act 1933* for the word “twenty” there shall be substituted the word “thirty”.

Disagreed with.

The Honorable P. J. Clarey moved, That the Council do not insist on this amendment disagreed with by the Assembly.

Debate ensued.

Question—put.

The Council divided.

Ayes, 6.

Noes, 19.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman (*Teller*),
A. M. Fraser (*Teller*),
Paul Jones,
P. J. Kennelly.

The Hon. Sir William Angliss,
Sir Frank Beaurepaire,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
C. P. Gartside (*Teller*),
Sir George Goudie,
T. Harvey,
P. P. Inchbold,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
H. V. MacLeod,
I. A. Swinburne,
D. J. Walters,
A. G. Warner (*Teller*).

And so it passed in the negative.—Amendment insisted on.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council insist on their amendment disagreed with by the Assembly.

17. ECONOMIC STABILITY BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendment made in such Bill by the Council.

18. TRANSPORT REGULATION (LICENCES AND FEES) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they insist on disagreeing with the amendment made and insisted on by the Council in this Bill.

Ordered—That the foregoing Message be now taken into consideration.

And the said amendment was read and is as follows :—

Amendment made by the Legislative Council.

How dealt with.

4. *Insert the following new clause to follow Clause 5 :—*

A. In paragraph (c) of section twenty-two of the *Transport Regulation Act 1933* for the word “twenty” there shall be substituted the word “thirty”.

Disagreed with by Assembly—
Insisted on by Council—
Disagreement insisted on by
Assembly.

The Honorable P. J. Clarey moved, That the Council do not now insist on their amendment with which the Assembly insist on disagreeing.

Debate ensued.

Question—put.

The Council divided.

Ayes, 6.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman (*Teller*),
A. M. Fraser,
Paul Jones (*Teller*),
P. J. Kennelly.

Noes, 19.

The Hon. Sir William Angliss (*Teller*),
Sir Frank Beaurepaire,
P. T. Byrnes (*Teller*),
G. L. Chandler,
Sir Frank Clarke,
C. P. Gartside,
Sir George Goudie,
T. Harvey,
P. P. Inchbold,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
H. V. MacLeod,
I. A. Swinburne,
D. J. Walters,
A. G. Warner.

And so it passed in the negative.—Amendment still insisted on.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council still insist on their amendment with which the Assembly insist on disagreeing.

19. APPROPRIATION BILL (No. 2).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to apply a sum out of the Consolidated Revenue to the service of the year ending on the thirtieth day of June One thousand nine hundred and forty-seven and to appropriate the Supplies granted in this Session of Parliament*" and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave and after debate, was read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

20. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until a day and hour to be fixed by the President or, if the President is unable to act on account of illness or other cause, by the Chairman of Committees, which time of meeting shall be notified to each Honorable Member by telegram or letter.

Question—put and resolved in the affirmative.

The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty-six minutes past Three o'clock in the morning, adjourned until a day and hour to be fixed by the President or, if the President is unable to act on account of illness or other cause, by the Chairman of Committees, which time of meeting shall be notified to each Honorable Member by telegram or letter.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 41.

TUESDAY, 6TH MAY, 1947.

1. The Council met in accordance with adjournment, the President, pursuant to resolution, having fixed this day at half-past Four o'clock as the time of meeting.
2. The President took the chair and read the Prayer.

3. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR AND HIS EXCELLENCY THE GOVERNOR.—

The Honorable P. J. Clarey presented a Message from His Excellency the Lieutenant-Governor, as Deputy for the Governor, informing the Council that he had, on the 24th December last, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—

Railways (Sick Leave) Act.
Fruit and Vegetables Act.
Farm Water Supplies and Drainage Advances Act.
State Forests Loan and Application Act.
Melbourne South Land Act.
Agricultural Colleges (Amendment) Act.
Drought Relief (Amendment) Act.
Soldier Settlement Act.
Free Library Service Board Act.
Adult Education Act.
Legal Profession Practice Act.
Evidence Act.
Housing (Discharged Servicemen) Act.
Parliamentary Contributory Retirement Fund Act.
Friendly Societies Act.
Police Offences (Race-meetings) Act.
Railways (Mont Park Siding) Act.
Land (Grazing Licences) Act.
Factories and Ships (Bread Carters) Act.
Country Fire Authority Act.
Supreme Court (Judges) Act.
Railway Loan Application Act.
Metropolitan Gas Company's Act.
Railways (Temporary Employees) Act.
Railways (State Coal Mine) Act.
Licensing Act.
Town and Country Planning Act.
Public Works Loan and Application Act.
Water Supply Loans and Application Act.

The Honorable P. J. Clarey presented Messages from His Excellency the Governor informing the Council that he had, on the dates mentioned hereunder, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—

On the 31st December last—

Trotting Races Act.
Economic Stability Act.
Local Government Act.
Stamps Act.

On the 14th January last—

Melbourne and Metropolitan Tramways (Appeal Board) Act.

4. THE LATE HONORABLE RICHARD KILPATRICK.—The Honorable P. J. Clarey moved, by leave, That this House place on record its deep regret at the death of the Honorable Richard Kilpatrick, a former Member of this House, and its keen appreciation of the valuable services rendered by him to the Parliament and the people of Victoria as a Member for the Northern Province.

And other Honorable Members and the President having addressed the House—

The question was put and, Honorable Members signifying their assent by standing in their places, unanimously resolved in the affirmative.

5. ALTERATION OF SESSIONAL ORDERS.—The Honorable P. J. Clarey moved, by leave, That so much of the resolutions with regard to the Sessional Orders agreed to by the Council on the 12th November and the 12th December last as provides that, for the remainder of the Session, Two o'clock shall be the hour of meeting on Tuesdays, Wednesdays, and Thursdays be rescinded and that, for the remainder of the Session, the hour of meeting on Tuesdays, Wednesdays, and Thursdays shall be half-past Four o'clock.

Debate ensued.

Question—put and resolved in the affirmative.

6. CUSTODIAN TRUSTEE BILL.—On the motion (by leave without notice) of the Honorable A. M. Fraser, leave was given to bring in a Bill relating to the Appointment of certain Corporations as Custodian Trustees, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
7. STATUTE LAW REVISION BILL.—On the motion (by leave without notice) of the Honorable A. M. Fraser, leave was given to bring in a Bill to revise the Statute Law and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
8. PAPERS.—The Honorable P. J. Clarey presented, by command of His Excellency the Governor—

Bread Trade—Report of the Bread Trade Inquiry Board appointed to inquire into and report upon certain matters relating to the manufacture and distribution of bread.

Indeterminate Sentences Board—Report for the year 1945-46.

Severally ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

Agricultural Colleges Act 1944—Amendment of Regulations—Non-resident students.

Audit Act 1928—Amendment of General Regulations respecting Public Accounts.

Building Operations and Building Materials Control Act 1946—Building Operations and Building Materials Control Regulations (No. 1).

Coal Mine Workers' Pensions Act 1942—Statements of Accounts of the Pensions Tribunal for the year 1945-46, duly audited.

Companies Act 1938—Return by Prothonotary of business of the Supreme Court in connexion with the winding-up of Companies during the year 1946.

Co-operative Housing Societies Act 1944—First Annual Report of the Registrar for the year 1945-46.

Country Fire Authority Act 1944—

Regulations—

Country Fire Authority Compensation (Amendment) Regulations.

Country Fire Authority (Regional and Local Advisory Committees) Regulations.

Report of the Country Fire Authority for the year 1945-46, together with a duly audited balance-sheet and statement of receipts and expenditure during that year.

Country Roads Act 1928—Report of the Country Roads Board for the year 1945-46.

County Court Act 1928—Amendment of County Court Rules 1930.

Dairy Products Acts—Report of the Victorian Dairy Products Board for the six months ended 31st December, 1946.

Dried Fruits Acts—

Regulations—

Allowances payable to Chairman and Members of the Board.

Dried Vine Fruits.

Statement showing details of Receipts and Expenditure under the Dried Fruits Acts during the year 1946.

Education Act 1928—

Regulation IV. (A)—Merit Certificate—Rescinded.

Report of the Council of Public Education for the year 1945-46.

Fisheries Acts—Notices of Intention to issue Proclamations—

To alter—

The Bag Limit for Trout (non-indigenous to Victoria) in the Tanjil River (Western or Main Branch).

The Conditions governing Netting in Mallacoota Inlet.

To fix a Minimum Length for Crayfish.

To prohibit all Fishing in or the Taking of Fish from—

Certain Waters from 1st September to 31st October (both days inclusive) in each year.

Woori Yallock and Cockatoo Creeks and the Little Yarra River and their tributaries from 1st May to 31st August in each year.

Free Library Service Board Act 1946—Free Library Service Board Regulations (No. 1).

- Fruit and Vegetables Acts—Regulations—
 Banana Cases.
 Tomatoes.
- Gas Regulation Act 1933—Gas Regulation (Emergency Powers) Regulations (Nos. 38 to 43 inclusive). (6 papers.)
- Geelong Waterworks and Sewerage Act 1928—Thirty-ninth Balance-sheet as at 30th June, 1946.
- Horse Breeding Acts—Amendment of Regulations.
- Land Act 1928—
 Certificates of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of the Education Acts at Benalla, Corryong, Poowong, and Warracknabeal (4 papers).
 Schedules of country lands proposed to be sold by public auction (5 papers).
- Legal Profession Practice Act 1928—Council of Legal Education—Amendment of Rules relating to the Qualification of Candidates to practise as Barristers and Solicitors and for the Admission of such Candidates to practice.
- Local Government Acts—Municipal Clerks Board—Regulations for Examination for Certificate of Competency as Municipal Clerk.
- Marketing of Primary Products Act 1935—Regulations—Maize Marketing Board—Twelfth period of time for the computation of or accounting for the net proceeds of the sale of maize.
- Melbourne and Metropolitan Board of Works Act 1928—Statement of Accounts and Balance-sheet of the Board together with Schedule of Contracts for the year 1945–46.
- Milk Board Acts—
 Amended Regulations.
 Regulations—
 Contributions by Dairymen and Owners of Milk Depots.
 Milk Depots prescribed (2 papers).
- Motor Car (Third-Party Insurance) Act 1939—Regulations—Maximum rates of insurance and penal premiums.
- Motor Omnibus Act 1928—Amendment of Urban Motor Omnibus Regulations.
- Police Regulation Act 1946—Police Classification Board—
 Determination No. 3.
 Determination No. 4.
- Public Service Act 1946—
 Public Service (Governor in Council) Regulations—Part IV.—Leave of Absence—Sick Leave.
 Public Service (Public Service Board) Regulations—Amendment of Regulations—
 Part I.—Appointments to the Administrative, Professional, and Technical and General Divisions—
 Administrative Division.
 Professional Division.
 Part II.—Promotions and Transfers—Professional Division—Department of Law.
 Part III.—Salaries, Increments, and Allowances—
 Administrative Division—Departments of Premier, Chief Secretary, Treasurer, Public Instruction, Law, Lands and Survey, Public Works, Health, Agriculture, Labour, State Forests and Water Supply.
 Professional Division—
 Department of Agriculture.
 Department of Chief Secretary (2 papers).
 Departments of Chief Secretary and Law.
 Departments of Chief Secretary and Health.
 Departments of Chief Secretary, Treasurer, Public Works, Mines, Agriculture, and State Forests.
 Departments of Chief Secretary, Law, Lands and Survey, Public Works, Health, and Agriculture.
 Department of Health (2 papers).
 Department of Mines.
 Department of State Forests.
 Department of Water Supply.
 Technical and General Division—
 Departments of Agriculture and Water Supply.
 Departments of Chief Secretary and Health.
 Temporary Employees—
 Department of Agriculture.
 Department of Health.
 Departments of Public Works and Health.
 Departments of Treasurer, Public Instruction, Agriculture, and State Forests.
 General and Department of Health.
 Part IIIA.—Automatic Adjustment of Salaries and Wages in accordance with the Variations in the Cost of Living.

Railways Act 1928—

Award No. 94 made by the Railways Classification Board relating to rates of salaries and wages for the year 1946, together with the Report of the Victorian Railways Commissioners with regard thereto.

Report of the Victorian Railways Commissioners for the quarter ended 31st December, 1946.

Registration of Births Deaths and Marriages Act 1928—General abstract of the number of Births, Deaths, and Marriages registered during 1946 in Victoria.

Road Traffic Act 1935—Regulations—

Amendment of Road Traffic Regulations 1939.

Designation of Major Street.

Seeds Act 1935—Regulations—Victorian Seeds Certification Schemes.

Stamps Acts—Betting Tax Regulations 1946.

State Coal Mine Industrial Tribunal Act 1932—Award No. 69 made by the State Coal Mine Industrial Tribunal relating to rates of pay of certain workers at the State Coal Mine, Wonthaggi, together with the Report of the Victorian Railways Commissioners with regard thereto.

State Development Act 1941—Second Progress Report of the State Development Committee on the Development of North-Western Victoria.

Superannuation Act 1928—Report of the State Superannuation Board for the year 1945–46.

Teaching Service Act 1946—Teachers' Tribunal—Regulations—

Amendment of Teaching Service (Teachers' Tribunal) Regulations—Automatic Adjustment of Salaries and Wages in accordance with the Variations in the Cost of Living.

Teaching Service (Classification, Salaries and Allowances) Regulations.

Tobacco Sellers Acts—Regulations—Registration of Tobacco Sellers.

University Act 1928—Statutes and Regulations and Amendments allowed by His Excellency the Governor of Victoria for the years 1939 to 1946, inclusive.

Workers' Compensation Acts—Amendment of Workers' Compensation Board Regulations (No. 1).

9. WHEAT INDUSTRY STABILIZATION BILL.—DISCHARGE OF ORDER OF THE DAY.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That the said Order be discharged.

Debate ensued.

Question—put and resolved in the affirmative.

10. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the Order of the Day, General Business, be postponed until the next day of meeting.

11. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday, the 27th instant.

The Honorable J. H. Lienhop moved, as an amendment, That all the words after "until" be omitted with the view of inserting in place thereof the words "Tuesday next".

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

Ayes, 6.

The Hon. W. J. Beckett,
P. J. Clarey,
A. M. Fraser,
Paul Jones (*Teller*),
P. J. Kennelly,
D. L. McNamara (*Teller*).

Noes, 20.

The Hon. Sir Frank Beaurepaire,
P. T. Byrnes,
G. L. Chandler,
C. P. Gartside,
T. Harvey,
P. P. Inchbold,
J. A. Kennedy,
J. F. Kittson,
Col. G. V. Lansell,
J. H. Lienhop,
W. MacAulay,
L. H. McBrien,
A. E. McDonald,
H. V. MacLeod,
A. J. Pittard,
R. C. Rankin,
I. A. Swinburne,
G. J. Tuckett (*Teller*),
D. J. Walters,
A. G. Warner (*Teller*).

And so it passed in the negative.

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That the Council, at its rising, adjourn until Tuesday next—put and resolved in the affirmative.

And then the Council, at eighteen minutes past Six o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 42.

TUESDAY, 13TH MAY, 1947.

1. The President took the Chair and read the Prayer.
2. REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to provide for the Revocation of the Permanent Reservations and Crown Grants of certain Lands or of certain Parts thereof which are no longer required for the purposes of such Reservations* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
3. ADJOURNMENT.—MOTION UNDER STANDING ORDER NO. 53.—The Honorable J. A. Kennedy moved, That the Council do now adjourn, and said he proposed to speak on the subject of the action of the Government in withdrawing from publication in a leading daily newspaper the usual weekly advertisement inviting tenders for public works; and six Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

Ayes, 20.

The Hon. Sir William Angliss,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
W. H. Edgar,
T. Harvey (*Teller*),
P. P. Inchbold,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson,
J. H. Lienhop,
W. MacAulay,
L. H. McBrien,
A. E. McDonald,
H. V. MacLeod,
A. J. Pittard (*Teller*),
R. C. Rankin,
I. A. Swinburne,
G. J. Tuckett,
A. G. Warner.

Noes, 4.

The Hon. W. J. Beckett,
P. L. Coleman (*Teller*),
A. M. Fraser,
D. L. McNamara (*Teller*).

And so it was resolved in the affirmative.

And then the Council, at seven minutes past Six o'clock, adjourned until to-morrow.

P. T. POOK,
Clerk of the Legislative Council.

No. 43.

WEDNESDAY, 14TH MAY, 1947.

1. The President took the Chair and read the Prayer.
2. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
 - Education Act 1928—Regulation XXI.—Scholarships.
 - Land Act 1928—Certificate of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of the Education Acts at Eltham.
 - Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—Part III.—Salaries, Increments, and Allowances—
 - Professional Division—
 - Department of Law.
 - Department of Public Instruction.
 - Department of Public Works.
 - Technical and General Division—
 - Department of Agriculture.
 - Department of Lands and Survey.
 - Temporary Employees—Department of Agriculture.
3. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the Order of the Day, General Business, be postponed until the next day of meeting.
4. CUSTODIAN TRUSTEE BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable A. M. Fraser moved, That this Bill be now read a second time.
 - Debate ensued.
 - The Honorable W. J. Beckett moved, That the debate be now adjourned.
 - Question—That the debate be now adjourned—put and resolved in the affirmative.
 - Ordered—That the debate be adjourned until the next day of meeting.
5. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until the next day of meeting.
6. REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable A. M. Fraser moved, That this Bill be now read a second time.
 - Debate ensued.
 - The Honorable W. J. Beckett moved, That the debate be now adjourned.
 - Question—That the debate be now adjourned—put and resolved in the affirmative.
 - Ordered—That the debate be adjourned until the next day of meeting.
7. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.
 - Question—put and resolved in the affirmative.

And then the Council, at fifty-seven minutes past Five o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 44.

TUESDAY, 20TH MAY, 1947.

1. The President took the Chair and read the Prayer.
2. ADJOURNMENT.—MOTION UNDER STANDING ORDER NO. 53.—The Honorable A. G. Warner moved, That the Council do now adjourn, and said he proposed to speak on the subject of the industrial unrest and the disputes which have taken place during the past eighteen months and the failure of the Government to inform the people adequately of the economic position or to take action either alone or jointly with the Commonwealth to reduce the hardships to which the citizens of this State have been subjected or to consider recommendations for the future control of industrial disputes within this State; and six Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

Ayes, 13.

The Hon. P. T. Byrnes,
 G. L. Chandler,
 Sir Frank Clarke,
 T. Harvey,
 J. A. Kennedy,
 J. H. Lienhop,
 W. MacAulay (*Teller*),
 A. E. McDonald,
 H. V. MacLeod,
 A. J. Pittard,
 I. A. Swinburne,
 G. J. Tuckett (*Teller*),
 A. G. Warner.

Noes, 7.

The Hon. W. J. Beckett,
 P. J. Clarey,
 P. L. Coleman,
 A. M. Fraser,
 Paul Jones (*Teller*),
 P. J. Kennelly,
 D. L. McNamara (*Teller*).

And so it was resolved in the affirmative.

And then the Council, at two minutes past Eleven o'clock, adjourned until to-morrow.

P. T. POOK,
 Clerk of the Legislative Council.

No. 45.

WEDNESDAY, 21ST MAY, 1947.

1. The President took the Chair and read the Prayer.
2. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Land Act 1928—Schedule of country lands proposed to be sold by public auction.
 - Local Government Acts—Municipal Building Surveyors Board—Regulations—Issue of Certificates of Qualification as Municipal Building Surveyor.
 - Marketing of Primary Products Act 1935—Proclamation declaring that Maize shall become the property of the Maize Marketing Board.
 - Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—Part III.—Salaries, Increments, and Allowances—
 - Administrative Division—Department of Treasurer.
 - Professional Division—
 - Department of Agriculture.
 - Departments of Chief Secretary, Law, Public Works, and Water Supply.
 - Department of Law.
 - Department of Treasurer.
 - Technical and General Division—Department of Public Works.
 - Temporary Employees—
 - Department of Health.
 - Department of Water Supply.
 - State Coal Mine Industrial Tribunal Act 1932—Award No. 70 made by the State Coal Mine Industrial Tribunal relating to the rate of payment for Public Holidays of certain workers at the State Coal Mine, Wonthaggi, together with the Report of the Victorian Railways Commissioners with regard thereto.
 - Supreme Court Acts—Amendment of Rules of the Supreme Court.
3. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the Order of the Day, General Business, be postponed until the next day of meeting.
4. CUSTODIAN TRUSTEE BILL.—The Order of the Day for the resumption of the debate on the question That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
5. REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.
6. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at twenty-nine minutes past Six o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS

No. 46.

TUESDAY, 27TH MAY, 1947.

1. The President took the Chair and read the Prayer.
2. LOCAL AUTHORITIES SUPERANNUATION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to provide for the Superannuation of Permanent Employés of Municipalities and other Local Authorities, and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
3. MOTOR CAR (REGISTRATION FEES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to provide for the Remission of the Registration Fees payable in respect of Motor Cars owned by incapacitated Discharged Servicemen*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
4. ECONOMIC STABILITY (CONTINUATION) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to extend the Operation of the ‘Economic Stability Act 1946’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
5. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
Education Act 1928—Regulation V. (M).—Training Schools.
Gas Regulation Act 1933—Gas Regulation (Emergency Powers) Regulations (No. 44).
Land Act 1928—Certificate of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purpose of the Education Acts at Ballarat East.
Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—
Part II.—Promotions and Transfers—
Administrative Division—Department of Law.
Professional Division—Department of Law.
Part III.—Salaries, Increments, and Allowances—Professional Division—Department of Law.
6. REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment and desiring their concurrence therein.
7. ECONOMIC STABILITY (CONTINUATION) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.
Debate ensued.
The Honorable W. J. Beckett moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday, the 10th June next.

8. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-eight minutes past Six o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 47.

TUESDAY, 3RD JUNE, 1947.

1. The President took the Chair and read the Prayer.
2. CONSOLIDATED REVENUE BILL (No. 8).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of One million and twenty-nine thousand four hundred and sixteen pounds to the service of the year One thousand nine hundred and forty-six and One thousand nine hundred and forty-seven*" and desiring the concurrence of the Council therein.

On the motion of the Honorable P. I. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

3. PAPERS.—The Honorable P. J. Kennelly presented, by command of His Excellency the Governor—
Education—Report of the Minister of Public Instruction for the year 1945–46.

Ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

Building Operations and Building Materials Control Act 1946—Regulations.

Gas Regulation Act 1933—Gas Regulation (Emergency Powers) Regulations (Nos. 45 to 47 inclusive).

Hospitals and Charities Acts—Certificate of the Minister of Health in relation to the acquisition of land proposed to be resumed for the purposes of the Red Cliffs Memorial Hospital.

Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—
Part III.—Salaries, Increments, and Allowances—

Professional Division—

Department of Law.

Departments of Lands and Survey, Public Works, and Agriculture.

Technical and General Division—Department of Water Supply.

Temporary Employees—

Departments of Agriculture and Public Instruction.

Department of Lands and Survey.

Departments of Public Instruction, Health, and Agriculture.

Part V.—Travelling Expenses—Department of Public Instruction.

4. LOCAL AUTHORITIES SUPERANNUATION BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Kennelly moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

5. CONSOLIDATED REVENUE BILL (No. 8).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

6. MOTOR CAR (REGISTRATION FEES) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair ; and the Honorable P. P. Inchbold reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

7. ADJOURNMENT.—The Honorable A. M. Fraser moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honorable A. M. Fraser moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-nine minutes past Ten o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 48.

TUESDAY, 10TH JUNE, 1947.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments, viz. :—
Consolidated Revenue Act (No. 8).
3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Cemeteries Acts—Certificate of the Minister of Health in relation to the purchase or taking of certain land for the purposes of the Upper Yarra Public Cemetery.
 - Land Act 1928—
Certificate of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of the Education Acts at Armadale.
Schedule of country lands proposed to be sold by public auction.
 - Public Service Act 1946—Amendment of the Public Service (Public Service Board) Regulations—Part III.—Salaries, Increments, and Allowances—
 - Administrative Division—Department of Treasurer.
 - Professional Division—
 - Department of Health.
 - Department of Public Works.
 - Department of Treasurer.
 - Department of Water Supply.
 - Technical and General Division—Department of Health.
 - Temporary Employees—
 - Department of Health.
 - Department of Water Supply.
4. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
5. LOCAL AUTHORITIES SUPERANNUATION BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair ; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.

6. WILLS (AMENDMENT) BILL AND STATUTE LAW REVISION BILL.—The Honorable A. M. Fraser brought up a Report from the Joint Statute Law Revision Committee of the Legislative Council and the Legislative Assembly on these Bills.

Ordered to lie on the Table and be printed together with the Minutes of Evidence.

7. ECONOMIC STABILITY (CONTINUATION) BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable P. L. Coleman moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

8. ADJOURNMENT.—The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at seven minutes past Eleven o'clock, adjourned until to-morrow.

P. T. POOK,
Clerk of the Legislative Council.

No. 49.

WEDNESDAY, 11TH JUNE, 1947.

1. The President took the Chair and read the Prayer.
2. SOIL CONSERVATION AND LAND UTILIZATION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to Soil Conservation and Land Utilization*” and desiring the concurrence of the Council therein.
On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
Land Act 1923—Certificate of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of the Education Acts at Hamilton.
Slum Reclamation and Housing Act 1938—Report of the Housing Commission of Victoria for the period 1st July, 1944, to 30th June, 1946.
4. MARRIAGE (AMENDMENT) BILL.—DISCHARGE OF ORDER OF THE DAY.—The Order of the Day for the second reading of this Bill having been read—
The Honorable W. J. Beckett moved, That the said Order be discharged.
Question—put and resolved in the affirmative.
Ordered, after debate—That the Bill be withdrawn.
5. ECONOMIC STABILITY (CONTINUATION) BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
Debate resumed.
Question—put.
The Council divided.

Ayes, 6.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. M. Fraser (*Teller*),
Paul Jones (*Teller*),
P. J. Kennelly.

Noes, 18.

The Hon. Sir Frank Beaufort (*Teller*),
P. T. Byrnes,
G. L. Chandler,
W. H. Edgar,
C. P. Gartside,
T. Harvey,
P. P. Inchbold,
C. E. Isaac,
J. A. Kennedy,
J. H. Lienhop,
G. S. McArthur (*Teller*),
W. MacAulay,
A. E. McDonald,
H. V. MacLeod,
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters,
A. G. Warner.

And so it passed in the negative.

6. OLD COLONISTS' ASSOCIATION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act relating to the Funds of the Old Colonists' Association of Victoria* ” and desiring the concurrence of the Council therein.

Bill ruled to be a Private Bill.

The Honorable P. J. Clarey moved, That this Bill be dealt with as a Public Bill.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable P. J. Clarey moved, That this Bill be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time and ordered to be printed and to be read a second time on the next day of meeting.

7. CUSTODIAN TRUSTEE BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.

8. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at fifty-seven minutes past Eight o'clock, adjourned until Tuesday next.

P. T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 50.

TUESDAY, 17TH JUNE, 1947.

1. The President took the Chair and read the Prayer.
2. REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendment made in such Bill by the Council but do not admit the right of the Council to make the said amendment.
3. LOCAL AUTHORITIES SUPERANNUATION BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made in such Bill by the Council.
4. FARMERS ADVANCES (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend Section Four of the 'Farmers Advances Act 1935'*" and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey for the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
5. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
 - Friendly Societies Act 1928, Trade Unions Act 1928, Industrial and Provident Societies Act 1928, and Superannuation and Other Trust Funds Validation Act 1932—Report of the Registrar of Friendly Societies for the year 1946.
 - Gas Regulation Act 1933—Gas Regulation (Emergency Powers) Regulations (No. 48).
 - Land Act 1928—Certificate of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of the Education Acts at Mentone.
 - Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—Part III.—Salaries, Increments, and Allowances—
 - Professional Division—
 - Department of Chief Secretary.
 - Department of Law.
 - Technical and General Division—Department of Chief Secretary.
 - Temporary Employees—
 - Department of Health.
 - Departments of Chief Secretary, Treasurer, Agriculture and Water Supply.
 - Railways Act 1928—Report of the Victorian Railways Commissioners for the quarter ended 31st March, 1947.
 - Trade Unions Act 1928—Report of the Government Statist on Trade Unions for the year 1946.
6. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.
7. OLD COLONISTS' ASSOCIATION BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment and desiring their concurrence therein.

8. STATUTE LAW REVISION BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy-President resumed the Chair; and the Honorable G. J. Tuckett having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- MOTOR CAR (REGISTRATION FEES) BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold reported that the Committee had made progress in the Bill, and had agreed to the following resolution:—

That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz.:—

Clause 3, line 8, omit “wounds or disease” and insert “incapacity”—
and asked leave to sit again.

On the motion of the Honorable P. L. Coleman, the Council adopted the resolution reported from the Committee of the whole.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

Resolved—That the Council will, on the next day of meeting, again resolve itself into a Committee of the whole.

9. SOIL CONSERVATION AND LAND UTILIZATION BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable A. M. Fraser moved, That this Bill be now read a second time.

Debate ensued.

The Honorable P. T. Byrnes moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

11. PRIVATE BILL COMMITTEES BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to provide for the Reimbursement of Expenses of Members of Committees on Private Bills*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

12. HEALTH (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Sections Ninety-two and One hundred and twenty-six of the ‘Health Act 1928’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

13. ADJOURNMENT.—The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at five minutes past Ten o’clock, adjourned until to-morrow.

P. T. POOK,
Clerk of the Legislative Council.

No. 51.

WEDNESDAY, 18TH JUNE, 1947.

1. The President took the Chair and read the Prayer.
2. WILLS (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Section Thirty-one of the ‘Wills Act 1928’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day

3. CONSOLIDATED REVENUE BILL (No. 9).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to apply out of the Consolidated Revenue the sum of Six million seven hundred and twenty-five thousand one hundred and ninety-eight pounds to the service of the year One thousand nine hundred and forty-seven and One thousand nine hundred and forty-eight* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed.

The Honorable P. L. Coleman moved, That this Bill be read a second time on the next day of meeting. Debate ensued.

The Honorable J. A. Kennedy moved, as an amendment, That the words “ the next day of meeting ” be omitted with the view of inserting in place thereof the words “ Tuesday next ”.

Debate ensued.

Amendment, by leave, withdrawn.

Motion, by leave, withdrawn.

The Honorable P. L. Coleman moved, That this Bill be read a second time on Tuesday next.

Debate ensued.

Question—put and resolved in the affirmative.

4. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:—

Gas Regulation Act 1933—Gas Regulation (Emergency Powers) Regulations (No. 49).

5. FARMERS ADVANCES (AMENDMENT) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

6. PRIVATE BILL COMMITTEES BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

7. HEALTH (AMENDMENT) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

8. WILLS (AMENDMENT) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

9. OLD COLONISTS' ASSOCIATION BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendment made in such Bill by the Council.

10. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at twenty minutes past Nine o'clock, adjourned until Tuesday next.

P. T. POOK,

Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 52.

TUESDAY, 24TH JUNE, 1947.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—
 - Custodian Trustee Act.*
 - Revocation and Excision of Crown Reservations Act.*
 - Farmers Advances (Amendment) Act.*
 - Private Bill Committees Act.*
 - Health (Amendment) Act.*
 - Wills (Amendment) Act.*
 - Old Colonists' Association Act.*
3. STATE ELECTRICITY COMMISSION (YALLOURN AREA) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to provide for the Establishment Constitution and Functions of an Advisory Council in relation to an Area at Yallourn under the Jurisdiction of the State Electricity Commission of Victoria, and for other purposes* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Kennelly, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
4. LOCAL GOVERNMENT (PRIVATE STREET CONSTRUCTION) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to authorize Variations in Certain Schemes of Private Street Construction* ” and desiring the concurrence of the Council therein.

Bill ruled to be a Private Bill.

The Honorable P. J. Kennelly moved, That this Bill be dealt with as a Public Bill.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable P. J. Kennelly moved, That this Bill be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time and ordered to be printed and, by leave, to be read a second time later this day.
5. TRANSPORT REGULATION (LICENCES AND FEES) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they still insist on disagreeing with the amendment made and still insisted on by the Council in this Bill.

Ordered—That the foregoing Message be taken into consideration later this day.
6. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Adult Education Act 1946—Adult Education (Interim) Regulations.
 - Education Act 1928—Regulations—
 - Regulation III.—Inspection and Examination of Primary Schools.
 - Regulation IV. (1).—Girls' School Intermediate Certificate.
 - Regulation XVII.—Allowance for Conveyance of Pupils to Primary Schools.
 - Hairdressers Registration Act 1936—
 - Hairdressers Registration Regulation 1945.
 - Hairdressers Registration Regulations 1947.
 - Health Acts—Meat Supervision Regulations 1947.
 - Hospitals and Charities Acts—Certificate of the Minister of Health in relation to the acquisition of land proposed to be resumed for the purposes of the William Angliss Hospital, Ferntree Gully.

Land Act 1928—Certificate of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of the Education Acts at—

Moe.

Ormond East.

Marketing of Primary Products Act 1935—The Consumers Committee Regulations 1947.

Public Service Act 1946—Amendment of the Public Service (Public Service Board) Regulations—Part III.—Salaries, Increments, and Allowances—

Professional Division—Department of Agriculture (4 papers).

Temporary Employees—

Department of Health.

Department of Public Instruction.

7. TRANSPORT REGULATION (LICENCES AND FEES) BILL.—The Order of the Day for the consideration of the amendment made and still insisted on by the Council in this Bill with which the Assembly still insist on disagreeing having been read, the said amendment was read and is as follows :—

Amendment made by the Legislative Council.

How dealt with.

Insert the following New Clause to follow Clause 5—

- | | | |
|---|---|--|
| <p>4. A. In paragraph (c) of section twenty-two of the <i>Transport Regulation Act 1933</i> for the word "twenty" there shall be substituted the word "thirty".</p> | } | <p>Disagreed with by Assembly.—Insisted on by Council.
Disagreement insisted on by Assembly.—Still insisted on by Council.
Disagreement still insisted on by Assembly.</p> |
|---|---|--|

The Honorable P. J. Clarey moved, That the Council do not now insist on their amendment with which the Assembly still insist on disagreeing.

Debate ensued.

Question—put.

The Council divided.

Ayes, 15.

The Hon. Sir William Angliss,
W. J. Beckett,
G. L. Chandler,
P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
C. P. Gartside,
C. E. Isaac,
Paul Jones,
J. A. Kennedy,
P. J. Kennelly,
L. H. McBrien (*Teller*),
H. V. MacLeod,
D. L. McNamara,
A. J. Pittard (*Teller*).

Noes, 16.

The Hon. P. T. Byrnes,
Sir Frank Clarke,
W. H. Edgar,
Sir George Goudie,
T. Harvey,
P. P. Inchbold,
J. F. Kittson,
Col. G. V. Lansell (*Teller*),
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
A. E. McDonald,
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters (*Teller*),
A. G. Warner.

And so it passed in the negative.—Amendment still insisted on.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council still insist on their amendment with which the Assembly still insist on disagreeing.

8. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

9. CONSOLIDATED REVENUE BILL (No. 9).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

10. ADJOURNMENT.—ALTERATION OF HOUR OF MEETING.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until to-morrow at half-past Two o'clock.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at sixteen minutes past Eleven o'clock, adjourned until to-morrow.

P. T. POOK,
Clerk of the Legislative Council.

No. 53.

WEDNESDAY, 25TH JUNE, 1947.

1. The President took the Chair and read the Prayer.
2. LOCAL AUTHORITIES SUPERANNUATION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Message from His Excellency the Governor, pursuant to the provisions of Section XXXVI. of The Constitution Act, recommending the following amendments which he desires to be made in this Bill, and acquainting the Council that the Assembly have agreed to such amendments, and desiring the concurrence of the Council therein :—
 - Clause 5, sub-clause (7), paragraph (b), omit “ sub-section ” and insert “ section ”.
 - Clause 18, sub-clause (2), paragraph (c), omit “ Employé’s ” and insert “ Employees ’ ”.
 - Clause 24, sub-clause (3), after “ authority ” (where first occurring) insert “ after he ”.
 On the motion of the Honorable P. J. Kennelly, the Council agreed to the amendments recommended by His Excellency the Governor, and ordered that a Message be sent to the Assembly acquainting them therewith.
3. STATE DEVELOPMENT (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend Section Three of the ‘ State Development Act 1941 ’* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
4. STATE SAVINGS BANK BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend the ‘ State Savings Bank Act 1928 ’* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
5. MOTOR CAR (REGISTRATION FEES) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the Bill in Committee that the Assembly make a certain amendment in such Bill, have made the suggested amendment.

Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.
6. STATUTE LAW REVISION BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.
7. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Gas Regulation Act 1933—Gas Regulation (Emergency Powers) Regulations (No. 50).
 - Land Act 1928—Schedule of country lands proposed to be sold by public auction.
8. ALTERATION OF SESSIONAL ORDERS.—The Honorable P. J. Clarey moved, That so much of the Sessional Orders as provides that no new business shall be taken after the hour of half-past Ten o’clock be suspended for the remainder of this week.

Debate ensued.

Question—put and resolved in the affirmative.
9. LOCAL GOVERNMENT (PRIVATE STREET CONSTRUCTION) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment and desiring their concurrence therein.
10. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
11. MOTOR CAR (REGISTRATION FEES) BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill, including the amendment made by the Assembly which was suggested by the Council, without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill, including the amendment made by the Assembly which was suggested by the Council, without amendment.

12. STATE ELECTRICITY COMMISSION (YALLOURN AREA) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

13. TRANSPORT REGULATION (LICENCES AND FEES) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they still insist on disagreeing with the amendment made and still insisted on by the Council in this Bill.

Ordered—That the foregoing Message be now taken into consideration.

And the said amendment was read and is as follows:—

Amendment made by the Legislative Council.

How dealt with.

Insert the following New Clause to follow Clause 5—

4. A. In paragraph (c) of section twenty-two of the *Transport Regulation Act 1933* for the word "twenty" there shall be substituted the word "thirty".

{ Disagreed with by Assembly.—Insisted on by Council.
 { Disagreement insisted on by Assembly.— Still insisted on by Council.
 { Disagreement still insisted on by Assembly.— Still insisted on by Council.
 { Disagreement still insisted on by Assembly.

The Honorable P. J. Clarey moved, That the Council do not now insist on their amendment with which the Assembly still insist on disagreeing.

Debate ensued.

Question—put.

The Council divided.

Ayes, 21.

Noes, 9.

The Hon. Sir William Angliss,
 Sir Frank Beaurepaire (*Teller*),
 W. J. Beckett,
 G. L. Chandler,
 P. J. Clarey,
 Sir Frank Clarke,
 P. L. Coleman,
 A. M. Fraser,
 C. P. Gartside,
 C. E. Isaac,
 Paul Jones,
 J. A. Kennedy (*Teller*),
 P. J. Kennelly,
 J. F. Kittson,
 G. S. McArthur,
 L. H. McBrien,
 A. E. McDonald,
 H. V. MacLeod,
 D. L. McNamara,
 A. J. Pittard,
 R. C. Rankin.

The Hon. P. T. Byrnes (*Teller*),
 Sir George Goudie,
 T. Harvey,
 P. P. Inchbold,
 J. H. Lienhop,
 W. MacAulay,
 I. A. Swinburne,
 G. J. Tuckett (*Teller*),
 D. J. Walters.

And so it was resolved in the affirmative.—Amendment not now insisted on.

Ordered—That a Message be sent to the Assembly acquainting them that the Council do not now insist on their amendment with which the Assembly still insist on disagreeing.

14. DROUGHT RELIEF BILL (No. 2).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to make provision for the Alleviation of Hardship suffered by Cereal Farmers in Consequence of Drought in Victoria during the year One thousand nine hundred and forty-six*" and desiring the concurrence of the Council therein.

On the motion of the Honorable A. M. Fraser, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

15. COAL MINE WORKERS PENSIONS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend Sections Six Seven Eight Nine and Twenty-three of the 'Coal Mine Workers Pensions Act 1942'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

16. LOCAL GOVERNMENT (PRIVATE STREET CONSTRUCTION) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendment made in such Bill by the Council.
17. SOIL CONSERVATION AND LAND UTILIZATION BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
Debate resumed.
The Honorable R. C. Rankin moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
18. ADJOURNMENT.—ALTERATION OF HOUR OF MEETING.—The Honorable P. J. Clarey moved, That the Council, at its rising, adjourn until to-morrow at Eleven o'clock.
Question—put and resolved in the affirmative.
The Honorable P. J. Clarey moved, That the House do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.
- And then the Council, at twelve minutes past Eleven o'clock, adjourned until to-morrow.

P. T. POOK,
Clerk of the Legislative Council.

No. 54.

THURSDAY, 26TH JUNE, 1947

1. The President took the Chair and read the Prayer.
2. TRANSPORT REGULATION (LICENCES AND FEES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a communication from the Clerk of the Parliaments (pursuant to Joint Standing Order No. 21), calling attention to a clerical error in this Bill, viz. :—
In clause 1, line 7, the figures “1946” have been inserted instead of the figures “1947”, and acquainting the Council that they have agreed that such error be corrected by the insertion of the figures “1947” instead of the figures “1946” in clause 1, line 7, and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Council concurred with the Assembly in the correction of the clerical error discovered in this Bill and ordered that a Message be sent to the Assembly acquainting them therewith.
3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
Country Fire Authority Acts—Country Fire Authority (Regional Advisory Committees Travelling Expenses) Regulations.
Local Government Act 1946—Scaffolding Regulations.
Police Regulation Acts—Regulations—
Amendment of the Police Discipline Regulations.
Travelling expenses of Chairman and Members of the Police Classification Board.
Public Library, National Gallery, and Museums Act 1944—Amendment of the Public Library Regulations.
4. STATE DEVELOPMENT (AMENDMENT) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

5. SOIL CONSERVATION AND LAND UTILIZATION BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.

6. COAL MINE WORKERS PENSIONS BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

7. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.

8. STATE SAVINGS BANK BILL.—The Order of the Day for the second reading of this Bill having been read, The Honorable P. J. Clarey moved, That this Bill be now read a second time.

Debate ensued.

And the Council having continued to sit until after Twelve o'clock midnight—

FRIDAY, 27TH JUNE, 1947.

Debate continued.

Question—put and resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

9. DROUGHT RELIEF BILL (No. 2).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

10. SOIL CONSERVATION AND LAND UTILIZATION BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made in such Bill by the Council.

11. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until a day and hour to be fixed by the President or, if the President is unable to act on account of illness or other cause, by the Chairman of Committees, which time of meeting shall be notified to each Honorable Member by telegram or letter.

Question—put and resolved in the affirmative.

And then the Council, at twenty minutes past One o'clock in the morning, adjourned until a day and hour to be fixed by the President or, if the President is unable to act on account of illness or other cause, by the Chairman of Committees, which time of meeting shall be notified to each Honorable Member by telegram or letter.

P. T. POOK,
Clerk of the Legislative Council.

SESSION 1945-46-47.

BILLS ASSENTED TO AFTER THE FINAL ADJOURNMENT OF BOTH HOUSES AND
BEFORE THE PROROGATION.

The following Messages from His Excellency the Governor were received after the final adjournment of both Houses:—

WINSTON DUGAN,
Governor of Victoria.

The Governor informs the Legislative Council that he has, on this day, given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz:—

Consolidated Revenue Act 1947.

The Governor's Office,
Melbourne, 27th June, 1947.

WINSTON DUGAN,
Governor of Victoria.

The Governor informs the Legislative Council that he has, on this day, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz:—

Local Authorities Superannuation Act 1947.
Statute Law Revision Act 1947.
Motor Car (Registration Fees) Act 1947.
State Electricity Commission (Yallourn Area) Act 1947.
Transport Regulation (Licences and Fees) Act 1947.
Local Government (Private Street Construction) Act 1947.
State Development (Amendment) Act 1947.
Coal Mine Workers Pensions Act 1947.
State Savings Bank Act 1947.
Drought Relief Act 1947.
Soil Conservation and Land Utilization Act 1947.

The Governor's Office,
Melbourne, 1st July, 1947.

QUESTIONS ASKED BY HONORABLE MEMBERS, AND REPLIES THERETO.

Subject-matter, and Name of Member.	No. of Notice-Paper. (Question.)	Page in <i>Hansard</i> . (Reply.)
ASSEMBLY General Election—Number, names, and party designations of candidates who lost their deposits—Refund of deposit to Mrs. Florence Rodan (<i>Hon. W. J. Beckett</i>)	2	191
BUSH Nursing Hospitals—Amount provided by Government for extensions and maintenance, and how allotted (<i>Hon. I. A. Swinburne</i>)	33	3904
CATTLE Breeding—Number of bulls not conforming to prescribed standard and ordered to be castrated or slaughtered (<i>Hon. T. Harvey</i>)	24	2936
Cattle Compensation Fund and Swine Compensation Fund—Amounts paid into and amounts paid out of each fund during each of last five years—Present credit balance of each fund (<i>Hon. G. L. Chandler</i>)	52	5837
Coal Production—Amount of large and small coal from State Coal Mine sold to Railways Department and private consumers during 1944-45, and price paid per ton—Amount paid as subsidy on coal produced and amount of deficit in mine accounts—Amount advanced to Sunbeam Coal Company and amount repaid (<i>Hon. C. P. Gartside</i>)	5	531
Coranderk Reserve—Area of reserve—Use for soldier settlement purposes or as an extension of the Colin MacKenzie Sanctuary—Particulars of leases of reserve (<i>Hon. G. L. Chandler</i>)	7	1059
Country Roads Board. <i>See</i> "Decentralization of Government Departments" and "Tourists' Resorts Fund".		
DAIRYING Industry— Amount allocated and amount granted as drought relief to dairy farmers during 1944-45—Number of claims and number not granted (<i>Hon. I. A. Swinburne</i>)	22	2716
Number of breeders applying to have herds tested—Reason herds not tested and action by Agriculture Department to facilitate tests (<i>Hon. T. Harvey</i>)	50	5683
Permission for dairy farmers to instal milking machines in existing sheds whilst shortage of materials continues (<i>Hon. T. Harvey</i>)	35	4111
Decentralization of Government Departments—Action taken in regard to Country Roads Board—Reconditioning of buildings purchased in Bendigo for use as offices, and erection of workshops and storage depot on site purchased from Bendigo City Council (<i>Hon. J. H. Lienhop</i>)	10	1446-7
Deposits of Election Candidates. <i>See</i> "Assembly General Election".		
Drought Relief. <i>See</i> "Dairying Industry" and "Land Settlement".		
EDUCATION Department—Number of teachers who have resigned each year since 1939 (<i>Hon. Paul Jones</i>)	14	1772
Egg and Egg Pulp Marketing Board— *Annual revenue and expenditure and profit and loss—Use of proceeds of sales to meet expenses of Board—Commission paid to agents and refunds made—Cost of establishment of Egg Board floors—Reason no balance-sheet published since 1944-45 (<i>Hon. G. L. Chandler</i>)	50	5683-4
*Discontinuance of agencies—Alternative proposals and benefits to accrue therefrom to producers—Reason for publishing " <i>The Egg Producer</i> " and by whom cost is borne—Constitution of Commonwealth Authority to control eggs, and members thereof (<i>Hon. J. H. Lienhop</i>)	9	1371-2
Eildon Weir—Vulnerability to air attack and possible source of danger to national defence (<i>Hon. I. A. Swinburne</i>) <i>And see</i> "Water Supply".	35	4111-12

QUESTIONS ASKED BY HONORABLE MEMBERS, AND REPLIES THERETO—*continued.*

Subject-matter, and Name of Member.	No. of Notice-Paper. (Question.)	Page in Hansard. (Reply.)
Elections. See "Assembly General Election".		
FORESTRY Pulp and Paper Co. of Australia—Particulars regarding bonds sold, acreage held, acreage planted, ages of trees planted, and acreage destroyed by fire—Money received from bondholders and amount still owing—Amount expended by Co., and amount now held by it (<i>Hon. W. J. Beckett</i>)	10	1447
GOVERNMENT Departments. See "Decentralization &c."		
HERD Testing. See "Dairying Industry".		
Housing—Commonwealth regulations relating to compulsory letting of unoccupied houses—Effect on similar State legislation (<i>Hon. Sir Frank Clarke</i>)	19	2149
LAND Settlement—Legislation to implement recommendations of North-west Mallee Fact Finding Committee <i>re</i> land settlement in North-west Mallee—Provision of water supply for holdings and drought relief to cover stock losses during 1944 and 1945 (<i>Hon. P. T. Byrnes</i>)	29	3441-2
MALLEE, North-west. See "Land Settlement".		
Metalliferous Mining—Names of persons, &c., who since 1st January, 1946, have received grants from Commonwealth and State Funds provided to aid metalliferous mining—Amount of each grant (<i>Hon. Paul Jones</i>)	24	2936
Motor Garages—Number of permits to build issued during last twelve months (<i>Hon. J. H. Lienhop</i>)	42	4988
Municipal employes. See "Superannuation, &c."		
NOXIOUS Weeds Destruction—Amount expended each year since 1935—Government action to ensure sufficient funds available during present year (<i>Hon. W. MacAulay</i>)	32	3748-9
RACING. See "Revenue from Racing".		
Railways—Government action to extend the broad gauge electric railway line from Ferntree Gully to Emerald—Legislation to acquire the necessary land (<i>Hon. G. L. Chandler</i>) <i>And see "Transport Regulation Board"</i>	34	3962
Revenue from Racing—Total amount received during 1944-45 from Totalizators, taxation of racing clubs, and bookmakers' fees, licences, stamp duties, &c.—Amount paid to hospitals and charities out of consolidated revenue (<i>Hon. W. J. Beckett</i>)	4	426
Rivers and Streams Fund—Particulars regarding administration, sources of revenue, and present state of fund—Details of allocations from fund and future control of fund (<i>Hon. W. MacAulay</i>)	48	5506-7
*SATURDAY Closing—Number of Shops in Ferntree Gully Shire ordered to close on Saturday afternoons and names of shopkeepers affected (<i>Hon. G. L. Chandler</i>) ..	30	3534
Shops. See "Saturday Closing".		
Soldier Settlement—Introduction of administrative legislation—Proposal regarding single unit farms and assistance to servicemen pending settlement on land (<i>Hon. L. R. Rodda</i>)	14	1772
State Coal Mine. See "Coal Production".		
State Electricity Commission—Net profit in each of last five years and how apportioned—Fixing of uniform charges throughout State (<i>Hon. J. H. Lienhop</i>)	4	426, 548-9
Sunbeam Coal Mine. See "Coal Production".		
Superannuation Scheme for Municipal Employes—Approval by Government of proposed scheme and introduction during present Session of legislation embodying scheme (<i>Hon. G. L. Chandler</i>)	31	3671

QUESTIONS ASKED BY HONORABLE MEMBERS, AND REPLIES THERETO—*continued.*

Subject-matter, and Name of Member.	No. of Notice-Paper. (Question.)	Page in Hansard. (Reply.)
Swine Compensation Fund. <i>See</i> "Cattle Compensation Fund, &c."		
TERMINATION of the War—Information as to when date will be proclaimed (<i>Hon. Sir Frank Clarke</i>)	4	426
Tourists' Resorts Fund—Yearly amounts paid into fund from Country Roads Board Fund—Expenditure to date out of the £100,000 authorized by Act to be raised (<i>Hon. W. MacAulay</i>)	52	5836
Transport Regulation Board—Granting without fee of licences and permits to transport goods to and from country towns pending full restoration of train services (<i>Hon. R. C. Rankin</i>)	41	4929
WAR, Termination of. <i>See</i> "Termination of the War".		
Water Supply—		
Eildon Weir—Overseas opinion on proposed alternative scheme of having a number of smaller dams instead of the one big dam (<i>Hon. Paul Jones</i>) ..	26	3150
Cementing of irrigation channels to prevent seepage losses—Annual cost of cleaning irrigation channels (<i>Hon. Paul Jones</i>) <i>And see</i> "Eildon Weir".	26	3150

[4179]



VICTORIA
GOVERNMENT GAZETTE.

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No. 348.]

TUESDAY, AUGUST 5.

[1947

PROROGUING THE PARLIAMENT OF VICTORIA.

PROCLAMATION

By His Excellency the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

WHEREAS The Parliament of Victoria stands adjourned until such day and hour as may be fixed by the President of the Legislative Council and by the Speaker of the Legislative Assembly respectively: Now I, the Governor of the State of Victoria, in the Commonwealth of Australia, do by this my Proclamation prorogue the said Parliament of Victoria until Tuesday, the second day of September, 1947.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this fifth day of August, in the year of our Lord One thousand nine hundred and forty-seven, and in the eleventh year of the reign of His Majesty King George VI.

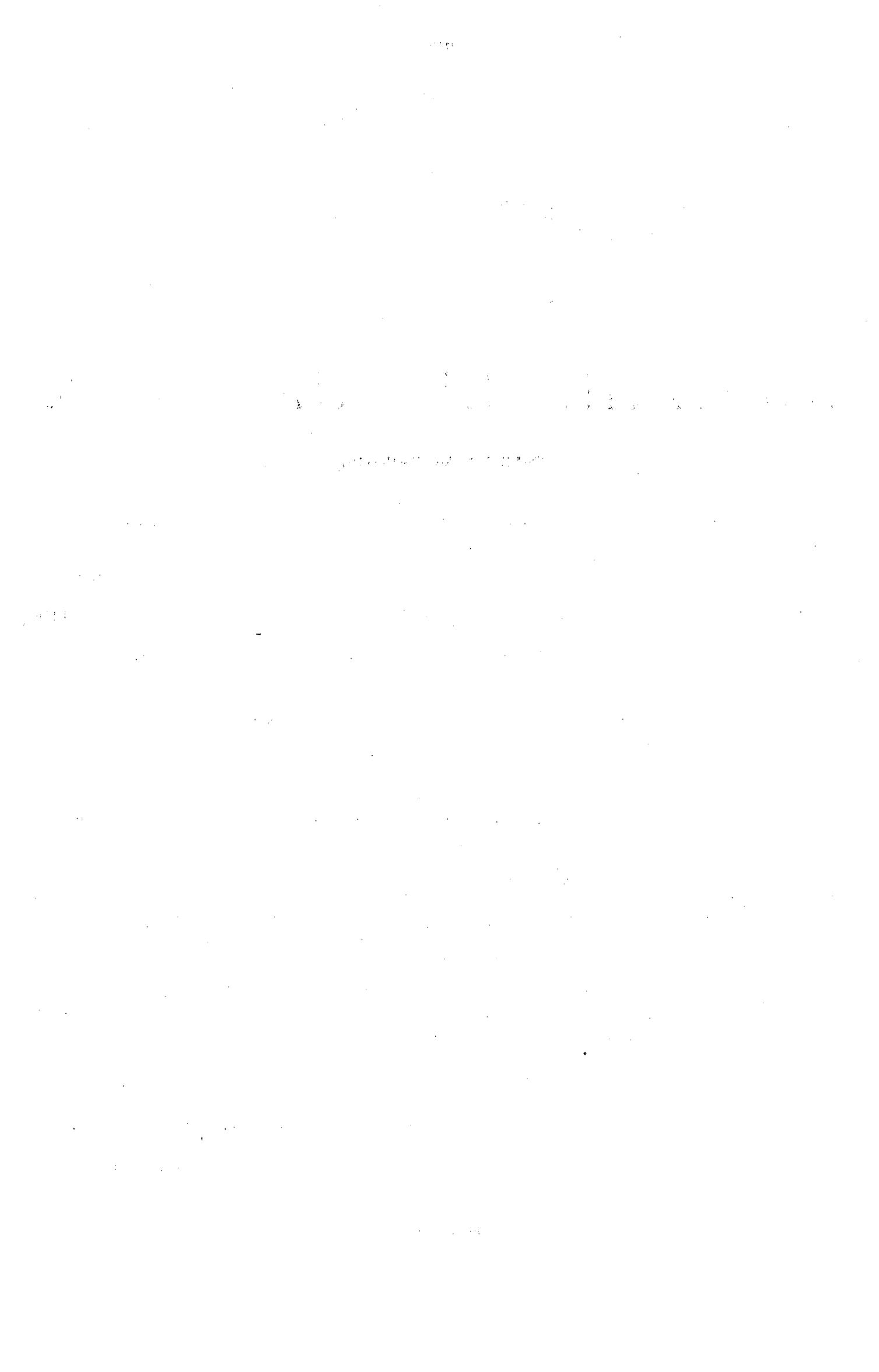
(L.S.)

WINSTON DUGAN.

By His Excellency's Command,

JOHN CAIN,
Premier.

GOD SAVE THE KING!



SELECT COMMITTEES

APPOINTED DURING THE SESSION 1945-46-47.

No. 1.—ELECTIONS AND QUALIFICATIONS.

Appointed (by President's Warrant) 28th November, 1945.

The Hon. W. J. Beckett*	The Hon. A. E. McDonald† (<i>vice</i>
G. L. Chandler	Sir John Harris)
Sir George Goudie	D. L. McNamara
G. S. McArthur	A. J. Pittard.

No. 2.—STANDING ORDERS.

Appointed 4th December, 1945.

The Hon. the President*	The Hon. Sir George Goudie
Sir William Angliss*	T. Harvey† (<i>vice</i> Sir John
W. J. Beckett*	Harris)
Sir Frank Clarke	P. P. Inchbold
W. H. Edgar	J. H. Lienhop
	D. L. McNamara.

No. 3.—HOUSE (JOINT).

Appointed 4th December, 1945, under Act No. 3660, s. 367.

The Hon. the President (<i>ex officio</i>)	The Hon. Sir Frank Clarke
Sir William Angliss*	P. J. Kennelly*
P. T. Byrnes†† (<i>vice</i> L.	G. J. Tuckett.
R. Rodda)	

No. 4.—LIBRARY (JOINT).

Appointed 4th December, 1945.

The Hon. the President*	The Hon. J. A. Kennedy
P. J. Clarey	R. C. Rankin†† (<i>vice</i>
P. L. Coleman† (<i>vice</i> R.	L. R. Rodda).
Kilpatrick)	

* Vacated office on retirement from the Council by effluxion of time; re-appointed 2nd July, 1946, after re-election as a member of the Council.

† Appointed 2nd July, 1946, in place of a member who vacated office on retirement from the Council by effluxion of time and who was not re-elected as a member of the Council.

†† Appointed 18th December, 1946, in place of a member who resigned under Act No. 3660 s. 196.

SELECT COMMITTEES—*continued.*

No. 5.—PRINTING.

Appointed 4th December, 1945.

The Hon. the President*
 P. T. Byrnes*
 G. L. Chandler
 C. E. Isaac*
 P. Jones*

The Hon. Colonel G. V. Lansell*
 W. Macaulay
 L. H. McBrien† (*vice*
 G. Bolster)
 A. J. Pittard
 R. C. Rankin*.

No. 6.—STATUTE LAW REVISION (JOINT).

Appointed 4th December, 1945.

The Hon. W. H. Edgar
 A. M. Fraser*
 Sir George Goudie

The Hon. J. A. Kennedy
 G. S. McArthur
 A. E. McDonald† (*vice*
 Sir John Harris).

* Vacated office on retirement from the Council by effluxion of time; re-appointed 2nd July, 1946, after re-election as a member of the Council.

† Appointed 2nd July, 1946, in place of a member who vacated office on retirement from the Council by effluxion of time and who was not re-elected as a member of the Council.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1945-6.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 1.

Extracted from the Minutes.

WEDNESDAY, 19TH DECEMBER, 1945.

No. 1.—SOLDIER SETTLEMENT BILL.—Clause 2—

2. (1) This Act is divided into Parts as follows :—

Part I.—Ratification and Approval of Agreement.

Part II.—The Director of Soldier Settlement.

Part III.—Financial.

Part IV.—Powers and Functions of Director—

Division 1.—Acquisition and Setting Apart of Land.

Division 2.—Settlement of and Advances to Discharged Soldiers.

Part V.—Regulations.

(2) Parts II., III., IV., and V. of this Act shall come into operation on a day to be fixed by proclamation of the Governor in Council published in the *Government Gazette*.

(3) The remainder of this Act shall come into operation on the passing thereof.

—(Hon. A. M. Fraser.)

Amendment proposed—That the words “ The Director of Soldier Settlement ” be omitted with the view of inserting in place thereof the words “The Soldier Settlement Commission”.

—(Hon. J. H. Lienhop.)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—the Hon. P. P. Inehbold in the Chair.

Ayes, 9.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. McD. Fraser,
T. Harvey (*Teller*),
P. J. Kennelly,
A. E. McDonald (*Teller*),
D. L. McNamara,
R. C. Rankin.

Noes, 17.

The Hon. Sir William Angliss,
Sir Frank Beaurepaire,
G. L. Chandler,
Sir Frank Clarke,
J. S. Disney,
W. H. Edgar,
C. P. Gartside,
Sir George Goudie,
C. E. Isaac,
J. A. Kennedy (*Teller*),
Col. G. V. Lansell,
J. H. Lienhop,
G. S. MacArthur,
W. MacAulay,
A. J. Pittard (*Teller*),
L. R. Rodda,
G. J. Tuckett.

And so it passed in the negative.

No. 2.—SOLDIER SETTLEMENT BILL.—Clause 2—

[For this clause see Division No. 1 above.]

—(Hon. A. M. Fraser.)

Amendment proposed—That the word “ Director ” after the words “ Functions of ” be omitted with the view of inserting in place thereof the word “ Commission ”.

—(Hon. J. H. Lienhop.)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided—the Hon. P. P. Inehbold in the Chair.

Ayes, 9.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. McD. Fraser,
T. Harvey,
P. J. Kennelly,
A. E. McDonald (*Teller*),
D. L. McNamara,
R. C. Rankin (*Teller*).

Noes, 17.

The Hon. Sir William Angliss,
Sir Frank Beaurepaire,
G. L. Chandler,
Sir Frank Clarke,
J. S. Disney,
W. H. Edgar,
C. P. Gartside,
Sir George Goudie,
C. E. Isaac (*Teller*),
J. A. Kennedy,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. MacArthur,
W. MacAulay (*Teller*),
A. J. Pittard,
L. R. Rodda,
G. J. Tuckett.

And so it passed in the negative.

No. 3.—SOLDIER SETTLEMENT BILL.—Clause 3—

3. In this Act unless inconsistent with the context or subject-matter—

“ Director ” means the Director of Soldier Settlement under this Act.

“ Discharged soldier ” means any person who is an “ eligible person ” within the meaning of the Agreement.

“ Minister ” means the Commissioner of Crown Lands and Survey.

“ Part ” means Part of this Act.

“ Prescribed ” means prescribed by this Act or the regulations.

“ Regulations ” means regulations made under this Act.

“ The Agreement ” means the Agreement a copy of which is set out in the Schedule to this Act.

—(Hon. A. M. Fraser.)

Amendment proposed—That the words “ ‘ Director ’ means the Director of Soldier Settlement under this Act ” be omitted with the view of inserting in place thereof the words “ ‘ Commission ’ means the Soldier Settlement Commission constituted under this Act ”.

—(Hon. J. H. Lienhop.)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 9.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. McD. Fraser,
T. Harvey (*Teller*),
P. J. Kennelly,
A. E. McDonald (*Teller*),
D. L. McNamara,
R. C. Rankin.

Noes, 15.

The Hon. G. L. Chandler (*Teller*),
Sir Frank Clarke,
J. S. Disney,
W. H. Edgar,
C. P. Gartside,
Sir George Goudie,
C. E. Isaac,
J. A. Kennedy,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
A. J. Pittard,
L. R. Rodda (*Teller*),
G. J. Tuckett.

And so it passed in the negative.

THURSDAY MORNING, 20TH DECEMBER, 1945.

No. 4.—SOLDIER SETTLEMENT BILL.—Clauses 5–16 and the heading thereto—

PART II.—THE DIRECTOR OF SOLDIER SETTLEMENT.

5. (1) For the purposes of this Act the Governor in Council may subject to the provisions of the Commonwealth Act known as the *Re-establishment and Employment Act 1945* from time to time appoint some fit person to be the Director of Soldier Settlement.

(2) The Director and his successors in office shall by the name of the "Director of Soldier Settlement" be a corporation sole with perpetual succession and a common seal and shall by that name be capable in law of suing and of being sued.

6. Any person appointed to be the Director shall subject to this Act be entitled to hold office for such term not exceeding five years as the Governor in Council determines prior to his appointment, but any such person shall subject to this Act upon the expiration of the term for which he is so appointed be eligible for re-appointment.

7. (1) The Director shall be entitled to receive such annual salary or other remuneration as is fixed by the Governor in Council prior to his appointment.

(2) The Director shall not during his continuance in the office of Director engage in any employment other than in connexion with the duties of that office.

(3) The Director shall be entitled to receive such travelling expenses as are fixed from time to time by Order of the Governor in Council.

8. (1) The Director shall not in respect of his office as Director be subject to the provisions of the Public Service Acts.

(2) If any person appointed to be the Director was immediately prior to that appointment an officer of the public service he shall (while being or continuing to be or on ceasing to be the Director) be eligible on the recommendation of the Public Service Board to be appointed to an office in the public service with a classification and emolument corresponding with or higher than that which he held in the public service immediately prior to his appointment to be the Director as if the period of his service as the Director had been service in the public service.

(3) If any person appointed to be the Director was immediately prior to that appointment an officer within the meaning of the Superannuation Acts he shall notwithstanding that appointment be deemed to continue subject to those Acts to be an officer within the meaning of those Acts.

9. (1) The Governor in Council may suspend the Director from office, but the Director shall not be removed from office except as hereinafter provided.

(2) The Minister shall cause to be laid before both Houses of Parliament a full statement of the grounds of suspension of the Director within seven days after the suspension if Parliament is then sitting or if Parliament is not then sitting then within seven days after the next meeting of Parliament.

(3) The Director so suspended shall be restored to office by the Governor in Council if each House of Parliament within seven sitting days after the day on which the statement is laid before it declares by resolution that the Director ought to be restored to office; and unless each House within the said time so declares the Governor in Council may confirm the suspension and remove the Director from office.

10. If the Director otherwise than in his capacity as Director is directly or indirectly concerned or interested in any bargain or contract made by or on behalf of the Director or directly or indirectly participates or claims to be entitled to participate in the profit thereof or in any benefit or emolument arising therefrom he shall thereby vacate his office as Director and shall also be guilty of a misdemeanour and liable to a penalty of not more than Five hundred pounds or to imprisonment for a term of not more than three years or to both such penalty and imprisonment.

11. No person being an undischarged or uncertificated bankrupt or insolvent shall be capable of being appointed to be the Director, and if the Director becomes bankrupt or insolvent or applies to take the benefit of any Act or law now or hereafter to be in force for the relief of bankrupt or insolvent debtors or by any deed or other writing compounds with his creditors or makes an assignment of his salary for their benefit he shall thereby vacate his office as Director.

12. The office of Director shall become vacant—

- (a) at the expiration of his term of office ;
- (b) if he dies ;
- (c) if he resigns his office by writing addressed to the Governor in Council ;
- (d) if he is removed from office as hereinbefore provided ; or
- (e) if he vacates his office as hereinbefore provided.

13. Subject to this Act the Governor in Council may—

- (a) on the occurrence of any vacancy (however arising) in the office of Director appoint some fit person to be the Director ; and
- (b) as occasion arises appoint some fit person to act as Deputy Director during the absence continued illness or other inability to act of the Director, and any such person while so acting shall have all the powers and perform all the duties of and be subject to the same liabilities as the Director.

14. (1) With the approval of the Minister, the Director—

- (a) may appoint and at any time remove a secretary to the Director who may on behalf of the Director accept service of any document or sign any document to be issued by the Director ; and
- (b) may temporarily employ for such periods as the Director thinks fit as many persons as the Director considers necessary to be employed—

- (i) as inspectors valuers and supervisors of properties acquired or to be acquired or made available or on which advances are to be or have been made pursuant to this Act or any amendment thereof ; or
- (ii) in any other capacity—

in order that the purposes of this Act or any amendment thereof may be expeditiously and fully carried into effect.

(2) The said secretary and all such persons so employed shall hold their office or employment upon such terms and subject to such conditions and shall receive such remuneration for their services as the Director with the approval of the Minister determines, and shall not in respect of such office or employment be subject to the provisions of the Public Service Acts.

(3) If any secretary so appointed or person so employed was, immediately before his appointment or employment by the Director, an officer of the public service he shall (while being or continuing to be or on ceasing to be employed by the Director) be eligible on the recommendation of the Public Service Board to be appointed to an office in the public service with a classification and emolument corresponding with or higher than that which he held in the public service immediately before his appointment or employment by the Director as if the period of his service in the employment of the Director had been service in the public service.

(4) If any secretary so appointed or person so employed was, immediately before his appointment or employment by the Director, an officer within the meaning of the Superannuation Acts he shall, notwithstanding such appointment, be deemed to continue subject to those Acts to be an officer within the meaning of those Acts.

15. For the purposes of the exercise by the Director of the powers and functions conferred upon him by this or any other Act—

- (a) the Minister may direct that the services of any of the officers and employes of the public service in the Department of Crown Lands and Survey shall be available to and may be made use of by the Director ;
- (b) in addition the Director may, if necessary, with the approval of the Minister and the consent of the Minister administering any other Government department, make use of the services of any of the officers and employes of the public service in such other department ; and
- (c) the Director may with the approval of the Minister appoint local advisory committees in such parts of the State where lands are proposed to be or likely to be acquired for the purposes of this Act consisting of representatives of the local branches of the Returned Sailors' Soldiers' and Airmen's Imperial League of Australia, the Fathers' Association and such other kindred organizations as the Director thinks proper and the Director shall seek the advice of such local advisory committee upon the question of the advisability of the acquisition of land situated within its district before making the recommendation required to be made by him for acquisition of land under this Act.

16. The Director shall as soon as practicable after the end of each financial year furnish to the Minister a report upon his activities and generally upon the administration of this Act during that financial year together with a balance-sheet and statement of receipts and disbursements during that financial year duly audited by the Auditor-General, and such report balance-sheet and statement shall be laid before both Houses of Parliament within fourteen days after the receipt thereof by the Minister if Parliament is then sitting and if Parliament is not then sitting then within fourteen days after the next meeting of Parliament.

—(*Hon. A. M. Fraser.*)

Question—That clauses 5 to 16 inclusive and the heading thereto stand part of the Bill—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 9.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. McD. Fraser,
T. Harvey (*Teller*),
P. J. Kennelly,
A. E. McDonald,
D. L. McNamara,
R. C. Rankin (*Teller*).

Noes, 14.

The Hon. G. L. Chandler,
Sir Frank Clarke,
W. H. Edgar,
C. P. Gartside,
Sir George Goudie,
C. E. Isaac (*Teller*),
J. A. Kennedy,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
A. J. Pittard (*Teller*),
L. R. Rodda,
G. J. Tuckett.

And so it passed in the negative.

No. 5.—SOLDIER SETTLEMENT BILL.—In The Title—

An Act to ratify the Execution for and on behalf of the State of Victoria of an Agreement between the said State and the Commonwealth of Australia in relation to Soldier Settlement and to approve the Agreement so executed, to provide for the Appointment of a Director of Soldier Settlement and to confer certain Powers and Functions upon the said Director, and for other purposes.

—(*Hon. A. M. Fraser.*)

Amendment proposed—That the words “provide for the Appointment of a Director of Soldier Settlement” be omitted with the view of inserting in place thereof the words “constitute a Soldier Settlement Commission”.

—(*Hon. J. H. Lienhop.*)

Question—That the words proposed to be omitted stand part of the Title—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 9.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. McD. Fraser,
T. Harvey (*Teller*),
P. J. Kennelly,
A. E. McDonald (*Teller*),
D. L. McNamara,
R. C. Rankin.

Noes, 16.

The Hon. Sir William Angliss,
Sir Frank Beaurepaire,
G. L. Chandler,
Sir Frank Clarke,
J. S. Disney,
C. P. Gartside (*Teller*),
Sir George Goudie,
C. E. Isaac,
J. A. Kennedy,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
A. J. Pittard,
L. R. Rodda,
G. J. Tuckett (*Teller*).

And so it passed in the negative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1945-6.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 2.

Extracted from the Minutes

TUESDAY, 2ND APRIL, 1946.

No. 1.—FACTORIES AND SHOPS (ANNUAL HOLIDAYS) BILL.—Clause 2—

2. (1) In this Act unless inconsistent with the context or subject-matter—

“Determination” means determination of a Wages Board or of the Industrial Appeals Court.

“Employer” means any person employing any worker or workers and includes the Crown.

* * * * *

—(Hon. P. J. Clarey.)

Amendment proposed—That the words “Determination” means determination of a Wages Board or of the Industrial Appeals Court” be omitted.

—(Hon. J. A. Kennedy.)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—the Hon. A. J. Pittard in the Chair.

Ayes, 14.

The Hon. W. J. Beckett,
 P. T. Byrnes (*Teller*),
 P. J. Clarey,
 P. L. Coleman,
 A. McD. Fraser,
 Sir John Harris,
 T. Harvey,
 Paul Jones,
 Col. G. V. Lansell,
 J. H. Lienhop,
 A. E. McDonald (*Teller*),
 R. C. Rankin,
 L. R. Rodda,
 G. J. Tuckett.

Noes, 8.

The Hon. Sir William Angliss,
 G. L. Chandler (*Teller*),
 Sir Frank Clarke,
 C. P. Gartside (*Teller*),
 Sir George Goudie,
 J. A. Kennedy,
 G. S. McArthur,
 L. H. McBrien.

And so it was resolved in the affirmative.

No. 2.—FACTORIES AND SHOPS (ANNUAL HOLIDAYS) BILL.—Clause 8—

8. (1) No worker shall during any period when he is taking his annual holiday engage in any employment for hire or reward.

(2) No person shall knowingly employ any worker for hire or reward during any period when such worker is taking his annual holiday.

—(*Hon. P. J. Clarey.*)

Amendment proposed—That the words “in his ordinary trade or calling” be inserted after the word “employment”.

—(*Hon. C. P. Gartside.*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—the Hon. A. J. Pittard in the Chair.

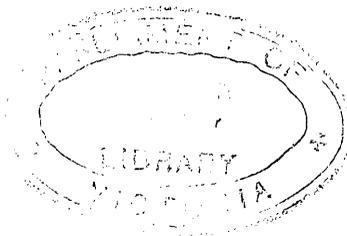
Ayes, 8.

The Hon. Sir William Angliss,
G. L. Chandler,
Sir Frank Clarke,
C. P. Gartside,
Sir George Goudie,
J. A. Kennedy,
G. S. McArthur (*Teller*),
L. H. McBrien (*Teller*).

Noes, 12.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. McD. Fraser,
Sir John Harris,
T. Harvey,
Paul Jones,
J. H. Lienhop,
W. MacAulay (*Teller*),
R. C. Rankin,
L. R. Rodda (*Teller*),
G. J. Tuckett.

And so it passed in the negative.



VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1945-6.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.

No. 3.

Extracted from the Minutes.

TUESDAY, 30TH APRIL, 1946.

No. 1.—PUBLIC SERVICE BILL.—Clause 50—

50. (1) The Board may make regulations for or with respect to—

* * * * *

(3) If within thirty days after any regulation has been laid before both Houses of Parliament each House of Parliament passes a resolution disallowing that regulation the regulation so disallowed shall thereupon cease to have effect.

(4) Where a regulation is disallowed the disallowance of the regulation shall have a like effect to the repeal of an enactment.

—(Hon. P. J. Clarey.)

Amendment proposed—That the following new sub-clause be inserted to follow sub-clause (4) :—

“(5) Notwithstanding anything in sub-sections (3) or (4) of this section no regulation made under this Part which provides for or would involve an increase in the salaries wages or allowances of officers or employes generally or of any division class or grade of officers or employes shall have any force or effect unless and until that regulation has been approved by a resolution passed by each House of Parliament.”

—(Hon. J. H. Lienhop.)

Question—That the new sub-clause proposed to be inserted be so inserted—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 14.

The Hon. Sir William Angliss,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
C. P. Gartside,
Sir George Goudie,
Sir John Harris,
J. A. Kennedy,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
A. J. Pittard (*Teller*),
L. R. Rodda,
G. J. Tuckett (*Teller*).

Noes, 9.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. McD. Fraser,
C. E. Isaac,
Paul Jones (*Teller*),
P. J. Kennelly,
Col. G. V. Lansell,
L. H. McBrien (*Teller*).

And so it was resolved in the affirmative.

By Authority: J. J. GOURLEY, Government Printer, Melbourne.

(140 copies.)

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1945-46.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL

No. 4.

Extracted from the Minutes.

WEDNESDAY, 8TH MAY, 1946.

No. 1.—APPRENTICESHIP BILL.—Clause 6—

6. (1) For sub-section (2) of section twenty-six of the Principal Act as amended by any Act there shall be substituted the following sub-section:—

“(2) The employer of any apprentice shall during his apprenticeship allow him such reasonable time (not exceeding eight hours per week) as is directed by the Commission for the purpose of attending such classes or (as the case may be) obtaining such instruction by correspondence or otherwise as aforesaid.”

* * * * *

—(Hon. P. J. Clarey.)

Amendment proposed—That the word “eight” be omitted with the view of inserting in place thereof the word “four”.

—(Hon. Sir William Angliss.)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided—the Hon. Paul Jones in the Chair.

Ayes, 15.

The Hon. W. J. Beckett,
P. T. Byrnes (*Teller*),
P. J. Clarey,
P. L. Coleman,
A. McD. Fraser,
T. Harvey,
P. P. Inchbold,
C. E. Isaac,
J. A. Kennedy (*Teller*),
P. J. Kennelly,
J. H. Lienhop,
G. S. McArthur,
L. H. McBrien,
R. C. Rankin,
L. R. Rodda.

Noes, 4.

The Hon. Sir William Angliss,
Sir Frank Clarke (*Teller*),
W. H. Edgar,
G. J. Tuckett (*Teller*).

And so it was resolved in the affirmative.

No. 2.—TEACHING SERVICE BILL.—Clause 59—

59. (1) The Tribunal may make regulations for or with respect to—

* * * * *

(3) If within thirty days after any regulation has been laid before both Houses of Parliament each House of Parliament passes a resolution disallowing that regulation the regulation so disallowed shall thereupon cease to have effect.

(4) Where a regulation is disallowed the disallowance of the regulation shall have a like effect to the repeal of an enactment.

—(*Hon. P. J. Clarey.*)

Amendment proposed—That the following new sub-clause be inserted to follow sub-clause (4):—

“(5) Notwithstanding anything in sub-sections (3) or (4) of this section no regulation made under this Part which provides for or would involve an increase in the salaries wages or allowances of members of the teaching service generally or of all such members in any division class or grade shall have any force or effect unless and until that regulation has been approved by a resolution passed by each House of Parliament.”

—(*Hon. W. MacAulay.*)

Question—That the new sub-clause proposed to be inserted be so inserted—put.

Committee divided—The Hon. P. P. Inchbold in the Chair.

Ayes, 11.

The Hon. Sir William Angliss,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
C. P. Gartside,
J. A. Kennedy (*Teller*),
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
L. R. Rodda (*Teller*),
G. J. Tuckett.

Noes, 12.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
J. S. Disney,
A. McD. Fraser,
T. Harvey,
C. E. Isaac (*Teller*),
Paul Jones (*Teller*),
P. J. Kennelly,
L. H. McBrien,
A. E. McDonald,
R. C. Rankin.

And so it passed in the negative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1945-6.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.

No. 5.

Extracted from the Minutes.

WEDNESDAY, 6TH NOVEMBER, 1946.

No. 1.—TOBACCO SELLERS BILL.—Clause 5—

5. Section seven of the Principal Act is hereby amended as follows:—

(a) In sub-section (1) for the words "Five shillings" there shall be substituted the words "Ten shillings"; and

* * * * *

—(Hon. P. J. Clarey.)

Amendment proposed—That the following new paragraph be inserted to follow paragraph (a):—

“() At the end of sub-section (1) there shall be inserted the following proviso:—

‘ Provided that in the case of any applicant who satisfies the Chief Inspector of Factories and Shops that his average weekly income during the year immediately preceding his application did not exceed the current rate of the basic wage such registration or renewal of registration shall be granted and a certificate issued without the payment of any fee.’ ”

—(Hon. J. H. Lienhop.)

Question—That the new paragraph proposed to be inserted be so inserted—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 6.

The Hon. C. P. Gartside,
T. Harvey,
J. H. Lienhop,
I. A. Swinburne,
G. J. Tuckett (*Teller*),
D. J. Walters (*Teller*).

Noes, 12.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
C. E. Isaac (*Teller*),
Paul Jones,
J. A. Kennedy,
P. J. Kennelly,
J. F. Kittson (*Teller*),
L. H. McBrien,
A. E. McDonald,
A. G. Warner.

And so it passed in the negative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1945-46.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.

No. 6.

Extracted from the Minutes.

TUESDAY, 19TH NOVEMBER, 1946.

No. 1.—**FACTORIES AND SHOPS (SATURDAYS) BILL.**—Proposed new clause A—

A. (1) If within twelve months after the passing of this Act a majority of shopkeepers keeping shops (other than shops of the classes or kinds referred to in the Fourth Schedule to the Principal Act) in any municipality address to the Minister a request in that behalf, a poll of ratepayers of that municipality shall be held to determine whether in such municipality the weekly half-holiday for all shops (other than shops of the classes or kinds referred to in the said Fourth Schedule) should be observed on Saturday or on some other day of the week.

(2) Notwithstanding anything in the Factories and Shops Acts the decision of any such poll shall be given effect to by proclamation of the Governor in Council published in the *Government Gazette* and shall continue until a similar poll (held not less than two years after the previous poll) otherwise decides.

(3) (a) The Governor in Council may make regulations for or with respect to prescribing all such matters as are necessary or expedient to be prescribed for the purposes of this section.

(b) All such regulations shall be published in the *Government Gazette* and shall be laid before both Houses of Parliament if Parliament is then sitting and if Parliament is not then sitting then within fourteen days after the next meeting of Parliament and a copy of all such regulations shall be posted to each Member of Parliament.

—(Hon. C. P. Gartside.)

Motion made and question put—That new clause A be added to the Bill.

Committee divided—the Hon. G. J. Tuckett in the Chair.

Ayes, 16.

The Hon. Sir William Angliss,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
W. H. Edgar,
C. P. Gartside,
Sir George Goudie,
T. Harvey,
C. E. Isaac (*Teller*),
J. A. Kennedy,
J. F. Kittson (*Teller*),
G. S. McArthur,
A. E. McDonald,
I. A. Swinburne,
D. J. Walters,
A. G. Warner.

Noes, 8.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
Paul Jones (*Teller*),
P. J. Kennelly,
L. H. McBrien (*Teller*),
D. L. McNamara.

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1945-46.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 7.

Extracted from the Minutes.

TUESDAY, 26TH NOVEMBER, 1946.

No. 1.—FARM WATER SUPPLIES AND DRAINAGE ADVANCES BILL.—Clause 3—

3. (1) For sub-section (2) of section four of the Principal Act there shall be substituted the following sub-section :—

“(2) Where the farm or any part of the farm or the Crown lease of the farm is subject to or affected by any mortgage or other encumbrance legal or equitable no advance shall be made pursuant to this Act unless either—

(a) the farmer obtains and furnishes to the Board a consent in writing in the prescribed form by the mortgagee or other encumbrancer—

(i) to the making of the advance ; and

(ii) to the instrument or deed of mortgage executed pursuant to this Act taking priority as hereinafter provided over such mortgage or other encumbrance as aforesaid ; or

(b) (i) notice of intention to make the advance has been given by the Board in writing to the mortgagee or other encumbrancer ; and

(ii) the mortgagee or other encumbrancer has been given a reasonable opportunity of stating to the Board in writing any reasons why the advance ought not to be made ; and

(iii) the mortgagee or other encumbrancer has failed to state any such reasons or has failed to satisfy the Board by the reasons stated that the advance ought not to be made ; and

(iv) the Board has notified the mortgagee or encumbrancer in writing that it has decided to make the advance :

Provided that any mortgagee or encumbrancer who is so notified of the Board's decision may appeal as prescribed to a police magistrate against the decision and if the appeal is upheld the advance shall not be made.

* * * * *

—(Hon. A. M. Fraser.)

Amendment proposed—That the words “In deciding such appeal the police magistrate shall in addition to other relevant matters take into consideration the enhancement in value which will accrue to the farm if the proposed works are carried out and the amount remaining after deducting from such enhanced value the amount of the advance made by the Board” be inserted after the words “shall not be made”.

—(*Hon. Sir Frank Clarke.*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 11.

The Hon. Sir William Angliss,
W. J. Beckett,
Sir Frank Clarke,
W. H. Edgar,
C. E. Isaac (*Teller*),
J. A. Kennedy,
J. F. Kittson,
G. S. McArthur,
A. J. Pittard,
D. J. Walters,
A. G. Warner (*Teller*).

Noes, 12.

The Hon. P. T. Byrnes,
P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
Sir George Goudie,
T. Harvey (*Teller*),
Paul Jones,
J. H. Lienhop,
W. MacAulay,
A. E. McDonald,
I. A. Swinburne (*Teller*),
G. J. Tuckett.

And so it passed in the negative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1945-46.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.

No. 8.

Extracted from the Minutes.

TUESDAY, 10TH DECEMBER, 1946.

No. 1.—SOLDIER SETTLEMENT BILL (No. 2).—Clause 39—

39. At any time after the expiration of the period of six years or any reduction thereof referred to in section thirty-two of this Act, if the full amount of the liability of a settler to the Commission under any purchase lease and in respect of advances and otherwise under the Soldier Settlement Acts has been paid and the Commission is satisfied that the terms covenants and conditions of the lease have been complied with, a Crown grant of the land comprised in the purchase lease may be made to the settler subject to such covenants conditions exceptions and reservations as the Governor in Council thinks fit.

—(Hon. A. M. Fraser.)

Amendment proposed—That the words “the Commission is satisfied that” be omitted.

—(Hon. A. G. Warner.)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 13.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
W. H. Edgar,
A. M. Fraser,
C. P. Gartside,
C. E. Isaac (*Teller*),
Paul Jones,
P. J. Kennelly,
J. F. Kittson,
D. L. McNamara,
I. A. Swinburne (*Teller*),
D. J. Walters.

Noes, 14.

The Hon. Sir William Angliss,
P. T. Byrnes,
G. L. Chandler (*Teller*),
Sir Frank Clarke,
Sir George Goudie,
T. Harvey (*Teller*),
J. A. Kennedy,
J. H. Lienhop,
W. MacAulay,
L. H. McBrien,
A. E. McDonald,
A. J. Pittard,
G. J. Tuckett,
A. G. Warner.

And so it passed in the negative.

No. 2.—SOLDIER SETTLEMENT BILL (No. 2).—Clause 39—
[For this clause see Division No. 1 above.]

—(Hon. A. M. Fraser.)

Amendment proposed—That the words “subject to such covenants conditions exceptions and reservations as the Governor in Council thinks fit” be omitted with the view of inserting in place thereof the words “subject to such reservations as are contained in the purchase lease”.

—(*Hon. A. E. McDonald.*)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 15.

The Hon. W. J. Beckett,
G. L. Chandler,
P. J. Clarey,
P. L. Coleman,
W. H. Edgar,
A. M. Fraser,
C. P. Gartside,
C. E. Isaac,
Paul Jones (*Teller*),
P. J. Kennelly,
J. F. Kittson,
D. L. McNamara,
A. J. Pittard (*Teller*),
I. A. Swinburne,
D. J. Walters.

Noes, 13.

The Hon. Sir William Angliss,
P. T. Byrnes,
Sir Frank Clarke,
Sir George Goudie,
T. Harvey,
J. A. Kennedy,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay (*Teller*),
L. H. McBrien,
A. E. McDonald,
G. J. Tuckett,
A. G. Warner (*Teller*).

And so it was resolved in the affirmative.

THURSDAY, 12TH DECEMBER, 1946.

No. 3.—POLICE OFFENCE (RACE-MEETINGS) BILL.—Clause 2—

2. For the period ending on the thirty-first day of July, One thousand nine hundred and forty-eight, section one hundred and fifty-one of the Principal Act as amended by any Act shall be read and construed and take effect as if—

(a) in sub-section (2)—

(i) in paragraph (a) after the words “which number shall” there were inserted the words “in the case of race-meetings for horse races”; and

(ii) the proviso were repealed;

(b) in sub-section (13) for the word “five” there were substituted the word “three”;

(c) for sub-section (15) there were substituted the following sub-section:—

“(15) Except in the case of trotting races held by an Agricultural Society pursuant to the *Police Offences (Trotting Races) Act 1931*, no race-meeting shall be held within thirty miles of the General Post Office Melbourne on any day other than—

(a) a Saturday; or

(b) a day which is declared or appointed by or under section sixty-seven of the *Public Service Act 1946* to be a public holiday throughout Victoria or within the municipalities referred to in the Sixth Schedule to that Act; or

* * * * *

—(*Hon. A. M. Fraser.*)

Amendment proposed—That the words “horse races held on the Werribee race-course and” be inserted after the words “Except in the case of”.

—(*Hon. Sir William Angliss.*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 10.

The Hon. Sir William Angliss,
W. J. Beckett,
G. L. Chandler,
P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
Sir George Goudie,
T. Harvey,
C. E. Isaac (*Teller*),
Paul Jones (*Teller*).

Noes, 4.

The Hon. W. H. Edgar,
C. P. Gartside (*Teller*),
J. A. Kennedy,
D. J. Walters (*Teller*).

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1945-6.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 9.

Extracted from the Minutes.

TUESDAY, 17TH DECEMBER, 1946.

No. 1.—TRANSPORT REGULATION (LICENCES AND FEES) BILL.—Clause 7—

7. (1) For section thirty-four of the *Transport Regulation Act* 1933 there shall be substituted the following section :—

“ 34. (1) There shall be paid to the Board in respect of every commercial passenger vehicle licence and of every commercial goods vehicle licence an annual fee of One pound.

(2) In addition to the said fee of One pound there shall be paid to the Board in respect of each such licence (other than a licence referred to in section twenty-two of this Act)—

(a) in the case of a commercial passenger vehicle licence—such fee calculated at an annual rate as is from time to time determined by the Board based on the passenger seating capacity of the vehicle, but not exceeding One pound per seat ;

(b) in the case of a commercial goods vehicle—such fee calculated at an annual rate as is from time to time determined by the Board based on the load capacity of the vehicle ascertained as prescribed, but not exceeding Five shillings per hundred-weight of load capacity :

* * * * *

(4) All fees received by the Board under this Act and all fines (including costs) paid under this Act or the regulations thereunder shall be paid into a fund to be established and kept at the Treasury and known as the ‘Transport Regulation Fund’.

* * * * *

(6) If at the end of any financial year there is a surplus in the said fund that surplus shall be paid into the consolidated revenue but if at the end of any financial year there is deficit in the fund that deficit shall be made good by a payment into the fund out of the consolidated revenue (which is hereby to the necessary extent appropriated accordingly) :

* * * * *

—(Hon. P. J. Clarey.)

Motion made and question put—That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz :—

Clause 7, omit the words “ If at the end of any financial year there is a surplus in the said fund that surplus shall be paid into the consolidated revenue but ”.

—(Hon. J. H. Lienhop.)

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 23.

The Hon. Sir William Angliss,
Sir Frank Beaurepaire,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
W. H. Edgar,
C. P. Gartside,
Sir George Goudie,
T. Harvey,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay (*Teller*),
A. E. McDonald,
H. V. MacLeod,
A. J. Pittard,
I. A. Swinburne,
G. J. Tuckett (*Teller*),
D. J. Walters,
A. G. Warner.

Noes, 7.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. M. Fraser (*Teller*),
Paul Jones (*Teller*),
P. J. Kennelly,
D. L. McNamara.

And so it was resolved in the affirmative.

No. 2.—TRANSPORT REGULATION (LICENCES AND FEES) BILL.—Proposed new clause A—

A. In paragraph (c) of section twenty-two of the *Transport Regulation Act 1933* for the word “twenty” there shall be substituted the word “thirty”.

—(Hon. I. A. Swinburne.)

Motion made and question proposed—That new clause A be added to the Bill.

Amendment proposed—That the word “thirty” be omitted from the proposed new clause with the view of inserting in place thereof the word “fifty”.

—(Hon. Sir William Angliss.)

Question—That the word proposed to be omitted stand part of the proposed new clause—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 21.

The Hon. W. J. Beckett,
P. T. Byrnes,
P. J. Clarey,
Sir Frank Clarke,
P. L. Coleman,
W. H. Edgar,
A. M. Fraser,
Sir George Goudie,
T. Harvey,
C. E. Isaac (*Teller*),
Paul Jones,
J. A. Kennedy,
P. J. Kennelly,
J. H. Lienhop,
W. MacAulay,
H. V. MacLeod,
D. L. McNamara,
A. J. Pittard (*Teller*),
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters.

Noes, 8.

The Hon. Sir William Angliss,
G. L. Chandler,
C. P. Gartside,
J. F. Kittson (*Teller*),
Col. G. V. Lansell,
G. S. McArthur,
A. E. McDonald,
A. G. Warner (*Teller*).

And so it was resolved in the affirmative.

No. 3.—TRANSPORT REGULATION (LICENCES AND FEES) BILL.—Proposed new clause A—

[For this proposed new clause see Division No. 2 above.]

—(Hon. I. A. Swinburne.)

Question—That new clause A be added to the Bill—put.

Committee divided—The Hon. P. P. Inchbold in the Chair.

Ayes, 22.

The Hon. Sir William Angliss,
P. T. Byrnes (*Teller*),
G. L. Chandler,
Sir Frank Clarke,
W. H. Edgar,
C. P. Gartside,
Sir George Goudie,
T. Harvey,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
A. E. McDonald,
H. V. MacLeod,
A. J. Pittard,
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters (*Teller*),
A. G. Warner.

Noes, 7.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman (*Teller*),
A. M. Fraser,
Paul Jones (*Teller*),
P. J. Kennelly,
D. L. McNamara.

And so it was resolved in the affirmative.

WEDNESDAY, 18TH DECEMBER, 1946.

No. 4.—FRIENDLY SOCIETIES BILL.—Clause 6—

6. The provisions of sections seven to ten of this Act—

- (a) shall come into operation upon the commencement of any Act of the Parliament of the Commonwealth of Australia to be passed hereafter providing for the supply of pharmaceutical benefits without charge to persons ordinarily resident in the Commonwealth; and
- (b) shall continue in operation so long as the said Commonwealth Act, as amended or extended from time to time, continues in operation, and no longer.

—(*Hon. P. J. Clarey.*)

Question—That clause 6 stand part of the Bill—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 7.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman (*Teller*),
A. M. Fraser,
Paul Jones (*Teller*),
P. J. Kennelly,
D. L. McNamara.

Noes, 23.

The Hon. Sir William Angliss,
Sir Frank Beaurepaire,
P. T. Byrnes,
G. L. Chandler (*Teller*),
Sir Frank Clarke,
C. P. Gartside,
Sir George Goudie,
T. Harvey,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
L. H. McBrien,
A. E. McDonald,
H. V. MacLeod,
A. J. Pittard,
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters (*Teller*),
A. G. Warner.

And so it passed in the negative.

THURSDAY, 19TH DECEMBER, 1946.

No. 5.—TROTting RACES BILL.—Clause 2—

2. In this Part unless inconsistent with the context or subject-matter—

* * * * *

“Tribunal” means the Trotting Appeals Tribunal constituted under this Act.

* * * * *

—(Hon. P. J. Clarey.)

Amendment proposed—That the words “‘Tribunal’ means the Trotting Appeals Tribunal constituted under this Act” be omitted.

—(Hon. Sir Frank Clarke.)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 12.

The Hon. P. T. Byrnes,
P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
Sir George Goudie,
T. Harvey,
Paul Jones,
P. J. Kennelly,
J. H. Lienhop,
L. H. McBrien (*Teller*),
H. V. MacLeod,
I. A. Swinburne (*Teller*).

Noes, 15.

The Hon. Sir William Angliss,
Sir Frank Beaurepaire,
W. J. Beckett,
G. L. Chandler,
Sir Frank Clarke,
W. H. Edgar,
C. P. Gartside,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson,
G. S. McArthur,
W. MacAulay (*Teller*),
A. J. Pittard,
D. J. Walters,
A. G. Warner (*Teller*).

And so it passed in the negative.

No. 6.—TROTting RACES BILL.—Proposed new clause A—

A. (1) Any person who, on any race-course at which a race-meeting is held by and under the rules of the Trotting Control Board after the hour of seven o'clock in the evening, bets otherwise than on or by means of a totalizator shall be deemed to be guilty of an offence under section One hundred and four of the *Police Offences Act 1928* as amended by any Act and punishable accordingly.

(2) The provisions of the last preceding sub-section shall not, in respect of race-courses situated more than twenty-five miles from the Post Office situated at the corner of Bourke-street and Elizabeth-street in the city of Melbourne, come into operation until the first day of August One thousand nine hundred and forty-eight.

—(Hon. C. P. Gartside.)

Motion made and question put—That new clause A be added to the Bill.

Committee divided—The Hon. P. P. Inchbold in the Chair.

Ayes, 12.

The Hon. W. J. Beckett,
G. L. Chandler,
W. H. Edgar,
C. P. Gartside,
Sir George Goudie,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson (*Teller*),
W. MacAulay,
L. H. McBrien (*Teller*),
A. J. Pittard,
A. G. Warner.

Noes, 14.

The Hon. Sir Frank Beaurepaire,
P. T. Byrnes,
P. J. Clarey,
Sir Frank Clarke,
P. L. Coleman,
A. M. Fraser,
T. Harvey,
Paul Jones (*Teller*),
P. J. Kennelly,
J. H. Lienhop,
G. S. McArthur,
H. V. MacLeod (*Teller*),
I. A. Swinburne,
D. J. Walters.

And so it passed in the negative.

FRIDAY, 20TH DECEMBER, 1946.

No. 7.—LICENSING BILL.—Clause 2—

2. (1) No person shall—

- (a) bring into or consume in any public hall ;
- (b) supply to any person in any public hall ; or
- (c) have in his possession or under his control in any public hall—

any liquor while any dance or other entertainment is being held in such hall.

(2) No person who is attending or is proceeding to attend or has attended any dance or other entertainment in a public hall shall, in any vehicle in the vicinity of such hall, consume supply or have in his possession or under his control any liquor while such dance or entertainment is being held.

* * * * *

—(Hon. A. M. Fraser.)

Amendment proposed—That the words “in any vehicle in the vicinity of such hall” be omitted with the view of inserting in place thereof the words “in the vicinity of such hall and whether in a vehicle or not”.

—(Hon. G. L. Chandler.)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. P. P. Inchbold in the Chair.

Ayes, 12.

The Hon. Sir Frank Beaurepaire,
W. J. Beckett,
P. T. Byrnes,
P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
Paul Jones (*Teller*),
P. J. Kennelly,
L. H. McBrien (*Teller*),
H. V. MacLeod,
D. L. McNamara,
D. J. Walters.

Noes, 14.

The Hon. Sir William Angliss,
G. L. Chandler,
Sir Frank Clarke,
W. H. Edgar,
C. P. Gartside (*Teller*),
Sir George Goudie,
T. Harvey,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson (*Teller*),
G. S. McArthur,
W. MacAulay,
I. A. Swinburne,
A. G. Warner.

And so it passed in the negative.

No. 8.—LICENSING BILL.—Clause 3—

3. The Principal Act is hereby amended as follows :—

- (a) In sub-section (1) of section two hundred and eighty-seven the interpretation of “General election” is hereby repealed ;
- (b) Sections two hundred and ninety-five to three hundred are hereby repealed ;
- (c) Sections three hundred and two to three hundred and five are hereby repealed.

—(Hon. A. M. Fraser.)

Question—That clause 3 stand part of the Bill—put.

Committee divided—The Hon. P. P. Inchbold in the Chair.

Ayes, 19.

The Hon. Sir Frank Beaurepaire,
W. J. Beckett,
P. T. Byrnes,
P. J. Clarey,
Sir Frank Clarke,
P. L. Coleman,
A. M. Fraser,
Sir George Goudie,
T. Harvey,
Paul Jones,
P. J. Kennelly,
J. H. Lienhop,
G. S. McArthur,
L. H. McBrien,
H. V. MacLeod,
D. L. McNamara,
I. A. Swinburne,
D. J. Walters (*Teller*),
A. G. Warner (*Teller*).

Noes, 7.

The Hon. G. L. Chandler (*Teller*),
W. H. Edgar,
C. P. Gartside,
C. E. Isaac,
J. A. Kennedy (*Teller*),
J. F. Kittson,
W. MacAulay.

And so it was resolved in the affirmative.

No. 9.—ECONOMIC STABILITY BILL.—Clause 11—

11. This Act shall continue in operation until the thirty-first day of December One thousand nine hundred and forty-seven and shall be deemed to be repealed on such day.

—(*Hon. P. J. Clarey.*)

Amendment proposed—That the words “the thirty-first day of December” be omitted with the view of inserting in place thereof the words “the thirtieth day of June”.

—(*Hon. Sir Frank Clarke.*)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—The Hon P. P. Inchbold in the Chair.

Ayes, 7.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman (*Teller*),
A. M. Fraser,
Paul Jones (*Teller*),
P. J. Kennelly,
D. L. McNamara.

Noes, 19.

The Hon. Sir William Angliss,
Sir Frank Beaurepaire,
P. T. Byrnes (*Teller*),
G. L. Chandler (*Teller*),
Sir Frank Clarke,
C. P. Gartside,
Sir George Goudie,
T. Harvey,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
L. H. McBrien,
H. V. MacLeod,
I. A. Swinburne,
D. J. Walters,
A. G. Warner.

And so it passed in the negative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1945-46-47.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 10.

Extracted from the Minutes.

TUESDAY, 10TH JUNE, 1947.

No. 1.—LOCAL AUTHORITIES SUPERANNUATION BILL.—Clause 6—

6. (1) Where a permanent employé effects a policy of insurance in accordance with the foregoing provisions of this Part—

(e) the Board may in the case of any permanent employé whom it deems and while it deems such permanent employé to be only temporarily out of employment pay any premiums payable for the purpose of retaining any existing insurance of such permanent employé, if such permanent employé so requests.

In such case interest shall be payable by such permanent employé upon all moneys paid by the Board, calculated at a rate to be prescribed.

All such moneys and interest shall be recoverable by the Board from such permanent employé in the same manner as any moneys payable by an authority to the Board under this Part.

All such moneys paid by the Board shall until repayment with the interest thereon be a charge upon the policy and all moneys to be received thereunder.

The Board may include all moneys payable to it under this paragraph in any notice for payment of premium sent by it to any authority in whose employment such permanent employé may be thereafter and the same shall be deducted by it as prescribed from any salary or other moneys payable by the authority to the said employé and paid to the Board.

—(Hon. P. J. Kennelly.)

Amendment proposed—That the words “ Provided that in any case where the Board is satisfied that it would cause hardship to require any such permanent employé to pay interest on and to repay any moneys paid by the Board under this paragraph the Board, instead of requiring such permanent employé to pay interest on and to repay such moneys, may charge the payment of such moneys or any part thereof to the Local Authorities (Superannuation) Management Account provided for by section twenty of this Act ” be inserted at the end of paragraph (e).

—(Hon. P. T. Byrnes.)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. P. P. Inchbold in the Chair.

Ayes, 12.

The Hon. P. T. Byrnes,
 T. Harvey,
 J. F. Kittson,
 J. H. Lienhop,
 G. S. McArthur,
 W. MacAulay (*Teller*),
 A. E. McDonald (*Teller*),
 H. V. MacLeod,
 A. J. Pittard,
 I. A. Swinburne,
 G. J. Tuckett,
 D. J. Walters.

Noes, 13.

The Hon. Sir Frank Beaurepaire,
 W. J. Beckett,
 G. L. Chandler (*Teller*),
 P. J. Clarey,
 Sir Frank Clarke,
 P. L. Coleman,
 A. M. Fraser,
 C. E. Isaac (*Teller*),
 Paul Jones,
 J. A. Kennedy,
 P. J. Kennelly,
 D. L. McNamara,
 A. G. Warner.

And so it passed in the negative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1945-46-47.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 11.

Extracted from the Minutes.

TUESDAY, 24TH JUNE, 1947.

No. 1.—CONSOLIDATED REVENUE BILL (No. 9).—Clause 1—

1. There shall and may be issued and applied for or towards making good the supply granted to His Majesty for the service of the year One thousand nine hundred and forty-seven and One thousand nine hundred and forty-eight the sum of Six million seven hundred and twenty-five thousand one hundred and ninety-eight pounds out of the Consolidated Revenue, and the Treasurer of Victoria is hereby authorized and empowered to issue and apply the moneys authorized to be issued and applied.

—(Hon. P. L. Coleman.)

Motion made and question put—That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 1, omit "Six million" and insert "Two million".

—(Hon. P. T. Byrnes.)

Committee divided—the Hon. P. P. Inghold in the Chair.

Ayes, 9.

The Hon. P. T. Byrnes,
Sir George Goudie,
T. Harvey (*Teller*),
Col. G. V. Lansell,
J. H. Lienhop,
W. MacAulay (*Teller*),
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters.

Noes, 19.

The Hon. Sir William Angliss,
W. J. Beckett,
G. L. Chandler,
P. J. Clarey,
Sir Frank Clarke,
P. L. Coleman,
A. M. Fraser,
C. P. Gartside,
C. E. Isaac (*Teller*),
Paul Jones (*Teller*),
J. A. Kennedy,
P. J. Kennelly,
J. F. Kittson,
G. S. McArthur,
L. H. McBrien,
H. V. MacLeod,
D. L. McNamara,
A. J. Pittard,
A. G. Warner.

And so it passed in the negative.

THURSDAY, 26TH JUNE, 1947.

No. 2.—SOIL CONSERVATION AND LAND UTILIZATION BILL.—Clause 4—

4. (1) The Authority shall consist of three members appointed by the Governor in Council.

* * * * *

—(Hon. A. M. Fraser.)

Amendment proposed—That the word “three” be omitted with the view of inserting in place thereof the word “seven”.

—(Hon. P. T. Byrnes.)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 17.

The Hon. Sir William Angliss,
W. J. Beckett,
G. L. Chandler,
P. J. Clarey,
P. L. Coleman,
W. H. Edgar,
A. M. Fraser,
C. P. Gartside,
C. E. Isaac,
Paul Jones,
J. A. Kennedy (*Teller*),
P. J. Kennelly,
J. F. Kittson (*Teller*),
G. S. McArthur,
H. V. MacLeod,
D. L. McNamara,
A. G. Warner.

Noes, 6.

The Hon. P. T. Byrnes,
Sir George Goudie,
J. H. Lienhop,
W. MacAulay (*Teller*),
G. J. Tuckett,
D. J. Walters (*Teller*).

And so it was resolved in the affirmative.

No. 3.—SOIL CONSERVATION AND LAND UTILIZATION BILL.—Clause 14—

14. (1) The Authority is charged with—

* * * * *

(3) With the approval of the Minister the Authority may—

- (a) by agreement with the appropriate Government departments public authorities owners or occupiers carry out soil conservation works or conduct experiments and demonstrations pertaining to soil conservation and reclamation on any lands, including Crown lands;
- (b) employ such workmen and other persons as may be required from time to time for the carrying out of such works or the conduct of such experiments and demonstrations;
- (c) make grants or loans of moneys on such terms as to interest and repayment as it thinks fit to any Government department public authority or person for the carrying out of specific projects in furtherance of the objects of this Act;
- (d) impose conditions (including conditions controlling the number and kind of stock to be depastured) in relation to the use of any land on which the Authority has carried out works or conducted experiments or demonstrations or in respect of which the Authority has made grants or loans of money as aforesaid or given a direction to take remedial measures as hereinafter provided; and

* * * * *

—(Hon. A. M. Fraser.)

Amendment proposed—That the words “(including conditions controlling the number and kind of stock to be depastured)” be omitted.

—(Hon. P. T. Byrnes.)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 13.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
C. P. Gartside,
Paul Jones,
J. A. Kennedy,
P. J. Kennelly,
J. F. Kittson,
G. S. McArthur,
H. V. MacLeod (*Teller*),
D. L. McNamara,
A. G. Warner (*Teller*).

Noes, 9.

The Hon. Sir William Angliss,
P. T. Byrnes,
G. L. Chandler,
Sir George Goudie,
C. E. Isaac,
J. H. Lienhop,
W. MacAulay,
G. J. Tuckett (*Teller*),
D. J. Walters (*Teller*).

And so it was resolved in the affirmative.

1945-6.

VICTORIA.

REPORT

FROM THE

JOINT STATUTE LAW REVISION COMMITTEE

OF THE

LEGISLATIVE COUNCIL AND THE LEGISLATIVE ASSEMBLY

ON THE

CONSOLIDATION OF THE LOCAL GOVERNMENT ACTS;

TOGETHER WITH

MINUTES OF EVIDENCE.

Ordered by the Legislative Council to be printed, 4th December, 1946.

By Authority:

J. J. GOURLEY, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES ON THE PROCEEDINGS.

TUESDAY, 4TH DECEMBER, 1945.

9. STATUTE LAW REVISION COMMITTEE.—The Honorable P. J. Clarey moved, That, in compliance with the recommendation of the Joint Select Committee on the Consolidation of the Laws, adopted by this House on the 22nd June, 1915, a Committee be appointed, consisting of six members, to join with a Committee of the Legislative Assembly, to deal with anomalies in the law and make recommendations as to statutory amendments, such Committee to consist of the Honorables W. H. Edgar, A. M. Fraser, Sir George Goudie, Sir John Harris, J. A. Kennedy, and G. S. McArthur, with power to send for persons, papers, and records; five to be the quorum.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them with the foregoing resolution.

THURSDAY, 20TH DECEMBER, 1945.

15. STATUTE LAW REVISION COMMITTEE.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have appointed a Committee to join with the Committee of the Council to deal with anomalies in the law and make recommendations as to statutory amendments, such Committee consisting of Mr. Speaker, Mr. Bailey, Mr. Field, Mr. Hollway, Mr. Oldham, and Mr. Slater, with power to send for persons, papers, and records, and to sit on days on which the House does not meet; five to be the quorum.
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TUESDAY, 2ND JULY, 1946.

16. STATUTE LAW REVISION COMMITTEE.—The Honorable P. J. Clarey moved, by leave, That the Honorables A. M. Fraser and A. E. McDonald be members of the Statute Law Revision Committee.

Question—put and resolved in the affirmative.

R E P O R T

THE SELECT COMMITTEE appointed to join with a Committee of the Legislative Assembly to deal with anomalies in the law and make recommendations as to statutory amendments have the honor to report to your Honorable House as follows:—

1. Your Committee have held three meetings which were devoted to the consideration of a draft Bill submitted by the Honorable the Attorney-General to consolidate the law relating to Local Government.

2. This Bill was drafted under instructions from a former Attorney-General by Messrs. P. E. Joske, K.C., E. F. Healy, and L. Voumard, of Counsel, all of whom attended a meeting of your Committee and explained the method followed by them in drafting the Bill.

3. Your Committee are satisfied that the Bill is a true consolidation containing no alteration in the existing law relating to Local Government nor any alteration in the language of the Acts consolidated except where such alteration is necessary to accurately restate the existing statutory provisions in the consolidating Bill.

4. Your Committee recommend that the Bill in its present form be introduced into Parliament and passed into law during the present Session.

Committee Room,

3rd December, 1946.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. It highlights the importance of using reliable sources and ensuring the accuracy of the information.

3. The third part of the document discusses the challenges and limitations of data collection and analysis. It notes that while technology has advanced, there are still significant barriers to obtaining complete and accurate data.

4. The fourth part of the document provides a summary of the key findings and conclusions. It reiterates the importance of ongoing monitoring and evaluation to ensure the effectiveness of the data collection process.

5. The final part of the document offers recommendations for future research and practice. It suggests that further efforts should be made to improve data collection methods and to address the identified challenges.

MINUTES OF EVIDENCE.

TUESDAY, 26TH NOVEMBER, 1946.

Members Present:

SIR GEORGE KNOX, in the Chair;

Council:

The Hon. W. H. Edgar.
The Hon. A. M. Fraser.
The Hon. Sir George Goudie.
The Hon. J. A. Kennedy.
The Hon. G. S. McArthur.
The Hon. A. E. McDonald.

Assembly:

Mr. Bailey.
Mr. Field.
Mr. Hollway.
Mr. Oldham.
Mr. Slater.

Messrs. P. E. Joske, K.C., E. F. Healy, and L. Voumard, Barristers-at-Law, were in attendance.

The Chairman.—The learned counsel who prepared the consolidation are in attendance for the purpose of making their submissions to the Committee. I call upon Mr. Joske to lead the submissions.

Mr. Joske.—The instruction given to counsel when they were asked to prepare the consolidation of the Local Government Act and the amending Acts was that the consolidation was to be a consolidation purely and simply, and was not to be in the nature of an amendment of the Act in any sense. Counsel believe that they have carried out this instruction faithfully and, consciously, there is no amendment of the law at all.

By Sir George Goudie.—Has there been any alteration of the language of the Acts that have been consolidated?

Mr. Joske.—There is no amendment with regard to the wording of the Act except where it was not possible to do other than amend the wording. I shall give examples: In section 1 we have had to insert new amending provisions which were not originally in section 1. That is part of the work of consolidation. Apart from that, there has been an amendment of this nature in section 247. The phrase we had to deal with was "the present war." We had to substitute for it this phrase: "The war commencing in September, 1939, or any continuation thereof." That was the phrase which had been used in another Act and we believed that was the proper phrase to substitute. In section 460 of the Act there was a reference to the Local Government Act 1874, and we omitted that reference on the basis that it was obsolete. In section 631 there was a reference to the "Melbourne Tramways and Omnibus Company Act 1883" and, to bring the section up to date, we substituted for it "the Melbourne and Metropolitan Tramways Act 1928." Apart from those instances, I do not think there have been any actual amendments of the wording of the Act.

We have endeavoured, where possible, to retain the numbering of the previous sections and the numbering of the various parts of the Act as that will assist those who are accustomed to recognize sections by their number. For instance, municipal clerks know section 197 by that number.

So far as section 197 is concerned, we have made alterations in the form of that section in order to make it read reasonably and intelligently. The way in which numerous amendments have occurred has been to provide some terms, such as this one: "Without restricting the generality of the powers conferred by any other sub-section of this section for the making of by-laws any such by-laws may provide for" such and such a purpose. In the 1928 consolidation that phrase was continued in a number of sub-sections. We felt that if we proceeded on similar lines and we had a number of sub-sections beginning with that phrase, the wording of the sub-sections would be very long. We avoided that by arranging that municipal councils should have the power to make by-laws as in the 1928 Act, and then we added powers and inserted a sub-section to the effect that with regard to the new sub-sections the power given under those sub-sections did not derogate from the powers given under the Act. Although we did not copy the verbiage of the former Act, I think we are prepared to say that we have gone carefully through the new section 197 and that it does not alter the law in any sense. All that it does is to draw the new section in a more convenient and intelligible form.

I think that general statement covers our views. From time to time, when we found it necessary, we had conferences with the Parliamentary Draftsman and, with regard to certain provisions as to whether appointments had been made, we consulted with Mr. Carter of the Public Works Department.

With regard to sub-sections (1) and (2) of section 1, we have drawn a distinction between the times when the main body of the Act and two particular provisions are to come into force. In two amending Acts we had to consolidate it had been provided that the corresponding provisions referred to only came into force on a day to be proclaimed by the Governor in Council and, as a matter of fact, these provisions have not, as yet, been proclaimed. We have provided in the consolidated Act for the whole Act except these two provisions to come into force on a day to be fixed by Order in Council and the other two provisions will come into force on a day to be fixed by Order in Council.

By the Chairman.—Do you, Mr. Healy, concur with the statement made by Mr. Joske?

Mr. Healy.—Yes. The alterations are of a formal kind, but I should like to comment in regard to section 197. There has been considerable re-arrangement of that section, but we feel as satisfied as it is possible to feel that we have done nothing more than re-arrange it. I think every word in the original section appears in the consolidating Bill, although not necessarily in the same place as in the original section. In addition, I should like to mention a matter which, although it is not perhaps relevant to the provisions of the Act, is one which is very helpful. Because of the considerable re-arrangement we have introduced into the section, a much more elaborate system of marginal notes than is the general practice has been adopted. There should not be any great difficulty in picking out in this Act the provisions which correspond to the Act of 1928 and which are taken from that Act. As Mr. Joske mentioned, some provisions taken from Acts passed since 1928 have been added to section 197. I have prepared a comparative table of all the Acts consolidated in the Bill. Having in mind the considerable re-arrangement of section 197, I have, in relation to Acts, sections from which have gone into section 197, given cross-references with greater particularity than is the custom in comparative tables. Therefore, with the comparative table and the system of marginal notes to the section, the difficulty of tracing the various provisions should be reduced to a minimum.

In referring to the comparative table, I should like to add this comment. It was the custom in what I may call an *en-bloc* consolidation, such as was done by Mr. Justice Cussen, to prepare explanatory papers. May I say that I worked under His Honor in the 1928 consolidation and am familiar with the principle on which the explanatory papers were compiled. Although Mr. Justice Cussen was able to assure the Committee in regard to the 1928 consolidation in somewhat similar terms to those which Mr. Joske has uttered, and in which I concur, I am able to say from my work under Mr. Justice Cussen that he sometimes made alterations which improved the phraseology. In this consolidation, however, what we re-

garded as amendments we refrained from doing. We agreed that some of the phraseology was not the best, but we, having regard to our instructions, thought it was not our place to alter it. That sort of thing went to make up the explanatory papers which accompanied the 1928 consolidation. Attention was drawn to such matters, but we have none to which we can draw attention, except that Mr. Joske has spoken of one or two of a minor nature in which we could not do anything harmful. The comparative table will cover everything else which an explanatory paper could cover. I should like to tender the manuscript, which could be printed.

Mr. Slater.—I think the copies checked and printed could be made available to the Committee. This is an almost uncharted field to the non-lawyer.

Mr. Voumard.—I concur in what has fallen from the lips of Mr. Joske. I feel there is nothing that I can usefully add but in view of a question which was asked by Sir George Goudie, I may perhaps be permitted to make an observation. Sir George asked Mr. Joske whether in all cases we had retained the identical language of the enactments which we were consolidating. Mr. Joske replied properly and truthfully that we did, but I think it is necessary that the statement should be understood in its proper sense, namely, that in the work of consolidation it is essential in certain circumstances that the precise verbiage of some of the amending Acts be altered in order to reproduce in the consolidation the law as it exists. Take, for example, section 417 of the consolidating Bill, in which we read—

417. (1) Notwithstanding anything in any Act, it shall be lawful for any municipality to enter into an agreement or agreements with the holders of any of its debentures which were in existence on the fourteenth day of December One thousand nine hundred and forty-two

When we turn to the amending Local Government Act, No. 4081, from which that section came, it is found that sub-section (1) of section 3 states—

Notwithstanding anything in any Act, it shall be lawful for any municipality to enter into an agreement with the holders of any of its debentures which are in existence

As that Act was passed on the 14th of December, 1942, it was essential, in order to reproduce the law, to alter the language. It will be found that not only in that section but in other sections it has been necessary to do something of a similar nature, but with my colleagues I can assure the Committee that certainly we are not conscious of having made any amendment to the law, and we believe that we have not unconsciously made any amendment, but that the consolidated Bill reproduces the law as it is in the Local Government Act 1928, plus the amendments passed since then.

The Chairman.—That is vital.

Mr. Voumard.—I feel confident that that is so. I desire to refer to one other section. Section 249 deals with land which is rateable and land which is not rateable. Here we adopted a plan somewhat

similar to that which we adopted in connection with section 197. It was a plan of re-arrangement. I think it will be found by comparison with the 1928 Act that the words are not precisely the same, but I think all three counsel here can assure this Committee that what we have done is merely for the purpose of improving the form and that the law is not altered in any respect.

By Sir George Goudie.—You included “Public worship?”

Mr. Voumard.—Yes.

The Chairman.—At this stage, are there any questions that members of the Committee desire to ask learned counsel?

Mr. Slater.—I am thoroughly satisfied with the statements made by each of the counsel.

Sir George Goudie.—The reason for my question to Mr. Joske was that Sir Leo Cussen, when he was engaged on the general consolidation of 1928, pointed out very forcibly that when a principal section was not clear or when it was indicated that a subsequent amendment required a change in wording, he had made the necessary alteration. The Statute Law Revision Committee of that time agreed that Sir Leo Cussen’s decision was based on common sense. It would appear that learned counsel have approached the consolidation of the Local Government Acts in the same manner. In my view, that is a desirable course to take in connection with the consolidation of any Acts.

Mr. Hollway.—When the consolidating measure is printed, does the Attorney-General intend to indicate therein the case law on the subject?

Mr. Slater.—I recall that such a procedure added tremendously to the cost of the old consolidation of the statutes. It was, of course, a great convenience to counsel and the legal profession generally. The cost was largely due, I understand, to the necessity for various kinds of type for the marginal notes. I am unable at this juncture to give a decision on the point raised by Mr. Hollway. It

would involve learned counsel or the Parliamentary Draftsman in a great deal of work.

Mr. Hollway.—But it would be of considerable assistance.

Mr. Slater.—I agree.

Mr. Fraser.—Mr. Healy said that, acting upon instructions from a former Attorney-General, he had made no alterations in wording. He added that if he had been free to do so, he would have effected certain necessary alterations. Did that remark apply only to wording or was there any suggestion of amendment of the law? What I require to know is whether those alterations which Mr. Healy said he might have considered if he had been free to do so dealt mainly with wording.

Mr. Healy.—That is all.

Mr. Slater.—On behalf of the Government—and myself in particular—I thank Mr. Joske and his colleagues, Messrs. Voumard and Healy, for their industry, which is now reflected in the consolidation of the State’s most voluminous Act. The consolidation has been keenly sought not only by municipal councillors and officers, but also by members of the legal profession throughout Victoria. The consolidation is a monument to the industry and learning of these gentlemen, whose reputation at the Bar is extremely high. A previous Government displayed considerable skill and wisdom in choosing them for the purpose. I add to my tribute the appreciation of many other persons concerned of the splendid work accomplished on this consolidation. Such a task in connection with our Local Government Acts was by no means easy.

Mr. Slater’s expression of appreciation was supported by Mr. Edgar, Mr. Hollway, and the Chairman. Mr. Joske, on behalf of counsel, returned thanks.

Counsel withdrew and the Committee deliberated.

The Committee adjourned.

1945-6.

VICTORIA.

R E P O R T

FROM THE

JOINT STATUTE LAW REVISION COMMITTEE

OF THE

LEGISLATIVE COUNCIL AND THE LEGISLATIVE ASSEMBLY

ON THE

CONSOLIDATION OF THE STAMPS ACTS;

TOGETHER WITH

MINUTES OF EVIDENCE.

Ordered by the Legislative Council to be printed, 18th December, 1946.

By Authority:

J. J. GOURLEY, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS.

TUESDAY, 4TH DECEMBER, 1945.

- 9 STATUTE LAW REVISION COMMITTEE.—The Honorable P. J. Clarey moved, That, in compliance with the recommendation of the Joint Select Committee on the Consolidation of the Laws, adopted by this House on the 22nd June, 1915, a Committee be appointed, consisting of six members, to join with a Committee of the Legislative Assembly, to deal with anomalies in the law and make recommendations as to statutory amendments, such Committee to consist of the Honorables W. H. Edgar, A. M. Fraser, Sir George Goudie, Sir John Harris, J. A. Kennedy, and G. S. McArthur, with power to send for persons, papers, and records; five to be the quorum.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them with the foregoing resolution.

THURSDAY, 20TH DECEMBER, 1945.

15. STATUTE LAW REVISION COMMITTEE.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have appointed a Committee to join with the Committee of the Council to deal with anomalies in the law and make recommendations as to statutory amendments, such Committee consisting of Mr. Speaker, Mr. Bailey, Mr. Field, Mr. Hollway, Mr. Oldham, and Mr. Slater, with power to send for persons, papers, and records, and to sit on days on which the House does not meet; five to be the quorum.
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TUESDAY, 2ND JULY, 1946.

16. STATUTE LAW REVISION COMMITTEE.—The Honorable P. J. Clarey moved, by leave, That the Honorables A. M. Fraser and A. E. McDonald be members of the Statute Law Revision Committee.

Question—put and resolved in the affirmative.

R E P O R T

THE SELECT COMMITTEE appointed to join with a Committee of the Legislative Assembly to deal with anomalies in the law and make recommendations as to statutory amendments have the honor to report to your Honorable House as follows:—

1. Your Committee have considered a draft Bill submitted by the Honorable the Attorney-General to consolidate the law relating to Stamps.

2. This Bill was, under instructions from the Attorney-General, drafted by the Honorable Ian Macfarlan, K.C., in association with Mr. R. C. Normand, Parliamentary Draftsman, and Mr. A. Garran, Assistant Parliamentary Draftsman, all of whom appeared before your Committee and explained the method followed by them in drafting the Bill. These gentlemen also submitted an Explanatory Paper drawing special attention to certain aspects of the consolidation, and containing a comparative table showing in detail how the various Acts consolidated have been incorporated in the consolidating Bill.

3. The Bill as first submitted to your Committee included the Acts passed up to the end of 1945 but at the request of your Committee the Bill was revised so as to include also two Acts passed by Parliament this year, viz.—the Stamps (Betting Tax) Act 1946 and the Stamps (Increased Duty Continuance) Act 1946.

4. Your Committee are satisfied that the Bill in its revised form contains in consolidated form the whole of the statute law relating to Stamps and that, apart from the matters referred to in the next following paragraph, it involves no alteration of the existing law, and only such changes in the form of the Acts and enactments consolidated as were found necessary to ensure a proper consolidation.

5. Your Committee draw special attention to certain provisions of the Bill which involve changes with regard to two matters of administration, as follows:—

(i) Under the existing Stamps Acts the administrative powers and duties are divided between the Comptroller of Stamps and the Collector of Imposts. Since 1903 it has been the practice to appoint one person to hold both these offices and the consolidating Bill, in recognition of the practical merger of these two offices, provides that the execution of the whole of the Act shall be vested in the Comptroller of Stamps.

(ii) The existing Stamps Acts provide that the cancellation or revocation of the appointment of the Collector of Imposts shall be subject to the Public Service Act 1928. The consolidating Bill provides that both the appointment and the removal of the Comptroller of Stamps shall be subject to the Public Service Act 1946.

6. Your Committee recommend that the Bill in its revised form be introduced into Parliament and passed into law during the present Session.

MINUTES OF EVIDENCE.

TUESDAY, 10TH DECEMBER, 1946.

Members Present:

Sir George Knox in the Chair;

Council.

Assembly.

The Hon. W. H. Edgar,
The Hon. A. M. Fraser,
The Hon. Sir George Goudie,
The Hon. J. A. Kennedy,
The Hon. A. E. McDonald.

Mr. Bailey,
Mr. Hollway,
Mr. Oldham,
Mr. Slater.

Mr. Ian Macfarlan, K.C., Mr. R. C. Normand, Parliamentary Draftsman, and Mr. Andrew Garran, Assistant Parliamentary Draftsman, were in attendance.

The Chairman.—After the Attorney-General has made an explanatory statement I shall call upon learned counsel to make their submissions.

Mr. Slater.—This meeting of the Statute Law Revision Committee of the two Houses has been convened to consider the question of the consolidation of the Stamps Acts. This consolidation has been prepared by Mr. Macfarlan, K.C., of counsel, under instructions from the Government, and acting in co-operation with the Parliamentary Draftsmen, Messrs. Normand and Garran. A consolidating Bill with an explanatory paper and table of the consolidated Acts is in the hands of members of the Committee. I take it that the main question on which members of the Committee wish to be assured by learned counsel is that the Bill represents a consolidation, and in no way effects any alteration in the law.

Mr. Macfarlan.—The members of the committee have before them an explanatory paper of the method of consolidation, and appended to it is a table showing in detail how the various Acts since 1928 have been incorporated in the new consolidation. Since 1928 to the date of this memorandum, there have been no fewer than 40 Stamps Acts passed. A number of those were merely stamps continuance Acts, similar to the one which Parliament passed recently. They were easy to handle in the work of consolidating, as all that required to be done was alteration of the year expressed in the schedule, but the balance of the Acts represented considerable progress in the statute law as to the imposition of stamp duties. The committee may take it that this consolidation as expressed in the Bill represents the law as it is up to date, apart from the Stamps (Increased Duty Continuance) Act 1946 which Parliament passed recently continuing the present scale of duties until the end of 1947, and apart also from the Stamps (Betting Tax) Act 1946 passed within the last few weeks, both of which were enacted subsequent to this memorandum and either or both will have to be or not be—according to what view the Committee takes—incorporated in the consolidation. Apart from those two Acts, this consolidating Bill represents the law up to date as to the imposition of stamp duties.

Mr. Garran had already done monumental work on this consolidation before the war—I think he took it up to 1939. When I came along at a later stage, on finding that to be so, I thought it absurd to disregard what he had done, and so I took his work as the basis of what I was to do and checked what he had done.

We had discussions during the process as to various matters, and then, having come to the conclusion that the basis was a satisfactory one, I incorporated on top of it the law since 1939. That is what is represented to you in this Bill. The Attorney-General asked me a question which, to a consolidator, is very important—Is this merely a consolidation or does it alter the law? I took the view at the outset that the duty of a consolidator was to consolidate the law, and the question as to whether it was good or bad law did not matter to me or to any other consolidator. On closer examination, there is one matter—it is mentioned in the memorandum—which emerged, and which so seemed to outrage commonsense that Mr. Garran and I decided that we would do what we thought proper, and that while it would be a change in the written law, it would not be a change in the practice, which has been going on for many years. Parliament can approve or disapprove as it pleases.

By the Chairman.—Do you mean a practice in the administration?

Mr. Macfarlan.—Yes. The matter I refer to appears in the memorandum under the heading *Comptroller of Stamps*. On page 2 is the beginning, so to speak, of the matter, and it is continued on page 3. It reads—

Under the Stamps Acts the execution of the Act is vested in two officers—the Comptroller of Stamps and the Collector of Imposts. But since 1903 these two offices have been held by one officer. This Bill recognizes the *de facto* merger of the office of Collector of Imposts in the office of Comptroller of Stamps. Historically the position is as follows:—

Until 1889 the Registrar-General controlled the stamping of documents while the Comptroller of Stamps, who was an officer attached to the post office, controlled the printing issue and distribution of stamps. In 1889 the powers of the Registrar-General under the Stamps Acts were transferred to the Collector of Imposts. When the Commonwealth took over the Postal Department the Comptroller of Stamps was moved to the Stamps Office, and, as has been stated above, the offices of Comptroller of Stamps and Collector of Imposts have since 1903 been held by one officer. By the various Stamps Acts new powers and duties have been indiscriminately conferred on the Collector of Imposts and the Comptroller of Stamps, and now it would be impracticable (even if it were desirable) to appoint two different officers to the respective offices. Difficulties of administration arise when the same officer has to perform different duties under different offices without any practical or logical distinction in the duties of the two offices.

By clause 2 of the Bill provision is made for the merger of the two offices under the title of “Comptroller of Stamps.” This requires consequential alterations:—

Sections 36 and 119 of the Stamps Act 1928 are omitted;

Clause 140 of the Bill provides for the appointment subject to the Public Service Acts and general powers and duties of the Comptroller of Stamps and a Deputy Comptroller of Stamps; and

I emphasize the following as it is important as to what I said in relation to the formal alteration of the law:—

Attention is drawn to section 119 of the Stamps Act 1928 providing for the appointment of Collector and Deputy by the Governor in Council but for cancellation, &c., of appointment by the Governor in Council “subject to the Public Service Act 1928.” Clause 140 makes both appointment and cancellation subject to the Public Service Acts. This gives effect to long standing practices.

The appointment, dismissal, or cancellation would be made by the Governor in Council, subject to the provisions of the Public Service Acts. I assume that in those days that meant subject to some recommendation by the Public Service Commissioner, which would now mean the Public Service Board. The practices have been in operation for years.

Apart from the statement I have just made, I can assure the Committee that there is nothing in this consolidation which could be said to be a change in the law. Mr. Garran, by what he has done, broke the back of the consolidation and, as stated in the explanatory paper, he was aiming always at simplifying the Acts by dismissing irrelevant matter. Legislation which had expired in point of date was excluded. When I came on the scene I continued that practice, and I think the Committee will be satisfied that it now has a simpler and more comprehensive Stamps Act than was the consolidation of 1928. There have been advanced changes in the law, particularly with respect to betting tax, bookmakers' licences, shooting contests tax, and matters of that description, which have increased the volume of the Act to some extent. That increase is offset by what we have been able to dismiss from the Acts, without involving any change in the law. Because this is one of the oldest classes of legislation, a fair proportion of it had become out of date, useless, and of no application, all of which was mystifying to the public and the legal profession.

Appended to the explanatory paper is a table which discloses the various Acts passed since the 1928 consolidation up to the date of the memorandum. The first column sets out repealed Acts and sections of repealed Acts. In the second column is set out the relevant clauses in the consolidating Bill, which refer to the repealed sections. In the third column necessary explanatory remarks have been appended. A close scrutiny indicates that many provisions in the original Acts have now expired. As examples, I should refer to the Stamps (Unemployment Relief) Act 1931 and other Stamps (Unemployment Relief) Acts, all of which have expired. There is no good purpose therefore in retaining them in the consolidating legislation. By a perusal of the table, the Committee can obtain a true history of the consolidation.

The Bill, contrary to the 1928 consolidation, has been subdivided in its vital parts, where possible into sub-clauses and paragraphs. In the consolidated Act of 1928 there will be found many involved sections dealing with seven or eight aspects of the one subject matter. Where that occurred, opportunity has been taken to split them up to make the consolidation more readable and more readily understandable to the public and to the profession. I can assure the Committee that this Bill, other than as I have indicated, contains no change in the law, and so long as the two Houses are told that fact, no one can complain. It represents a consolidation up to date, with the exception of the Stamps (Increased Duties Continuance) Act 1946 and the Stamps (Betting Tax) Act 1946 which were passed recently.

By Sir George Goudie.—Does it necessarily follow that it will not be necessary annually to introduce Bills to continue the stamps tax when no alteration in the tax is proposed?

Mr. Macfarlan.—The consolidation takes the law up to the end of December, 1946. Recently a Stamps (Increased Duty Continuance) Act was passed by Parliament, which extends the tax up at the prevailing rate to the end of December, 1947. Unless Parliament decides that future Stamps (Increased Duty Continuance) Acts shall apply for a period of, say, ten years, it will be necessary to pass a continuance Bill each year.

Mr. McDonald.—Would it not be advisable to incorporate the recent amendments to the Stamps Acts in this consolidating Bill? I should prefer that course to be adopted.

Mr. Slater.—That is my desire.

Mr. Macfarlan.—If the recently passed Stamps (Increased Duty Continuance) Act is incorporated in this consolidation, it will mean that the consolidating Bill, when passed by Parliament, would repeal that Act which was passed less than a week ago. That must of necessity happen.

Mr. Oldham.—In view of the urgency of this consolidating Bill, if the incorporation of the two Acts passed in recent weeks is likely to jeopardize its passage before the Christmas recess, Parliament should pass the consolidating Bill and amend it later. If the incorporation of the Acts could be undertaken without undue postponement of the passage of the Bill, I think it would be the more acceptable course.

Mr. Slater.—Mr. Normand will explain that point.

Mr. Normand.—I have nothing to add to Mr. Macfarlan's submissions. I shall leave Mr. Garran to address the Committee concerning the two Acts which have just been passed. A draft Bill has been prepared with all the amendments incorporated in it, and the printing could be completed by the Government Printer within a few days.

Mr. Garran.—This matter could be dealt with in two ways. I have prepared the necessary amendments to the Bill to incorporate the two Acts to which reference has been made. The first method would be to introduce the Bill as it now stands and have the amendments moved in the House. The second method would be to submit a Bill to the House with all the amendments incorporated in it. Of the two, I suggest that the second method would be the simpler, and would avoid confusion. The Bill could be printed and ready for introduction in the Assembly next Tuesday. Formal notice of the introduction of the measure could be given in the meantime. If the Bill is considered next week it should be through both Houses before the end of the year. If it is not passed before 1947 alterations to the schedule would be necessary.

Mr. Slater.—I favour the second method suggested by Mr. Garran. It would be simpler, and would make the consolidation complete. If the Committee endorsed a recommendation to this effect there should be no difficulty in securing the passage of the Bill through both Houses before the end of the year.

Mr. Holloway.—I agree with the Attorney-General that the best plan would be to consider the Bill as a complete entity without subsequent separate amendments. There may be difficulties in connection with the Stamps (Betting Tax) Act if separate amendments are submitted, and some members may wish to reverse their former vote on that measure. Arguments might arise as to whether the betting tax should remain at its present rate. I am anxious that the amendments to the Stamps (Betting Tax) Act should be incorporated in the consolidated Bill without any question as to the rates of tax.

Mr. Fraser.—Will it not be necessary to call another meeting of this Committee when the Bill is printed and before it is submitted to the Assembly?

Mr. Slater.—That could be done next Tuesday evening.

Mr. Macfarlan.—The Bill could not be proclaimed this year because it would repeal the new Act just passed which relates to duties for last year; and those to be collected until the 31st of December of this year.

Mr. Garran.—There would not be a repeal, but a continuation of the duties for a year.

Mr. Hollway.—The duties for 1947 would be re-enacted.

Mr. Macfarlan.—In 1945 the duties were prescribed until the 31st of December, 1946. The consolidating measure will repeal that Act, and the new Act should not come into operation until the 1st of January, 1947. Suppose it were proclaimed on the 25th of December, there would be no law governing the rates of stamp duty between that date and the 31st of December.

Mr. Garran.—I disagree, but the question is only academic as the year is nearly over.

Mr. Bailey.—I support the proposal of the Attorney-General to introduce the Bill with the amendments incorporated in it.

The Speaker thanked Mr. Macfarlan, Mr. Normand, and Mr. Garran for the specialized and concentrated work they had done, and congratulated them on the result of their labours.

Mr. Macfarlan, Mr. Normand, and Mr. Garran withdrew and the Committee deliberated.

The Committee adjourned.

TUESDAY, 17TH DECEMBER, 1946.

Members Present:

Sir George Knox in the Chair;

Council.

The Hon. W. H. Edgar,
The Hon. A. M. Fraser,
The Hon. Sir George Goudie,
The Hon. J. A. Kennedy,
The Hon. A. E. McDonald.

Assembly.

Mr. Bailey,
Mr. Field,
Mr. Hollway,
Mr. Oldham,
Mr. Slater.

Mr. A. Garran, Assistant Parliamentary Draftsman, was in attendance.

The Chairman.—Mr. Garran will make a submission to the Committee relating to the further steps taken by him to complete the consolidation since the Committee last met.

Mr. Garran.—In accordance with the directions given by the Committee last week, I have incorporated in the consolidating Bill the provisions of the two Acts that Parliament has passed during the last few weeks—the Stamps (Increased Duty Continuance) Act and the Stamps (Betting Tax) Act. Actually, it has been purely a mechanical process, because the two Acts were drafted with a view to such incorporation. I have put them in at the end of the explanatory paper at the bottom of page 13, and on page 14 I have continued the explanatory paper showing where the two Acts appear in the consolidating Bill. I can say frankly that, as Mr. Macfarlan said at the last meeting, there is no alteration in the law involved by the inclusion of these two Acts in the consolidating Bill.

Mr. Slater.—I am satisfied with Mr. Garran's explanation. His is a factual statement and it follows the decision of the Committee at its last meeting in which it recommended that this course should be taken.

By Mr. Kennedy.—Has Mr. Garran any further observation to make on Mr. Macfarlan's comment that if the consolidated Act is proclaimed before the end of this year there will be a gap in the collection of the extra duties?

Mr. Garran.—I have looked into that matter with Mr. Normand. I think Mr. Macfarlan did not understand the way in which the Stamps (Increased Duty Continuance) Act would be incorporated. In effect, the Bill now says that up to the end of 1947 additional duties shall be charged. It does not say that additional duties shall be charged from the 1st of January, 1947, to the 31st of December, 1947. The question is purely academic, because the Bill will not be proclaimed until the Government Printer has had time to strike off sufficient copies of the Act, and that will not be before the 1st of January.

Mr. Garran withdrew.

The Committee deliberated.

The Committee adjourned.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. It includes a detailed description of the experimental procedures and the tools used for data collection.

3. The third part of the document presents the results of the study, including a comparison of the different methods and techniques used. It discusses the strengths and weaknesses of each approach and provides a summary of the findings.

4. The fourth part of the document discusses the implications of the study and provides recommendations for future research. It highlights the need for further investigation into the effectiveness of the different methods and techniques used.

5. The fifth part of the document provides a conclusion and a summary of the key findings. It reiterates the importance of maintaining accurate records and the need for transparency and accountability in financial reporting.

6. The sixth part of the document provides a list of references and a bibliography. It includes a list of all the sources used in the study and provides a detailed description of each source.

7. The seventh part of the document provides a list of appendices and a bibliography. It includes a list of all the appendices used in the study and provides a detailed description of each appendix.

8. The eighth part of the document provides a list of figures and a bibliography. It includes a list of all the figures used in the study and provides a detailed description of each figure.

9. The ninth part of the document provides a list of tables and a bibliography. It includes a list of all the tables used in the study and provides a detailed description of each table.

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13. The thirteenth part of the document presents the results of the study, including a comparison of the different methods and techniques used. It discusses the strengths and weaknesses of each approach and provides a summary of the findings.

14. The fourteenth part of the document discusses the implications of the study and provides recommendations for future research. It highlights the need for further investigation into the effectiveness of the different methods and techniques used.

15. The fifteenth part of the document provides a conclusion and a summary of the key findings. It reiterates the importance of maintaining accurate records and the need for transparency and accountability in financial reporting.

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VICTORIA.

1945-6-7

REPORT

FROM THE

JOINT STATUTE LAW REVISION COMMITTEE

OF THE

LEGISLATIVE COUNCIL AND THE LEGISLATIVE ASSEMBLY

ON THE

WILLS (AMENDMENT) BILL AND THE
STATUTE LAW REVISION BILL,

TOGETHER WITH

MINUTES OF EVIDENCE.

Ordered by the Legislative Council to be printed, 10th June, 1947.

By Authority:

J. J. GOURLEY, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS.

TUESDAY, 4TH DECEMBER, 1945.

9. STATUTE LAW REVISION COMMITTEE.—The Honorable P. J. Clarey moved, That, in compliance with the recommendation of the Joint Select Committee on the Consolidation of the Laws, adopted by this House on the 22nd June, 1915, a Committee be appointed, consisting of six members, to join with a Committee of the Legislative Assembly, to deal with anomalies in the law and make recommendations as to statutory amendments, such Committee to consist of the Honorables W. H. Edgar, A. M. Fraser, Sir George Goudie, Sir John Harris, J. A. Kennedy, and G. S. McArthur, with power to send for persons, papers, and records; five to be the quorum.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them with the foregoing resolution.

THURSDAY, 20TH DECEMBER, 1945.

15. STATUTE LAW REVISION COMMITTEE.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have appointed a Committee to join with the Committee of the Council to deal with anomalies in the law and make recommendations as to statutory amendments, such Committee consisting of Mr. Speaker, Mr. Bailey, Mr. Field, Mr. Hollway, Mr. Oldham, and Mr. Slater, with power to send for persons, papers, and records, and to sit on days on which the House does not meet; five to be the quorum.
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TUESDAY, 2ND JULY, 1946.

16. STATUTE LAW REVISION COMMITTEE.—The Honorable P. J. Clarey moved, by leave, That the Honorables A. M. Fraser and A. E. McDonald be members of the Statute Law Revision Committee.

Question—put and resolved in the affirmative.

R E P O R T

THE SELECT COMMITTEE appointed to join with a Committee of the Legislative Assembly to deal with anomalies in the law and make recommendations as to statutory amendments have the honor to report to your Honorable House as follows:—

1. Your Committee, in conjunction with the Committee of the Assembly, held two meetings which were mainly devoted to the consideration of the following Bills, viz :—

The Wills (Amendment) Bill—a Bill to amend section thirty-one of the *Wills Act* 1928—which was initiated and read a first time in the Assembly on the 7th May, 1947;

The Statute Law Revision Bill—a Bill to revise the Statute Law and for other purposes—which was initiated and read a first time in the Council on the 6th May, 1947.

WILLS (AMENDMENT) BILL.

2. This Bill was prepared by the Chief Justice's Committee on Law Reform and was recommended by that Committee to the Honorable the Attorney-General for submission to Parliament.

3. Your Committee were assisted in their consideration of this Bill by Mr. Arthur Dean, K.C., a member of the Chief Justice's Committee, who attended one of the meetings of the Joint Committee and tendered in evidence a Memorandum explaining the meaning and effect of the various provisions of the Bill.

4. The Bill proposes to repeal section thirty-one of the *Wills Act* 1928 and to substitute for that section a new section making certain changes in the law relating to wills.

5. The changes in the law proposed by the Bill are fully explained in the Memorandum tendered by Mr. Dean which Memorandum is set out in the Minutes of Evidence attached to this Report.

6. Your Committee approve of the proposed changes and are satisfied that the Bill, if passed into law, will prove to be in the best interests of the community generally.

7. Your Committee in addition to considering the changes in substantive law proposed by the Bill also gave consideration to the form in which the Bill is drafted, and with regard to this matter received much assistance from Mr. Andrew Garran, the Assistant Parliamentary Draftsman, who attended and gave evidence at a meeting of the Joint Committee.

8. Mr. Garran recommended that the drafting of the Bill be altered in three respects, viz :—

- (i) To ensure that the existing section thirty-one of the *Wills Act* 1928 shall continue to apply in the case of a testator who dies, but whose estate is not fully administered, before the proposed new section comes into operation.
- (ii) To ensure that the proposed new section thirty-one shall apply when at the time of his death the only contingency still unfulfilled by the deceased issue as a condition of attaining a vested interest is either *or both* of the following, namely, surviving the testator, or attaining a specified age.
- (iii) To re-group the sub-sections of the proposed new section thirty-one so that those referring to the matters to which the section shall apply will not be interspersed with those referring to the matters to which the section shall not apply.

Mr. Garran submitted amendments prepared by him to give effect to the drafting alterations which he recommended.

9. Your Committee are satisfied that if the amendments submitted by Mr. Garran be made in the Bill the principles contained in the Bill will not thereby be altered, and the objects of the Bill will be expressed more definitely.

10. Your Committee, therefore, recommend that these amendments, which are set out in the Appendix to this Report, be made in the Bill, and that the Bill as so amended be passed into law during this Session.

STATUTE LAW REVISION BILL.

11. Your Committee were assisted in their consideration of this Bill by Mr. Andrew Garran, the Assistant Parliamentary Draftsman, who attended and gave evidence at a meeting of the Joint Committee.

12. Mr. Garran in his evidence referred generally to the Explanatory Memorandum prefixed to the Bill setting out the reasons for the various amendments contained in the Schedule to the Bill, and by way of detailed explanation he made special reference to the reasons for the amendments to the *Marine Act 1928* and the *Settled Land Act 1928*.

13. Your Committee are satisfied, on the assurance of Mr. Garran, that the reasons for the various amendments of the Statute Law contained in the Bill are correctly stated in the Explanatory Memorandum prefixed to the Bill, and that such amendments either correct errors discovered in the Statutes, or are consequential on the passing of recent legislation, or are necessary to give effect to the intentions of Parliament.

14. Since the Bill was introduced in the Council, an additional error has been discovered in the *Local Government Act 1946*, and an amendment to correct such error has been submitted by the Parliamentary Draftsman.

Your Committee recommend that this amendment which, together with an explanatory note, is set out in the Appendix to this Report, be made in the Bill, and that the Bill as so amended be passed into law during this Session.

Committee Room,
10th June, 1947.

APPENDIX.

WILLS (AMENDMENT) BILL.

(Amendments recommended to be made in the Bill.)

1. Clause 2, omit this clause.

Insert the following new clauses to follow clause 1:—

2. AA. For section thirty-one of the *Wills Act 1928* there shall be substituted the following section:—

“31. (1) Subject to the provisions of the next succeeding sub-section—

(a) where a testator devises, bequeaths, or in the exercise of any general power of appointment by his will appoints, any real or personal property to or in favour of any of his issue (whether individually or as a member of a class) for some estate or interest not determinable at or before the death of such issue; and

(b) such issue dies in the lifetime of the testator, whether before or after the making of the will, leaving issue living at the death of the testator—

the issue of the deceased issue who are living at the death of the testator and attain the age of twenty-one years or marry under that age shall take, if more than one as tenants in common in equal shares, the real or personal property or share or interest therein which the deceased issue of the testator would have taken if such deceased issue had survived the testator and attained a vested interest; but no issue remoter than children of the deceased issue shall so take except in the case of the death of their parent before the testator and in that case the remoter issue shall take the place of that parent.

(2) This section shall not apply—

(a) where a contrary intention appears by the will; or

(b) where the deceased issue was, as a condition of attaining a vested interest, required by the will to fulfil any contingency (other than that of surviving the testator or of attaining some specified age) but had not fulfilled such contingency at the time of his death—

but (subject to any contrary intention appearing by the will) this section shall apply notwithstanding that the deceased issue was, as a condition of attaining a vested interest, required by the will to fulfil some contingency, if the only such contingency unfulfilled at the time of his death was either or both of the following, namely, surviving the testator or attaining a specified age.”

3. BB. This Act shall apply with respect only to wills of testators who die on or after the commencement of this Act.

STATUTE LAW REVISION BILL.

(Amendment recommended to be made in the Bill.)

Schedule, page 4, in the third column, at the end of the paragraph opposite the reference to *Local Government Act 1946* insert “In sub-section (6) of section five hundred and thirty-five for the expression ‘*Land Surveyors Act 1928*’ there shall be substituted the expression ‘*Land Surveyors Act 1942*’”.

Explanatory Note—

The reference in s. 535 (6) of the *Local Government Act 1946* to the *Land Surveyors Act 1928* should be a reference to the *Land Surveyors Act 1942*.

MINUTES OF EVIDENCE.

TUESDAY, 27TH MAY, 1947.

Members Present:

Mr. Slater in the Chair;

Council.

The Hon. W. H. Edgar,
The Hon. A. M. Fraser,
The Hon. J. A. Kennedy,
The Hon. G. S. McArthur,
The Hon. A. E. McDonald.

Assembly.

Mr. Bailey,
Mr. Field,
Mr. Hollway,
Mr. Oldham.

Mr. Arthur Dean, K.C., and Mr. Andrew Garran, Assistant Parliamentary Draftsman were in attendance.

The Chairman.—This meeting of the Committee has been summoned to consider the Wills (Amendment) Bill and the Statute Law Revision Bill. In connection with the Wills (Amendment) Bill Mr. Dean will submit a memorandum which will explain the situation.

Mr. Dean.—I think that the following memorandum sets out the substance of what I should like to convey to the Committee.

PROPOSED AMENDMENT TO SECTION 31 OF THE WILLS ACT 1928.

Memorandum.

The proposed amendment, like many others considered by the Chief Justice's Committee on Law Reform, owes its origin to the late Mr. E. L. Piesse. It is not, I hope, out of place to say at the outset how great a debt is owed by the community to Mr. Piesse for his interest in law reform. Despite the demands of a very busy practice, Mr. Piesse found time to devote to the improvement of our legal system. He had a burning zeal for the correction of injustice wherever he found it, and his great ability and tireless energy were the inspiration of a great deal of legislative proposals submitted or to be submitted by the Chief Justice's Committee. His industry in relation to these matters no doubt formed a considerable part of that overwork which hastened his sudden end. It is to be hoped that some permanent way of recognizing his work and ensuring that it may be perpetuated will be found.

I pass now to the amendment before the Statute Law Revision Committee.

By our law, if property is left by will to a person and that person predeceases the testator, the gift fails to take effect, unless a special provision to the contrary is found in the will. The gift is said to "lapse."

Many years ago it was considered that this rule worked injustice in the case of the children of the testator. If a child died before the testator, leaving children of his own, it was provided that a gift to such deceased child should not lapse, but should take effect as if the child had died immediately after the parent. This is the present section 31. The result was that the property given to that child by the testator became part of the estate of the child. It did not follow that the children of such child obtained the property or any interest in it. It might, if the child's estate were not solvent, go to his creditors; it might pass by his will to his widow, or other relatives, or to strangers; if he died intestate, one third went to his widow. It

seems anomalous that creditors of the deceased child, or his widow, or strangers, should benefit from the mere accident that he happened to leave children. It would seem more just that as the existence of children of the deceased child is the cause of the property falling into the estate of the deceased child, the property should go to such children. This is one change made by the proposed new section.

Another defect in the existing section arose in this way. It operated only where there was a lapse. If a testator gave property "to my son John, my son Robert, and my daughter Mary in equal shares," and if John predeceased him, John's share lapsed and went to his next of kin (if the gift were of residue). Robert and Mary still obtained only one third each. But if John left a child who survived the testator, section 31 applied and prevented a lapse.

But suppose the will did not name his children, but the gift was "to my children equally." This is a class gift, and not a gift to specific persons. In such a case, if John died, there was no lapse. Robert and Mary took half each. Section 31 did not apply to such a case, and therefore, even if John left children, no part of the gift fell into John's estate. This appears to be an unjust result, and the second main purpose of the proposed amendment is to make the same rule apply whether the gift be to children by name or to children as a class. The amendment seems to the Chief Justice's Committee to be one which remedies an anomalous and unjust position.

There are several other changes of a minor, though not unimportant, character—

(a) If the deceased child's child (or children) die under twenty-one unmarried, the section does not apply. There is no reason for applying the section to such cases.

(b) Grandchildren of the testator will take under the section if their parents predecease the testator, but children or other issue of grandchildren will not, unless the parent of such children or issue die before testator. Thus, if "A" dies having left property to his son "B," and "B" has died before "A" leaving a son "C" who survived "A," then "C" will take; but if "C" has also died before "A," leaving a son, "D," living when "A" died, "D" will take, and so on, but no descendant whose parent is living can take.

(c) Frequently a gift to a child is expressed by the will to be subject to a condition, e.g., surviving his mother, or being alive at some future time. Unless the condition is fulfilled the child does not take the gift. This position is expressly preserved by sub-section (3) (a). If the child satisfies the condition before his death, the section will apply. But where the condition is either attaining a specified age or surviving the testator, non-compliance with such condition does not prevent the operation of the section.

The general rule observed in the Wills Act is retained, namely, that provisions dealing with the effect of wills are capable of being negated by the testator himself in his will.

Mr. Dean.—I should add to the memorandum that it is not usually necessary to invoke section 31 in its old form—nor will it be necessary under the proposed amendment—in the case of a testator with considerable estate who goes to the trouble of consulting an experienced solicitor, who draws up a will dealing with all eventualities. On the other hand, there is the case of the man who has a small estate and who does not consult a solicitor. He may get a bank manager or some other non-legal person to draw a will in a simple form, and so falls into the traps. The amending Bill is designed to ensure a more equitable distribution of property.

(*Reads clause 2 of the Bill.*)

I am afraid that the language is somewhat technical, but I hope the general purpose is apparent, and I commend the Bill to members of the Committee on behalf of the Chief Justice's Committee on Law Reform as a measure that will reform the law, if not in a vital at least in an important respect, and in a manner that will be in the interests of people in future.

The Chairman.—On behalf of the Committee, I express to you, Mr. Dean, our very sincere appreciation of the work you personally as well as the other members of the Chief Justice's Committee have done on the Bill. I join earnestly with you in paying my tribute to that fine old gentleman, Mr. Piesse. Having had the pleasure of working on the Legal Committee of the Law Institute with Mr. Piesse, I had a unique opportunity of appreciating the magnificent services he rendered to his profession. I know of no man in my branch of the profession who did more to advance law reform more thoroughly than he did. Therefore I sincerely join in the appropriate tribute paid to the memory of a fine member of the legal profession.

We are grateful to you, Mr. Dean, for the submission of a memorandum which is very lucid and clear. This is not a Bill that is free from difficulties. I had difficulty in understanding it myself at the first reading, but I think the memorandum will be of great advantage to me and will be the basis of the observations that I shall make on the re-submission of the measure. I invite Mr. Garran to submit any observations he desires to make on the Bill.

Mr. Garran.—I have had the advantage of being engaged on this Bill as a member of the Parliamentary Draftsman's staff. It is a most complicated subject, but the object of the Bill, so far as its policy is concerned, and so far as a draftsman is allowed to speak on policy, is a definite improvement on the existing law. The matters I should like to mention affect drafting. The Bill first came to the office in the form in which it is now before this Committee. I set out to draft it in another form, but the drafting committee preferred its own proposals. I should like to say that the late Mr. Piesse, who led the drafting side of the special committee, was always regarded as an outstanding man among draftsmen. There are three items I should like to bring before this Committee. They are embodied in my original draft of the Bill to which I have referred. The first arises at the bottom of the first page of the Bill, where clause 2 states that the new section 31 shall apply *inter alia*—

(a) where a testator who dies on or after the commencement of the Wills (Amendment) Act 1947 devises, bequeaths, or in the exercise of any general power of appointment by his will appoints, any real or personal property to or in favour of any issue of his (whether individually or as a member of a class) for some estate or interest not determinable at or before the death of such issue;

I am a little worried as to the interim period so far as relates to a testator who dies just before the new

Act comes into operation, but whose estate is not fully administered before the Act commences to operate. It is possible that paragraph (c) of sub-section (2) of section 6 of the Acts Interpretation Act 1928 would allow the previous section 31 of the Wills Act to run in such a case. Personally I doubt it. I prefer to take out of paragraph (a) of sub-section (1) of the proposed new section 31 the words "who dies on or after the commencement of the Wills (Amendment) Act 1947" and insert a substantive provision to the same effect at the end of the Bill. In that way we should make sure that there is no hiatus in the case of any testator who happened to die before the new Act became operative and whose estate had not been administered fully before the Act came into operation. Perhaps Mr. Dean may allay fears on that point.

The Chairman.—Does Mr. Dean desire to make any observations on that point?

Mr. Dean.—I do not recall the matter coming before the drafting committee meeting at which I was present. I would have thought that it is adequately covered by the Acts Interpretation Act. It is only a short interval of time and is only a minor point, but if Mr. Garran regards it as necessary I should be disposed to say "put it in."

Mr. Bailey.—Does the Bill mean that the next of kin will participate exactly the same as if the legatee had lived?

Mr. Dean.—Suppose "A" is the testator and leaves property to his sons "B" and "C." If, before he dies, "B" dies and leaves a child, as the law stands "B's" share would not go to "B's" child but to "B's" estate. In that event, the creditors might receive it, or "B" might have left it to his mistress or his widow. This provision is to make sure that the child will receive the bequest. The children would not come into the picture unless the deceased son had left children. It is not right to give the creditors a share merely because the testator's son left children. I do not feel that the point mentioned by Mr. Garran is real. It will not affect the principles of the Bill in the slightest.

Mr. McDonald.—The point mentioned by Mr. Garran is the only one that perturbed me, and I agree with Mr. Garran about it. I do not know whether, in fact, it will make a difference, but I should be happier with Mr. Garran's proposal.

Mr. Dean.—If the point is likely to cause any difficulty, why leave it open?

Mr. Garran.—The second point I wish to raise is in paragraph (b) of sub-section (3) of proposed new section 31. That paragraph reads—

(b) this section shall apply when at the time of his death the only contingency still unfulfilled by the deceased issue as a condition of attaining a vested interest was that of surviving the testator or of attaining a specified age.

I understand it is the intention of the Bill that if both those contingencies are unfulfilled the section shall still apply. Therefore I suggest that the words "that of surviving the testator or of attaining a specified age" should be omitted and the words "either or both of the following, namely, surviving the testator or attaining a specified age" be substituted.

The Chairman.—I agree with Mr. Garran.

Mr. Garran.—My third point has no real effect but is merely a question of nicety. Sub-section (1) of proposed new section 31 states that "this section shall apply." Sub-section (2) is the substantive provision. Paragraph (a) of sub-section (3) states "this section shall not apply"; paragraph (b), "this section shall apply"; and sub-section (4), "this section shall not apply." A consideration of the matter led me

to make my original draft in which I started with the substantive provision, and set out next the circumstances in which it shall apply, and then those in which it shall not apply.

Mr. Fraser.—I agree with Mr. Garran.

Mr. Dean.—The Bill lacks nothing in clarity because of the way it is worded.

Mr. Garran.—From the lawyer's point of view, Mr. Piesse was probably right, but from a layman's point of view—I do not know whether I am a lawyer or a layman—I find my wording easier. I do not press the point.

Mr. Dean.—Our drafting committee does not desire to enter into competition with the Parliamentary Draftsman.

Mr. Oldham.—As far back as 1937, Mr. Piesse advocated the desirability of amendments of this legislation, which were merely some of the many law reforms that he proposed. Then the war intervened. There is no doubt that solicitors regarded Mr. Piesse as a great law reformer, and I feel certain that barristers will agree with that contention. He stressed the need for many reforms. The Bill will be submitted to Parliament substantially in the form in which his drafting committee approved it, and it is largely the outcome of the work of Mr. Piesse. A reference to that fact, I submit, would be appropriate. Probably the greatest compliment we can pay a member of our profession is to associate his name with an amendment of the law, and I think it would be a fitting tribute to the memory of Mr. Piesse.

Mr. Edgar.—I suggest that a tribute to the work of Mr. Piesse should be conveyed from this Committee to his relatives.

Mr. Oldham.—I know that the general body of the legal profession would be pleased if a tribute were paid by this Committee to the work of Mr. Piesse. I suggest that the Attorney-General, when submitting the recommendations of this Committee to Parliament might announce that we had felt it appropriate to link with the Bill the name of Mr. Piesse.

The Chairman.—I shall be happy to make that statement. Also, as it is the wish of the Committee, a letter of appreciation for the work performed by the late Mr. Piesse in the matter of law reform will be sent to his widow.

The Chairman.—I suggest that Mr. Dean might consider the draft Bill prepared by Mr. Garran while the Committee considers the Statute Law Revision Bill.

Mr. Garran.—At present the Statute Law Revision Bill is before the Legislative Council. It follows the form of previous Bills passed from time to time—I think the last was in 1940—to amend minor errors, consisting mainly of clerical errors, drafting errors, or consequential amendments. The usual explanatory memorandum has been circulated. I shall deal with one or two amendments which might appear on their face to be more than mechanical amendments.

The first deals with the amendment of the Marine Act. Under that Act, as in force in 1890, tonnage duty was chargeable on all ships entering Port Phillip Bay, whether foreign or otherwise. Under a re-arrangement of the Act in the 1915 Consolidation—which was persisted in in the 1928 Consolidation—the relevant sections were put in a Part of the Act which was expressed not to apply to foreign ships, so that strictly since 1915 foreign ships entering Port

Phillip are not liable to pay tonnage duty. In fact, they have paid it and the administration has continued unchanged, despite the consolidation. This was recently discovered, and the intention now is to put the law back into the position in which it previously stood, having been altered only by a slight oversight in the Consolidation of 1915 by Mr. Justice Cussen.

The next matter I shall refer to is the Settled Land Act. This amendment arises out of an alteration in the law in the 1928 Consolidation relating to the powers of the tenant for life. The anomaly was referred for clarification to the Chief Justice's Committee on Law Reform and on its suggestion the amendment has been incorporated in the Bill. It seems to be a correct amendment. It is not an alteration of the law as intended to be expressed but only of the wording. Practically all the other matters either pick up verbal amendments or make amendments consequential upon recent legislation. For example, when the name of a Board was altered, or a new Board created to take its place, and that body was referred to in some other Act, that reference might have been overlooked when the amending Act was passed. Such omissions have been corrected.

Mr. Fraser.—The only reason why I wished this Bill to be considered by the Committee was that for some reason for many years such Bills were not referred to the Statute Law Revision Committee. When I was introducing the Bill in the Legislative Council I noted that the Marine Act and the Settled Lands Act were referred to, and I was not disposed to advise the House that the Bill merely provided for a correction of verbal errors or anything else. One provision does make an alteration in the law, and I thought it was too great a responsibility to take without referring the matter to this Committee.

Mr. Dean.—I have perused Mr. Garran's draft of the Wills Bill, and I think it has at least equal felicity with the views of the Committee of the Chief Justice. In this matter I think that Committee can safely bow to the experience of the Parliamentary Draftsman.

Mr. Field.—During the course of the Committee's deliberations, complimentary references have been made to the work of the late Mr. Piesse. The Committee has had before it to-night two drafts of the Wills Bill in which Mr. Dean and Mr. Garran have been concerned. There is not much to choose between the drafts. I am sure that when the Bill becomes law it will be known in the legal profession as the "Piesse Act."

The Chairman.—I should like to see the name of Mr. Piesse associated for all time with one of his major works. He was actively concerned with the Trustee Act and the Transfer of Land Act.

Mr. Dean.—Mr. Piesse was chairman of the drafting sub-committee of the Chief Justice's Committee, and undoubtedly the major part of the work was done by him. We all discussed his proposals; some of his ideas were accepted, and some rejected, but 95 per cent. of the Wills Act and the Trustee Act are his work.

The Chairman expressed the thanks of the Committee to Mr. Dean and Mr. Garran for the specialized and concentrated work they had done and the valuable assistance they had rendered on the two subject matters before the Committee.

Mr. Dean and Mr. Garran withdrew and the Committee deliberated.

The Committee adjourned.

1946
—
VICTORIA.

MINUTES OF THE PROCEEDINGS
OF THE
JOINT SITTING
OF THE
HOUSES OF PARLIAMENT OF THE STATE OF VICTORIA
TO CHOOSE A PERSON
TO
HOLD THE PLACE IN THE SENATE
RENDERED VACANT BY THE
DEATH OF SENATOR THE HONORABLE RICHARD
VALENTINE KEANE.

15TH MAY, 1946.

Held in accordance with the provisions of Section 15 of the Commonwealth of Australia Constitution Act.

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

HELD IN THE

LEGISLATIVE ASSEMBLY CHAMBER.

WEDNESDAY, 15TH MAY, 1946.

The Members of the Legislative Council and the Members of the Legislative Assembly having, pursuant to resolutions of the two Houses, assembled in the Legislative Assembly Chamber :—

1. **ELECTION OF PRESIDENT.**—The Honorable Sir George Knox, Speaker of the Legislative Assembly, rose and moved—That the Honorable Sir Clifden Eager, President of the Legislative Council, be appointed President of this Joint Sitting, which motion, being seconded by the Premier, the Honorable John Cain, M.L.A., was resolved in the affirmative.

The Honorable Sir Clifden Eager, having expressed his acknowledgments for the honour conferred upon him by the Joint Sitting, then took the Chair.

2. **RULES OF PROCEDURE.**—The Premier, the Honorable John Cain, M.L.A., submitted the following rules of procedure for the consideration of Honorable Members, and moved that they be adopted as the rules of procedure of this Joint Sitting :—

1. On any debate arising the same shall be conducted according to parliamentary usage.

2. A Member, addressing himself to the President, shall propose a person to hold the vacant place in the Senate, and such proposal shall be duly seconded. When any person is so proposed his proposer shall state to the Members present that such person is willing to hold the vacant place if chosen.

3. If only one person be proposed and seconded, the President shall declare—“ That has been chosen to hold the place in the Senate rendered vacant by the death of Senator the Honorable Richard Valentine Keane.”

4. If more than one person be proposed and seconded, the person to hold the vacant place shall, subject to the following rules, be chosen by ballot.

5. Before giving directions to proceed with the ballot, the President shall ask if any Member desires to propose any other person to hold the vacant place, and no other person being proposed, the ballot shall be proceeded with, after which no person shall be proposed.

6. Each Member present shall be provided with a ballot-paper initialed by the Clerks of the two Houses, and shall write thereon the name of one of the persons duly proposed, and shall place his ballot-paper in the ballot-box.

7. If two or more persons be proposed and seconded, the proposer of each of such persons shall name some Member present to be a scrutineer. The scrutineers, with the Clerks of the two Houses, shall retire and ascertain the number of votes for each person ; and the scrutineers shall make a written report of the result to the President showing the number of votes for each person.

8. No informal vote shall be taken into account.

9. If on the first ballot no person shall have received an absolute majority of the votes polled, a second ballot shall be taken, and the name of the person who shall have received the fewest votes at the first ballot shall be excluded ; but if at the first ballot the names of only two persons be submitted and the number of votes for such persons be equal, the scrutineers shall by drawing lots determine which of such persons shall be chosen to hold the vacant place, and the person whose name shall be first drawn shall be deemed to have been duly chosen.

10. Until one of the persons proposed obtains an absolute majority of the votes polled, or (as the case may be) is chosen by lot to hold the vacant place, successive ballots shall be taken, and at each such ballot the name of the person who shall have received the fewest votes at the preceding ballot shall be excluded.

11. If on any ballot it shall be necessary to decide between two or more persons as to which one is to be excluded from a subsequent ballot through the number of votes for such persons being equal, a special ballot shall be taken at which the names of only those persons shall be submitted, and the name of the person having the fewest votes at such special ballot shall be excluded; but if on any special ballot it shall be necessary to decide between two or more persons as to which one is to be excluded from a subsequent ballot through the number of votes for such persons being equal, the scrutineers by drawing lots shall determine which one of such persons shall be excluded, and the name of the person last drawn shall be excluded.

12. If at any ballot, other than the first ballot or a special ballot hereinbefore provided for, the names of only two persons be submitted and the number of votes for such persons be equal, the scrutineers shall by drawing lots determine which of those persons shall be chosen to hold the vacant place, and the person whose name shall be first drawn shall be deemed to have been duly chosen.

13. As soon as any person obtains an absolute majority of the votes polled, or (as the case may be) is chosen by lot to hold the vacant place, the President shall declare—"That has been chosen to hold the place in the Senate rendered vacant by the death of Senator the Honorable Richard Valentine Keane."

14. The President shall in all cases be entitled to a vote.

15. The records of the proceedings and the ballot-papers shall be retained by the Clerk of the Parliaments of the State of Victoria, who shall be the custodian thereof, and shall keep the ballot-papers safely for one year and thereafter destroy them.

Question—put and resolved in the affirmative.

3. PERSONS PROPOSED TO HOLD THE VACANT PLACE IN THE SENATE.—The President announced that, the rules having been adopted, he was now prepared to receive proposals from Honorable Members of persons to hold the place in the Senate rendered vacant by the death of Senator the Honorable Richard Valentine Keane.

The Premier, the Honorable John Cain, M.L.A., proposed Albion Hendrickson, Esquire, as the person to hold the vacant place, and stated that such person was willing to hold the vacant place, if chosen, and named the Honorable P. J. Kennelly, M.L.C., to be a scrutineer, which proposal was seconded by the Honorable Francis Field, M.L.A.

The Honorable J. G. B. McDonald, M.L.A., proposed Alexander John Fraser, Esquire, as the person to hold the vacant place, and stated that such person was willing to hold the vacant place, if chosen, and named the Honorable H. J. T. Hyland, M.L.A., to be a scrutineer, which proposal was seconded by the Honorable T. T. Hollway, M.L.A.

4. BALLOT.—The President having asked if any Honorable Member desired to propose any other person to hold the vacant place, and no other person being proposed, the President directed that the ballot be proceeded with, the names of the persons proposed, in the order in which they were proposed, being:—

HENDRICKSON, ALBION.
FRASER, ALEXANDER JOHN.

Ballot-papers, duly initialed by the Clerks of the two Houses, were issued to Honorable Members, and such ballot-papers when filled in were deposited in the ballot-box.

At the conclusion of the ballot the scrutineers, with the Clerks of the two Houses, made a scrutiny of the votes received by each person, and the written report of the scrutineers was handed to the President.

5. RESULT OF BALLOT.—The President announced that the scrutineers had reported that at the ballot 95 votes were recorded by the Honorable Members present, and that the result of the ballot was as follows:—

Alexander John Fraser	53 votes
Albion Hendrickson	42 votes

The President thereupon declared that Alexander John Fraser, Esquire, having obtained an absolute majority of the votes polled, had been chosen to hold the place in the Senate rendered vacant by the death of Senator the Honorable Richard Valentine Keane.

6. NOTIFICATION TO HIS EXCELLENCY THE GOVERNOR.—The Premier, the Honorable John Cain, M.L.A., moved—That the President inform His Excellency the Governor that Alexander John Fraser, Esquire, has been chosen to hold the place in the Senate rendered vacant by the death of Senator the Honorable Richard Valentine Keane.

Question—put and resolved in the affirmative.

7. VOTE OF THANKS TO THE PRESIDENT.—The Premier, the Honorable John Cain, M.L.A., moved a vote of thanks to the President, which motion was seconded by the Honorable J. G. B. McDonald, M.L.A., and carried unanimously.

The President, having returned thanks, declared the Joint Sitting closed.

P. T. POOK,

Clerk of the Parliaments and Clerk of the Legislative Council.

F. E. WANKE,

Clerk of the Legislative Assembly.

VICTORIA.



MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

SESSION 1947.

By Authority:

J. J. GOURLEY, GOVERNMENT PRINTER, MELBOURNE.

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MEMBERS OF THE LEGISLATIVE COUNCIL

DURING THE PERIOD FROM 6TH AUGUST, 1947, TO 9TH OCTOBER, 1947.

Name of Province and Member.	Date Appointed for taking Poll at Election.	Date of Retirement by effluxion of time.	Number of Electors enrolled. Remarks.
METROPOLITAN PROVINCES.			
DOUTTA GALLA :			
The Honorables—			\$42,860 Electors { Males, 29,006 Females, 13,854
Percy James Clarey ..	*12 June, 1943	11 June, 1949	Re-elected after retirement by effluxion of time.
Paul Jones ..	15 June, 1946	14 June, 1952	Re-elected after retirement by effluxion of time.
EAST YARRA :			
The Honorables—			\$45,265 Electors { Males, 30,221 Females, 15,044
William Haslam Edgar ..	*12 June, 1943	11 June, 1949	Re-elected after retirement by effluxion of time.
Sir Clifden Henry Andrews Eager, K.C.	15 June, 1946	14 June, 1952	Re-elected after retirement by effluxion of time.
HIGINBOTHAM :			
The Honorables—			\$40,565 Electors { Males, 26,904 Females, 13,661
James Arthur Kennedy ..	*12 June, 1943	11 June, 1949	Re-elected after retirement by effluxion of time.
Arthur George Warner ..	15 June, 1946	14 June, 1952	Elected in place of Hon. J. S. Disney who retired by effluxion of time.
MELBOURNE :			
The Honorables—			\$37,118 Electors { Males, 24,378 Females, 12,740
Daniel Laurence McNamara ..	*12 June, 1943	11 June, 1949	Re-elected after retirement by effluxion of time.
William James Beckett ..	†15 June, 1946	14 June, 1952	Re-elected after retirement by effluxion of time.
MELBOURNE NORTH :			
The Honorables—			\$48,194 Electors { Males, 34,116 Females, 14,078
Likely Herman McBrien ..	12 June, 1943	11 June, 1949	Elected in place of Hon. Sir Herbert Olney who retired by effluxion of time.
Archibald McDonald Fraser ..	15 June, 1946	14 June, 1952	Re-elected after retirement by effluxion of time.
MELBOURNE WEST :			
The Honorables—			\$38,260 Electors { Males, 26,444 Females, 11,816
Patrick Leslie Coleman ..	23 Oct., 1943	11 June, 1949	Elected in place of Hon. J. H. Disney, deceased.
Patrick John Kennelly ..	15 June, 1946	14 June, 1952	Re-elected after retirement by effluxion of time.
MONASH :			
The Honorables—			\$44,427 Electors { Males, 27,484 Females, 16,943
Sir Francis Grenville Clarke, K.B.E.	*12 June, 1943	11 June, 1949	Re-elected after retirement by effluxion of time.
Sir Francis Joseph Edmund Beaurepaire	15 June, 1946	14 June, 1952	Re-elected after retirement by effluxion of time.
COUNTRY PROVINCES.			
BALLAARAT :			
The Honorables—			\$21,540 Electors { Males, 14,797 Females, 6,743
Alfred James Pittard, C.B.E.	*12 June, 1943	11 June, 1949	Re-elected after retirement by effluxion of time.
James Frederick Kittson ..	15 June, 1946	14 June, 1952	Elected in place of Hon. G. Bolster who retired by effluxion of time.
BENDIGO :			
The Honorables—			\$22,751 Electors { Males, 14,617 Females, 8,134
John Herman Lienhop ..	*12 June, 1943	11 June, 1949	Re-elected after retirement by effluxion of time.
Colonel George Victor Lansell, C.M.G., V.D.	†15 June, 1946	14 June, 1952	Re-elected after retirement by effluxion of time.
GIPPSLAND :			
The Honorables—			\$20,933 Electors { Males, 15,766 Females, 5,167
William MacAulay ..	12 June, 1943	11 June, 1949	Re-elected after retirement by effluxion of time.
Trevor Harvey ..	†15 June, 1946	14 June, 1952	Re-elected after retirement by effluxion of time.

* Member declared elected on Nomination Day, 21 May, 1943.

† Member declared elected on Nomination Day, 27 May, 1946.

§ Number enrolled for the 1946 Periodical Election.

MEMBERS OF THE LEGISLATIVE COUNCIL OF VICTORIA—*continued.*

Name of Province and Member.	Date Appointed for taking Poll at Election.	Date of Retirement by effluxion of time.	Number of Electors enrolled. Remarks.
COUNTRY PROVINCES— <i>continued.</i>			
NORTHERN :			
The Honorables—			
George Joseph Tuckett ..	*12 June, 1943	11 June, 1949	§19,223 Electors { Males, 14,005 Females, 5,218 Re-elected after retirement by effluxion of time. Elected in place of Hon. R. Kilpatrick who retired by effluxion of time.
Dudley Joseph Walters ..	15 June, 1946	14 June, 1952	
NORTH-EASTERN :			
The Honorables—			
Percival Pennell Inchbold ..	*12 June, 1943	11 June, 1949	§17,360 Electors { Males, 12,627 Females, 4,733 Re-elected after retirement by effluxion of time. Elected in place of Hon. Sir John Harris, K.B.E. who retired by effluxion of time.
Ivan Archie Swinburne ..	15 June, 1946	14 June, 1952	
NORTH-WESTERN :			
The Honorables—			
Sir George Louis Goudie ..	*12 June, 1943	11 June, 1949	§18,292 Electors { Males, 13,222 Females, 5,070 Re-elected after retirement by effluxion of time. Re-elected after retirement by effluxion of time.
Percy Thomas Byrnes ..	†15 June, 1946	14 June, 1952	
SOUTHERN :			
The Honorables—			
Gilbert Lawrence Chandler ..	*12 June, 1943	11 June, 1949	§28,000 Electors { Males, 19,662 Females, 8,338 Re-elected after retirement by effluxion of time. Re-elected after retirement by effluxion of time.
Sir William Charles Angliss ..	15 June, 1946	14 June, 1952	
SOUTH-EASTERN :			
The Honorables—			
Charles Percival Gartside ..	12 June, 1943	11 June, 1949	§27,748 Electors { Males, 18,583 Females, 9,165 Re-elected after retirement by effluxion of time. Re-elected after retirement by effluxion of time.
Cyril Everett Isaac ..	15 June, 1946	14 June, 1952	
SOUTH-WESTERN :			
The Honorables—			
Gordon Stewart McArthur ..	*12 June, 1943	11 June, 1949	§24,718 Electors { Males, 17,768 Females, 6,950 Re-elected after retirement by effluxion of time. Re-elected after retirement by effluxion of time.
Allan Elliott McDonald ..	†15 June, 1946	14 June, 1952	
WESTERN :			
The Honorables—			
Hugh Vernon MacLeod ..	30 Nov., 1946	11 June, 1949	¶20,935 Electors { Males, 15,350 Females, 5,585 Elected in place of Hon. L. R. Rodda who resigned on 16 August, 1946, under Act No. 3660 s. 196. Re-elected after retirement by effluxion of time.
Robert Chisholm Rankin ..	15 June, 1946	14 June, 1952	
			††Total No. of Electors, 518,189 { Males, 354,950 Females, 163,239

* Member declared elected on Nomination Day, 21 May, 1943.

† Member declared elected on Nomination Day, 27 May, 1946.

§ Number enrolled for the 1946 Periodical Election.

¶ Number enrolled for the 1946 By-election.

†† Total includes 5,691 Electors on General Rolls—2,992 males and 2,699 females.

Legislative Council,

Melbourne, 9th October, 1947.

LEGISLATIVE COUNCIL OF VICTORIA.

NAMES AND ADDRESSES OF MEMBERS.

No.	Member.	Province.	Town Address.	Private Address and Telephone Number.
1	Angliss, The Honorable Sir William ..	Southern ..	524 Collins-street. C.1 (MU 6237)	48 Harcourt-street, Auburn, E.3 (Hawthorn 622)
2	Beaurepaire, The Honorable Sir Frank	Monash ..	102 Victoria-street, N.3 (FJ 1631)	2 Fordholm-road, Hawthorn, E.2 (Hawthorn 1513)
3	Beckett, The Honorable William James	Melbourne ..	Parliament House. C.1 ..	"Aloha," 8 Shakespeare-grove, St. Kilda, S.2 (LA 3353)
4	Byrnes, The Honorable Percy Thomas	North-Western ..	Parliament House. C.1 ..	Woorinen (Woorinen 47)
5	Chandler, The Honorable Gilbert Lawrence	Southern ..	Parliament House. C.1 ..	"Boronia House," Boronia (Bayswater 3)
6	Clarey, The Honorable Percy James, <i>Minister of Labour and Minister of Employment</i>	Doutta Galla ..	Old Treasury Building, and 636 Bourke-street. C.1	692 Inkerman-road. Caulfield, S.E.7 (U 3936)
7	Clarke, The Honorable Sir Frank, K.B.E.	Monash ..	Parliament House. C.1 ..	11 Marne-street, South Yarra, S.E.1 (Windsor 5684)
8	Coleman, The Honorable Patrick Leslie, <i>Minister without portfolio</i>	Melbourne West	Public Offices, C.2 ..	19 Queen's-road, Melbourne, S.C.2 (Windsor, 2423)
9	Eager, The Honorable Sir Clifden, K.C., <i>President</i>	East Yarra ..	Selborne Chambers, Chan- cery-lane, C.1 (MU 7644)	4A Myoora-road, Toorak, S.E.2 (UY 6251)
10	Edgar, The Honorable William Haslam	East Yarra ..	Parliament House. C.1 ..	3A Queen's-road, Melbourne, S.C.2 (Windsor 2095)
11	Fraser, The Honorable Archibald McDonald, <i>Minister without portfolio</i>	Melbourne North	Selborne Chambers, Chan- cery-lane. C.1 (MU 9331)	32 Portland-place, South Yarra, S.E.1 (BJ 4880)
12	Gartside, The Honorable Charles Percival	South-Eastern ..	Parliament House. C.1 ..	Centre Dandenong-road, Dingley (UM 9472)
13	Goudie, The Honorable Sir George	North-Western..	Parliament House. C.1 ..	49 Elizabeth-street, Elsternwick, S.4 (LF 5545)
14	Harvey, The Honorable Trevor ..	Gippsland ..	Parliament House. C.1 ..	"Jerseyholm," Boisdale (Bois- dale 26)
15	Inchbold, The Honorable Percival Pennell, <i>Chairman of Committees</i>	North-Eastern ..	Parliament House. C.1 ..	18 Docker-street, Wangaratta (Wangaratta 225)
16	Isaac, The Honorable Cyril Everett ..	South-Eastern ..	Parliament House. C.1 ..	Stud-road, Dandenong
17	Jones, The Honorable Paul ..	Doutta Galla ..	Parliament House. C.1 ..	76 Grosvenor-street, St. Kilda, S.2 (LF 6255)
18	Kennedy, The Honorable James Arthur	Higinbotham ..	341 Collins-street. C.1 (MU 3651)	28 Cosham-street, Brighton, S.5 (XB 4323)
19	Kennelly, The Honorable Patrick John <i>Commissioner of Public Works and Minister in Charge of Electrical Under- takings</i>	Melbourne West	Public Offices, C.2, and Trades Hall, Lygon- street, C.1 (FJ 3556)	164 Nelson-road, South Melbourne, S.C.5 (MX 2458)
20	Kittson, The Honorable James Frederick	Ballaarat ..	Parliament House. C.1 ..	7 Burnbank-street, Ballarat (Ballarat 1372)
21	Lansell, Colonel the Honorable George Victor, C.M.G., V.D.	Bendigo ..	Parliament House. C.1 ..	"Denderah," View Hill, Bendigo (Bendigo 1 and 413)
22	Lienhop, The Honorable John Herman	Bendigo ..	Parliament House. C.1 ..	296 Williamson-street, Bendigo (Bendigo 636 and 637)
23	McArthur, The Honorable Gordon Stewart	South-Western..	Parliament House. C.1 ..	"Meningoort," Camperdown (Camperdown 34D)
24	MacAulay, The Honorable William ..	Gippsland ..	Parliament House. C.1 ..	"Albert Valley," Gelliondale (Jack River 29)
25	McBrien, The Honorable Likely Herman	Melbourne North	4 Collins-street, C.1 (Central 6196)	31 Spring-street, Melbourne, C.1 (Central 4200)
26	McDonald, The Honorable Allan Elliott	South-Western..	Parliament House. C.1 ..	53 Yarra-street, Geelong (Geelong 5218)
27	MacLeod, The Honorable Hugh Vernon	Western ..	Parliament House. C.1 ..	76 Gawler-street, Portland (Port- land 126)
28	McNamara, The Honorable Daniel Laurence	Melbourne ..	Parliament House, C.1 ..	"Iona," 24 Talbot-avenue, East St. Kilda, S.2 (LF 5748)
29	Pittard, The Honorable Alfred James, C.B.E.	Ballaarat ..	Parliament House. C.1 ..	11 Hamilton-avenue, Ballarat (Ballarat 1714)
30	Rankin, The Honorable Robert Chisholm	Western ..	Parliament House. C.1 ..	"Kalimna Park," Horsham (Horsham 403)
31	Swinburne, The Honorable Ivan Archie	North-Eastern ..	Parliament House, C.1 ..	Buffalo River South, via Myrtle- ford (Buffalo River South 7)
32	Tuckett, The Honorable George Joseph	Northern ..	Parliament House. C.1 ..	"Theddingworth," Nathalia (Nathalia 107)
33	Walters, The Honorable Dudley Joseph	Northern ..	Parliament House. C.1 ..	Murrabit (Murrabit 20 and 26)
34	Warner, The Honorable Arthur George	Higinbotham ..	126 Grant-street, South Mel- bourne, S.C.4 (MXY 220)	2 Dudley-street, Brighton, S.5 (XB 3652)

OFFICERS.

<i>The President</i>	The Honorable SIR CLIFDEN EAGER, K.C.	} Parliament House. C.1 (Telephone F 0234)	(See above)
<i>The Chairman of Committees</i>	The Honorable PERCIVAL PENNELL INCHBOLD		
<i>The Clerk of the Legislative Council</i>	HUGH BLAIR JAMESON, Esquire, J.P.	Parliament House. C.1 ..	163 Glen Iris-road, Glen Iris. S.E.6 (WM 4046)
<i>The Clerk-Assistant</i>	ROY STANLEY SARAH, Esquire ..	Parliament House. C.1 ..	4 Albert-street. East Malvern, S.E.5. (UL 1608)
<i>The Usher</i>	VINCENT ANTHONY LYONS, Esquire A.I.C.A., L.C.A.	Parliament House, C.1 ..	39 Thomas-street, Hampton, S.7 (XW 2393)

NOTE.—Honorable Members are requested to notify any Change of Address to the Usher of the Legislative Council.
Melbourne, 9th October, 1947.

PARLIAMENT OF VICTORIA.

MEMBERS OF THE LEGISLATIVE COUNCIL.

No.	Member.	Province.	Date of Polling Day at First Election.
1	*EDGAR, Hon. W. H. (a)	East Yarra	1 June, 1904†§
2	ANGLISS, Hon. Sir William	Southern	21 June, 1912
3	*CLARKE, Hon. Sir Frank, K.B.E. (b)	Monash	6 June, 1913§
4	*BECKETT, Hon. W. J., <i>Unofficial Leader</i> (c)	Melbourne	18 Sept., 1914†
5	*McNAMARA, Hon. D. L. (d)	Melbourne	18 May, 1917¶
6	*GOUDIE, Hon. Sir George (e)	North-Western	5 June, 1919§¶
7	*TUCKETT, Hon. G. J. (f)	Northern	4 June, 1925§
8	LANSSELL, Colonel the Hon. G. V., C.M.G., V.D.	Bendigo	2 June, 1928§
9	*EAGER, Hon. Sir Clifden, K.C., <i>President</i> (g)	East Yarra	8 Feb., 1930
10	McARTHUR, Hon. G. S.	South-Western	} 6 June, 1931§
11	PITTARD, Hon. A. J., C.B.E.	Ballaarat	
12	*CHANDLER, Hon. G. L. (h)	Southern	30 Mar., 1935
13	INCHBOLD, Hon. P. P., <i>Chairman of Committees</i> (i)	North-Eastern	13 Apr., 1935
14	*CLAREY, Hon. P. J. (j)	Doutta Galla	} 12 June, 1937§¶
15	GARTSIDE, Hon. C. P.	South-Eastern	
16	*KENNEDY, Hon. J. A. (k)	Higinbotham	} 12 June, 1937§
17	*LIENHOP, Hon. J. H. (l)	Bendigo	
18	MACAULAY, Hon. W.	Gippsland	} 28 May, 1938¶
19	*KENNELLY, Hon. P. J. (m)	Melbourne West	
20	*JONES, Hon. Paul (n)	Doutta Galla	10 Sept., 1938
21	*FRASER, Hon. A. McD. (o)	Melbourne North	} 15 June, 1940§
22	ISAAC, Hon. C. E.	South-Eastern	
23	McDONALD, Hon. A. E.	South-Western	} 13 June, 1942¶
24	RANKIN, Hon. R. C.	Western	
25	BYRNES, Hon. P. T.	North-Western	18 July, 1942†
26	BEAUREPAIRE, Hon. Sir Frank	Monash	12 June, 1943§
27	*McBRIEN, Hon. L. H. (p)	Melbourne North	} 23 Oct., 1943
28	*COLEMAN, Hon. P. L. (q)	Melbourne West	
29	HARVEY, Hon. T.	Gippsland	} 15 June, 1946§
30	KITSON, Hon. J. F.	Ballaarat	
31	SWINBURNE, Hon. I. A.	North-Eastern	} 30 Nov., 1946
32	WALTERS, Hon. D. J.	Northern	
33	WARNER, Hon. A. G.	Higinbotham	
34	MACLEOD, Hon. H. V.	Western	

* Executive Councillor. —† Service not continuous. —§ General or Periodical Election. —¶ Declared elected on Nomination Day.

- (a) Hon. W. H. Edgar represented Melbourne West Province 1 June, 1904, to 5 June, 1913; first elected for East Yarra Province 5 July, 1917; was Honorary Minister 1 June, 1909, to 27 Feb., 1912, and Minister of Public Health and Commissioner of Public Works 27 Feb., 1912, to 21 June, 1913; Chairman of Committees 4 July, 1922, to 28 June, 1943.
- (b) Hon. Sir Frank Clarke represented Northern Province 6 June, 1913, to 4 June, 1925; first elected for Melbourne South Province 4 June, 1925; was Commissioner of Crown Lands and Survey 29 Nov., 1917, to 21 Oct., 1919; Minister of Water Supply 29 Nov., 1917, to 22 Feb., 1921; Commissioner of Public Works 21 Oct., 1919, to 29 Aug., 1923; President 29 Aug., 1923, to 28 June, 1943.
- (c) Hon. W. J. Beckett represented Melbourne North Province 18 Sept., 1914, to 3 June, 1931; elected for Melbourne East Province 9 June, 1934; was Honorary Minister 18 July to 18 Nov., 1924; Minister of Forests and Minister of Public Health 20 May, 1927, to 22 Nov., 1928, and 12 Dec., 1929, to 24 June, 1931; Unofficial Leader 29 June, 1943, to date.
- (d) Hon. D. L. McNamara was Minister of Mines and Minister of Forests 18 July to 18 Nov., 1924; Honorary Minister 24 June, 1931, to 19 May, 1932; Commissioner of Crown Lands and Survey, Minister of Forests, and Minister of Water Supply 14 to 18 Sept., 1943.
- (e) Hon. Sir George Goudie was Commissioner of Public Works and Minister of Mines 7 Sept., 1923, to 19 March, 1924, and 18 Nov., 1924, to 20 May, 1927; Minister of Water Supply and Minister of Labour 19 May, 1932, to 25 July, 1934; Minister of Water Supply and Minister in Charge of Electrical Undertakings 25 July, 1934, to 20 March, 1935; Commissioner of Public Works and Minister in Charge of Immigration, 2 April, 1935, to 14 Sept., 1943.
- (f) Hon. G. J. Tuckett was Honorary Minister 2 April, 1935, to 7 Jan., 1942; Commissioner of Crown Lands and Survey 8 Jan., 1942, to 14 Sept., 1943; was Minister without Portfolio 18 Sept., 1943, to 2 Oct., 1945.
- (g) Hon. Sir Clifden Eager was Honorary Minister 20 March to 2 April, 1935; Unofficial Leader 19 Oct., 1937, to 28 June, 1943; elected President 29 June, 1943; re-elected 2 July, 1946.
- (h) Hon. G. L. Chandler was Minister without Portfolio 18 Sept., 1943, to 2 Oct., 1945.
- (i) Hon. P. P. Inchbold appointed Chairman of Committees 31 Aug., 1943; re-appointed 2 July, 1946.
- (j) Hon. P. J. Clarey was Minister of Labour and Minister of Public Health 14 to 18 Sept., 1943; Minister of Labour and Employment 21 Nov., 1945, to date.
- (k) Hon. J. A. Kennedy was Minister of Transport and Minister of Mines 18 Sept., 1943, to 2 Oct., 1945.
- (l) Hon. J. H. Lienhop was Honorary Minister 29 April, 1942, to 14 Sept., 1943; Commissioner of Public Works 18 Sept., 1943, to 2 Oct., 1945.
- (m) Hon. P. J. Kennelly was Honorary Minister 14 to 18 Sept., 1943; Commissioner of Public Works and Minister in Charge of Electrical Undertakings 21 Nov., 1945, to date.
- (n) Hon. Paul Jones was Honorary Minister 14 to 18 Sept., 1943.
- (o) Hon. A. M. Fraser appointed Minister without Portfolio 21 Nov., 1945.
- (p) Hon. L. H. McBrien was Commissioner of Public Works 2 Oct. to 21 Nov., 1945.
- (q) Hon. P. L. Coleman appointed Minister without Portfolio 21 Nov., 1945.

SESSION 1947.

LEGISLATIVE COUNCIL OF VICTORIA

SECOND SESSION

OF THE

THIRTY-SIXTH PARLIAMENT

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(2) Papers ordered to be printed are indicated in this index by the reference number thereof appearing in parentheses after the title, e.g., "State Savings Bank of Victoria—Statements and Returns for the year 1946-47 (No. 3)."

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SESSION 1947.

(N.B.—The paging herein referred to relates to the Minutes of the Proceedings, Session 1947.)

Consolidated Revenue Bill (No. 1)—(from Assembly—Hon. P. L. Coleman)—

Read a first time; motion, by leave—That this Bill be now read a second time—(on division), negatived, 1 Oct., 1947, pp. 15, 16.

Consolidated Revenue Bill (No. 2)—(from Assembly—Hon. P. L. Coleman)—

Passed all stages without amendment, 2 Oct., 1947, p. 17. *Assented to 7 Oct. Act No. 5227.*

Consolidated Revenue Bill (No. 3)—(from Assembly—Hon. P. L. Coleman)—

Read a first time; motion, by leave—That this Bill be now read a second time—(on division), negatived, 2 Oct., 1947, p. 17.

Consolidated Revenue Bill (No. 4)—(from Assembly—Hon. P. L. Coleman)—

Read a first time; motion, by leave—That this Bill be now read a second time—(on division), negatived, 8 Oct., 1947, p. 21.

Motion for second reading moved again, on notice, and agreed to—Bill read a second time and passed remaining stages without amendment, 8 Oct. (8.45 p.m.), p. 22. *Assented to 8 Oct. Act No. 5228.*

***Emergency Housing Accommodation (Continuation) Bill**—(Hon. A. M. Fraser)—

Initiated and read a first time; motion, by leave—That this Bill be now read a second time, debate adjourned, 2 Oct., 1947, p. 16; debate resumed; further motion—That the debate be now adjourned—(on division) agreed to; further motion—That the debate be adjourned until the next day of meeting; amendment—to omit the words “the next day of meeting” and insert the words “Tuesday next”—agreed to, 7 Oct., pp. 19–20. *Bill lapsed.*

***Factories and Shops (Bread) Bill**—(Hon. P. J. Clarey)—

Initiated and read a first time; read a second time, by leave, and passed remaining stages without amendment; concurrence of Assembly desired, 2 Oct., 1947, pp. 16, 17.

Bill not returned from Assembly.

Legislative Council (Referendum) Bill—(from Assembly—Hon. P. J. Clarey)—

Read a first time; motion, by leave—That this Bill be now read a second time; further motion—That the debate be now adjourned—(on division) agreed to; further motion—That the debate be adjourned until the next day of meeting; amendment—to omit the words “the next day of meeting” and insert the words “Tuesday, the 18th November next”—agreed to, 7 Oct., 1947, pp. 19, 20–21. *Bill lapsed.*

Referendum. See “Legislative Council (Referendum) Bill”.

***Sewerage Districts (Amendment) Bill**—(Hon. P. J. Clarey)—

Initiated and read a first time, 30 Sept., 1947, p. 11; read a second time and passed remaining stages without amendment; concurrence of Assembly desired, 1 Oct., p. 16.

Bill not returned from Assembly.

* Bill initiated in the Council.

SUMMARY OF PROCEEDINGS ON BILLS.

(SESSION 1947.)

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Lapsed [<i>Emergency Housing Accommodation (Continuation)</i>]	1
Passed the Council but not the Assembly [<i>Factories and Shops (Bread), Sewerage Districts (Amendment)</i>]	2
		<u>3</u>

BILLS BROUGHT FROM THE LEGISLATIVE ASSEMBLY—

Passed and assented to	2
Lapsed [<i>Legislative Council (Referendum)</i>]	1
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		<u>5</u>

Total number of Bills introduced in the Legislative Council during the Session	8
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1140/48.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 1.

TUESDAY, 30TH SEPTEMBER, 1947.

1. The Council met pursuant to the Proclamation of His Excellency the Governor, bearing date the first day of September, 1947, which Proclamation was read by the Clerk and is as follows:—

FURTHER PROROGUING PARLIAMENT AND FIXING THE TIME FOR HOLDING THE SECOND SESSION OF THE THIRTY-SIXTH PARLIAMENT OF VICTORIA.

PROCLAMATION.

By His Excellency the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

WHEREAS the Parliament of Victoria stands prorogued until Tuesday, the second day of September, 1947: Now I, the Governor of the State of Victoria, in the Commonwealth of Australia, do by this my Proclamation further prorogue the said Parliament of Victoria until Tuesday, the thirtieth day of September, 1947, and I do hereby fix Tuesday, the thirtieth day of September, 1947, aforesaid, at the hour of half-past Two o'clock in the afternoon, as the time for the commencement and holding of the next Session of the said Parliament of Victoria, for the despatch of business, in the Parliament Houses, situate in Spring-street, in the City of Melbourne: And the Honorable the Members of the Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this first day of September, in the year of our Lord One thousand nine hundred and forty-seven, and in the eleventh year of the reign of His Majesty King George VI.

(L.S.)

WINSTON DUGAN.

By His Excellency's Command,

JOHN CAIN,
Premier.

GOD SAVE THE KING!

2. APPROACH OF HIS EXCELLENCY THE GOVERNOR.—The approach of His Excellency the Governor was announced by the Usher.

His Excellency came into the Council Chamber, and commanded the Usher to desire the immediate attendance of the Legislative Assembly, who being come with their Speaker, His Excellency was pleased to speak as follows:—

MR. PRESIDENT AND HONORABLE MEMBERS OF THE LEGISLATIVE COUNCIL:

MR. SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

You have been summoned to meet for the consideration of public business which requires your early attention.

MR. SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

A review of the transactions in respect of Revenue and Expenditure for the last financial year indicates a satisfactory budgetary position.

A Supply Bill for the month of October will be submitted to you to-day.

Supplementary Estimates of expenditure for the financial year 1946-47, and the Estimates of Revenue and Expenditure for the financial year 1947-48, will be placed before you at an early date.

In view of substantial increases in operating expenses of the railways, a new schedule of fares and freights will be introduced to-morrow. The new schedule, which provides for an overall average increase of about fifteen per cent., has been prepared so as to spread the burden of the increases as equitably as possible, particularly in relation to the longer journeys in both the outer suburban areas and the country.

MR. PRESIDENT AND HONORABLE MEMBERS OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY :

Most primary producers in the State have had a successful season. Some of the wheat crops, however—especially in the Mallee and Goulburn Valley districts—were severely affected by dry conditions, and £175,000 was made available for grants to assist cereal growers. Viticulturists in the Swan Hill area whose vines were severely affected by frosts are being assisted with loans at a low rate of interest.

Prospects for the coming season are bright, and good Spring rains should ensure increased production of major primary products.

The need for increased production of foodstuffs to assist in feeding other peoples of the World—and particularly the people of Britain—is urgent, and the Government is concentrating on increasing the scientific and research services available to the farmers of this State.

Secondary industries are expanding rapidly. In the last two years over 800 factories have commenced operations, and the number of employees in factories has increased by more than 12,000.

The authorized capital of new companies registered in Victoria during the last financial year was £19,000,000.

The State continues to suffer from shortages of fuel supplies, particularly of New South Wales black coal. In order to further the Government's policy of relieving this State of its dependence on outside sources of fuel, it is proposed to expand the brown coal industry by establishing a new open cut and briquette factories at Morwell. The initial stages of this great project are estimated to cost between £15,000,000 and £20,000,000.

As a temporary measure, the Government arranged with the State Electricity Commission to increase the output of raw brown coal from the Yallourn North open cut.

Substantial increases in the electricity generating plant of the State Electricity Commission are necessary. The urgent need for the completion and extension of the Kiewa hydro-electric project and the enlargement of the Newport generating station is appreciated.

The installation of new generators at Yallourn and the erection of a hydro-electric station at the Hume Weir will further increase the supply of electricity.

Following strong representations by my Ministers, the Commonwealth Government undertook an investigation of proposals for utilizing the upper waters of the Snowy River. This investigation has shown the tremendous economic advantages of the Victorian proposal for the diversion of the waters to the Murray and the generation of electricity therefrom. A committee of experts, representative of the Commonwealth, New South Wales, and Victoria, is preparing a report on the proposals.

The Government appreciates the great national importance of an adequate programme of water conservation. Major works already in hand include a reservoir on the Glenelg River of 264,000 acre feet, and the Cairn Curran Dam, on the Loddon River, of 120,000 acre feet.

Investigations are proceeding into many other major water conservation projects, including a reservoir at Eildon, which, when completed, will have a capacity of over 2,000,000 acre feet.

My Advisors have given special attention to the preservation and development of forest areas which not only provide the raw materials for building, but also safeguard the water supply of the State.

Gold production for the year 1946 showed a substantial increase over that for the previous year.

Extensive gold dredging operations will shortly be begun in the Amphitheatre district, and investigations now nearing completion will, it is hoped, lead to large-scale mining operations on the Stawell goldfield.

During the war, road works were necessarily limited to routine maintenance. Major works of reconstruction are now being vigorously undertaken by the Country Roads Board and the municipalities. The Government has already approved the declaration of approximately 1,400 miles of main roads, and proposes to declare as State highways over 800 miles of existing main roads. Municipal councils will thus obtain additional assistance and relief in respect of road construction and maintenance.

Soldier settlement administration is now well advanced. Negotiations have been completed to acquire nearly 322,000 acres of land at a cost of over £3,000,000, and arrangements to purchase a number of other properties should soon be completed. In addition, considerable areas of Crown land have been set apart for settlement.

Irrigation projects are included in the soldier settlement scheme. One area, between Nathalia and Cobram, will accommodate over five hundred settlers. Another area, in the Robinvale district will provide about 2,500 acres for dried fruit and citrus holdings. A third area is proposed in the Gippsland district.

Settlers for 267 farms have already been selected, and advances totalling £2,000,000 have been approved to enable six hundred and fifty ex-Servicemen to finance the purchase of single-unit farms of their own choice.

The Government has commenced an educational campaign to combat tuberculosis. A series of health weeks has been planned first for country, and then for metropolitan, areas. X-ray equipment suitable for mobile units should soon be available. The bed establishment for tuberculosis patients will shortly be increased by more than three hundred, and in addition, a 400-bed sanatorium at Watsonia is being planned. The scheme of allowances to patients, commenced in April last, will be extended.

The Government has decided to make available as a Cancer Institute the buildings formerly occupied by the Queen Victoria Hospital, and to give considerable financial assistance towards the establishment of the Institute.

Since the beginning of 1946, the Housing Commission has completed over 2,510 new homes, and 3,445 are at present under construction.

It is the Government's policy to relate the activities of the Housing Commission to decentralization of industry. During the present year the number of houses completed outside Melbourne has almost equalled the number erected in the metropolitan area.

The Government is gratified by the enthusiasm with which regional planning has been received in Victoria. Eleven Regional Committees have been constituted and are actively engaged, in collaboration with the Central Planning Authority, in a comprehensive survey of the resources of the State. My Advisers believe that these Committees can assist materially in planning the full and proper development of our resources.

The census taken this year will probably reveal a movement of population, particularly in the metropolis. When the figures are available the Government will give consideration to the question of the revision of electoral boundaries.

Under the migration scheme, which is the subject of agreement between the Commonwealth and United Kingdom Governments, the State has responsibility for the sponsorship, reception, accommodation, and after-care of migrants.

The Government is co-operating with the Commonwealth in endeavouring to increase the flow of suitable migrants, and particularly of workers who could assist in agricultural production, the manufacture of building materials, and the development of important State and industrial projects in the country.

The Government is concerned at the large number of road accidents which occur, and will submit a comprehensive Bill relating to road safety.

A central Court for the hearing of breaches of traffic laws in the metropolis will be constituted.

Measures relating to the State Electricity Commission and the development of the brown coal resources at Morwell will be introduced.

Legislation to implement an agreement between the State and the Commonwealth in connexion with the black coal industry will be brought forward.

A Bill will be introduced to co-ordinate metropolitan motor transport.

It is proposed to bring forward a measure to constitute a Hospitals Commission.

Legislation designed to widen the franchise for the Legislative Council will be submitted.

Bills relating to the marketing of barley, potatoes, and eggs will be introduced.

Legislation will be submitted to provide for a Board of Education. A Bill will also be introduced to establish an Institute of Technology.

It is proposed to introduce legislation to amend the Land Acts, making provision for greater security of tenure, with special application to the North-West Mallee.

Amongst other measures to be considered will be Bills relating to—

- Valuation of Land ;
- River Improvement ;
- Trustees ;
- Stamps ;
- Probate ;

Cinematograph Films ;
 Workers' Compensation ;
 Firearms ;
 Farmers' Protection ;
 Sexual Offenders ;
 Cancer Institute ;
 Administration and Probate ;
 Forests (Commissioners) ;
 Forestry Paper and Pulp Industry ;
 Health (Cattle) ;
 Sewerage Districts ;
 Milk Board ;
 Building Operations and Building Materials ;
 Town and Country Planning ;
 Shearers' Hut Accommodation ; and the
 Public Trustee.

This is the last time I shall have the privilege of calling together the representatives of the people. I avail myself of the opportunity of saying farewell to you.

During my comparatively long term of office, I have visited most parts of Victoria.

I gratefully acknowledge the courtesy, and appreciate the kindness, that I have received from all sections of the people of this State.

When I return to England I shall continue to follow with special affection and interest the fortunes and affairs of a community with whom I have been happily associated for so many years.

I now leave you to your deliberations in the earnest hope that, with the blessing of Divine Providence, your work may advance the welfare of the State.

Which being concluded, a copy of the Speech was delivered to the President and a copy to Mr. Speaker, and His Excellency the Governor left the Chamber.

The Legislative Assembly then withdrew.

3. The President took the Chair and read the Prayer.

4. DECLARATIONS OF MEMBERS.—The Honorables the President (Sir Clifden Eager), Sir William Angliss, W. J. Beckett, P. T. Byrnes, G. L. Chandler, P. J. Clarey, Sir Frank Clarke, P. L. Coleman, W. H. Edgar, A. McD. Fraser, C. P. Gartside, Sir George Goudie, T. Harvey, P. P. Inchbold, C. E. Isaac, Paul Jones, J. A. Kennedy, J. F. Kittson, Col. G. V. Lansell, J. H. Lienhop, G. S. McArthur, W. MacAulay, L. H. McBrien, A. E. MacDonald, H. V. MacLeod, D. L. McNamara, A. J. Pittard, R. C. Rankin, I. A. Swinburne, G. J. Tuckett, D. J. Walters, and A. G. Warner severally delivered to the Clerk the Declaration required by the fifty-fifth section of the Act 3660, as hereunder set forth :—

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, CLIFDEN HENRY ANDREWS EAGER*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment ; and further, that such lands or tenements are situate in the municipal districts of Kew and Camberwell, and are known as No. 26 Barrington-avenue, Kew, and No. 3 Peppin-street, Camberwell.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Kew are rated in the rate-book of the said municipality upon a yearly value of £59, and that such of the said lands or tenements as are situate in the municipal district of Camberwell are rated in the rate-book of the said municipality upon a yearly value of £52.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ CLIFDEN EAGER.”

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, WILLIAM CHARLES ANGLISS*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment ; and further, that such lands or tenements are situate in the municipal district of Melbourne, and are known as part of allotment 6, section 24, city of Melbourne, parish of North Melbourne, county of Bourke, and being the whole of the land comprised in certificate of title, volume 3701, folio 740157.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Melbourne are rated in the rate-book of the said municipality upon a yearly value of £720.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ W. ANGLISS.”

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, WILLIAM JAMES BECKETT, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of St. Kilda, and are known as 'Aloha,' Shakespeare-grove.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of St. Kilda are rated in the rate-book of the said municipality upon a yearly value of £130.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"W. J. BECKETT."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, PERCY THOMAS BYRNES, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Shire of Swan Hill and are known as vineyard, being allotment 5, Section B1, part allotment 15, Section B, and lot 2 of parts 9, 10, and 14, parish of Tyntynder, and shop and dwelling being part 1 of Section B, Nyah Township.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Shire of Swan Hill are rated in the rate-book of the said municipality upon a yearly value of £222.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"P. T. BYRNES."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, GILBERT LAWRENCE CHANDLER, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Ferntree Gully, and are known as property situate at corner of Boronia and Forest-roads, Boronia.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Ferntree Gully are rated in the rate-book of the said municipality upon a yearly value of £120.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"G. L. CHANDLER."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, PERCY JAMES CLAREY, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Caulfield, and are known as 'Boomerang,' 692 Inkerman-road.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Caulfield are rated in the rate-book of the said municipality upon a yearly value of £68.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"P. J. CLAREY."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, FRANCIS GRENVILLE CLARKE, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Prahran, and are known as 28 Jackson-street, Toorak, being part of Crown portion 14, parish of Prahran, county of Bourke.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of the said municipality upon a yearly value of £65.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"FRANK CLARKE."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, PATRICK LESLIE COLEMAN, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Melbourne, and are known as Nos. 234 and 236 Chetwynd-street, North Melbourne.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Melbourne are rated in the rate-book of the said municipality upon a yearly value of £104.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"P. L. COLEMAN."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, WILLIAM HASLAM EDGAR, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Camberwell, and are known as 'Bingley,' 520 Burke-road, Camberwell.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Camberwell are rated in the rate-book of the said municipality upon a yearly value of £120.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"W. H. EDGAR."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, ARCHIBALD McDONALD FRASER, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Preston, and are known as 12 Oakhill-avenue, East Preston.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Preston are rated in the rate-book of the said municipality upon a yearly value of £34.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"A. M. FRASER."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, CHARLES PERCIVAL GARTSIDE, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Dandenong, and are known as my homestead.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Dandenong are rated in the rate-book of the said municipality upon a yearly value of £130.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"C. P. GARTSIDE."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, GEORGE LOUIS GOUDIE, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Caulfield, and are known as 49 Elizabeth-street, Elsternwick.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Caulfield are rated in the rate-book of the said municipality upon a yearly value of £90.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"GEO. L. GOUDIE."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, TREVOR HARVEY*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Maffra, and are known as 'Jerseyholm,' Boisdale.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Maffra are rated in the rate-book of the said municipality upon a yearly value of £132.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"TREVOR HARVEY."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, PERCIVAL PENNELL INCHBOLD*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of the Borough of Wangaratta, and are known as 'Whitwell,' 18 Docker-street, Wangaratta.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of the Borough of Wangaratta are rated in the rate-book of the said municipality upon a yearly value of £80.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"P. P. INCHBOLD."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, CYRIL EVERETT ISAAC*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Dandenong, and are known as Nursery, Corrigan-road, Noble Park.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Dandenong are rated in the rate-book of the said municipality upon a yearly value of £70.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"C. E. ISAAC."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, PAUL JONES*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal districts of Richmond and Prahran, and are known as 68-72 Lord-street, Richmond, and 10 Clarke-street, Prahran.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Richmond are rated in the rate-book of the said municipality upon a yearly value of £100, and that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of the said municipality upon a yearly value of £60.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"PAUL JONES."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, JAMES ARTHUR KENNEDY*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Brighton, and are known as 28 Cosham-street, Brighton, certificate of title volume 4486, folio 897116.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Brighton are rated in the rate-book of the said municipality upon a yearly value of £95.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"J. A. KENNEDY."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, JAMES FREDERICK KITTSON, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Ballarat, and are known as 'Endale,' 7 Burnbank-street, Ballarat.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Ballarat are rated in the rate-book of the said municipality upon a yearly value of £65.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"J. F. KITTSON."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, GEORGE VICTOR LANSELL, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Bendigo, and are known as 'Denderah,' View Hill, Bendigo.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Bendigo are rated in the rate-book of the said municipality upon a yearly value of £250.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"GEO. V. LANSELL."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, JOHN HERMAN LIENHOP, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Bendigo, and are known as No. 296 Williamson-street, Bendigo, and No. 23 Pyke-street, Bendigo.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Bendigo are rated in the rate-book of the said municipality upon a yearly value of £180.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"J. H. LIENHOP."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, WILLIAM MACAULAY, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Alberton, and are known as 'Albert Valley,' being allotments 21, 21A, 21B, 22, and 90, parish of Binginwarri.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Alberton are rated in the rate-book of the said municipality upon a yearly value of £277.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"WM. MACAULAY."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, GORDON STEWART MCARTHUR, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Hampden, and are known as 'Meningoort,' Camperdown.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Hampden are rated in the rate-book of the said municipality upon a yearly value of £1,260.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"G. S. MCARTHUR."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, J, LIKELY HERMAN MCBRIEN, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Heidelberg, and are known as 14 Salisbury-Avenue, Ivanhoe.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Heidelberg are rated in the rate-book of the said municipality upon a yearly value of £60.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"L. H. MCBRIEN."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, ALLAN ELLIOTT McDONALD, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Newtown and Chilwell, and are known as Number 35 Laurel Bank-parade, Newtown.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Newtown and Chilwell are rated in the rate-book of the said municipality upon a yearly value of £59.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"ALLAN E. McDONALD."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, HUGH VERNON MACLEOD, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal districts of the Borough of Portland, and the Shire of Portland, and are known as 'Yerella,' Gawler-street, Portland, and allotments 1, 2, 4, and 5, Section B, Parish of Homerton, County of Normanby.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of the Borough of Portland are rated in the rate-book of the said municipality upon a yearly value of £75, and that such of the said lands or tenements as are situate in the municipal district of the Shire of Portland are rated in the rate-book of the said municipality upon a yearly value of £119.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"H. V. MACLEOD."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, DANIEL LAURENCE MCNAMARA, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Caulfield, and are known as house and land known as 'Iona,' Talbot-avenue, East St. Kilda.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Caulfield are rated in the rate-book of the said municipality upon a yearly value of £53.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"D. L. MCNAMARA."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, ALFRED JAMES PITTARD, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Ballarat, and are known as shops, 313 Sturt-street, 317 Sturt-street, and 611 Sturt-street, Ballarat.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Ballarat are rated in the rate-book of the said municipality upon a yearly value of £421.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"ALF. J. PITTARD."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, ROBERT CHISHOLM RANKIN*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of the Town of Horsham, and are known as 'Kalimna Park,' Horsham.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of the Town of Horsham are rated in the rate-book of the said municipality upon a yearly value of £70.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"R. C. RANKIN."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, IVAN ARCHIE SWINBURNE*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Bright, and are known as allotments 4A, 4B, 4C, 5A, and 6, and part of allotment 5 of section 17, parish of Eurandelong, certificate of title, volume 5967, folio 1193304 (Joint Tenancy).

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Bright are rated in the rate-book of the said municipality upon a yearly value of £46.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"IVAN A. SWINBURNE."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, GEORGE JOSEPH TUCKETT*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Numurkah, and are known as allotments 6, 7, 8, 9, 10, and part of allotment 11 of section D, parish of Yalca.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Numurkah are rated in the rate-book of the said municipality upon a yearly value of £460.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"GEO. J. TUCKETT."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, DUDLEY JOSEPH WALTERS*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Kerang, and are known as allotment 32A, section A, parish of Murrabit West, allotment 40A, section A, parish of Murrabit West, and allotment 24B, section A, Murrabit township.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Kerang are rated in the rate-book of the said municipality upon a yearly value of £206.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"DUDLEY J. WALTERS."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, ARTHUR GEORGE WARNER*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of Brighton, and are known as 37 North-road, Brighton.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Brighton are rated in the rate-book of the said municipality upon a yearly value of £120.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"A. G. WARNER."

5. **APPOINTMENT OF OFFICERS OF THE LEGISLATIVE COUNCIL.**—The President announced to the Council that, by virtue of the powers conferred on him by *The Constitution Act Amendment Act 1928*, he had nominated Mr. Hugh Blair Jamieson, previously Clerk-Assistant and Clerk of Committees, for the office of Clerk of the Legislative Council in the place of Mr. Percy Thomas Pook, retired; Mr. Roy Stanley Sarah, previously Usher of the Legislative Council and Clerk of the Records, for the office of Clerk-Assistant and Clerk of Committees; and Mr. Vincent Anthony Lyons, previously Accountant and clerk in the Department of the Legislative Assembly, for the office of Usher of the Legislative Council and Clerk of the Records; and that His Excellency the Governor in Council had been pleased to make appointments in accordance with those nominations.
6. **SEWERAGE DISTRICTS (AMENDMENT) BILL.**—On the motion of the Honorable P. J. Clarey, leave was given to bring in a Bill to amend Sections Twenty-one Twenty-three and Seventy-seven of the *Sewerage Districts Act 1928*, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
7. **COMMITTEE OF ELECTIONS AND QUALIFICATIONS.**—The President laid upon the Table the following Warrant appointing the Committee of Elections and Qualifications :—

LEGISLATIVE COUNCIL—VICTORIA.

Pursuant to the provisions of *The Constitution Act Amendment Act 1928* I do hereby appoint—

The Honorable William James Beckett,
 The Honorable Gilbert Lawrence Chandler,
 The Honorable Sir George Goudie,
 The Honorable Gordon Stewart McArthur,
 The Honorable Allan Elliott McDonald,
 The Honorable Daniel Laurence McNamara, and
 The Honorable Alfred James Pittard

to be members of a Committee to be called “The Committee of Elections and Qualifications.”

Given under my hand this thirtieth day of September, One thousand nine hundred and forty-seven.

CLIFDEN EAGER,

President of the Legislative Council.

8. **TEMPORARY CHAIRMEN OF COMMITTEES.**—The President laid upon the Table the following Warrant nominating the Temporary Chairmen of Committees :—

LEGISLATIVE COUNCIL—VICTORIA.

Pursuant to the provisions of the Standing Order of the Legislative Council numbered 160, I do hereby nominate—

The Honorable Sir William Angliss,
 The Honorable Paul Jones,
 The Honorable Alfred James Pittard, and
 The Honorable George Joseph Tuckett,

to act as Temporary Chairmen of Committees whenever requested to do so by the Chairman of Committees or whenever the Chairman of Committees is absent.

Given under my hand this thirtieth day of September, One thousand nine hundred and forty-seven.

CLIFDEN EAGER,

President of the Legislative Council.

9. **RETIREMENT OF MR. PERCY THOMAS POOK.**—The Honorable P. J. Clarey moved, by leave, That Mr. Percy Thomas Pook having retired from the offices of Clerk of the Parliaments and Clerk of the Legislative Council, this House desires to record its deep appreciation of the zeal, ability, and courtesy uniformly displayed by him in the discharge of his duties.

And other Honorable Members and the President having addressed the House in support of the motion—

Question—put and resolved in the affirmative.

10. **LEAVE OF ABSENCE TO MEMBERS.**—The Honorable P. L. Coleman moved, by leave, That leave of absence be granted to the Honorable Patrick John Kennelly for two months on account of urgent private business.

Question—put and resolved in the affirmative.

The Honorable Sir Frank Clarke moved, by leave, That leave of absence be granted to the Honorable Sir Frank Beaurepaire for one month on account of urgent private business.

Question—put and resolved in the affirmative.

11. PAPERS.—The Honorable P. J. Clarey presented, by command of His Excellency the Governor—
 Penal Establishments, Gaols, and Reformatory Prisons—Report and Statistical Tables for the year 1946.
 Report of the Royal Commission to inquire into Electricity Supply.
 Report of the State Electricity Commission of Victoria on further development of the Briquette Industry based on the Brown Coal resources in the Latrobe Valley.

Severally ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—

- Adult Education Act 1946—Adult Education Regulations.
 Cattle Breeding Act 1938—Regulations prescribing Amount of Butter-fat.
 Constitution Statute—Statement of Expenditure under Schedule "D" to Act 18 and 19 Vict., Cap. 55, and Acts Nos. 3660, 4367, and 4437 during the year 1946-47.
 Country Fire Authority Acts—Amendment of Country Fire Authority (Permits) Regulations 1945.
 County Court Act 1928—Order in Council relating to Fees in County Courts.
 Dairy Products Acts—Report of the Victorian Dairy Products Board for the six months ended 30th June, 1947.
 Dried Fruits Act 1938—Regulations amended.
 Evidence Act 1928—Regulations—Examination of applicants for licence as shorthand writers.
 Explosives Act 1928—Orders in Council relating to—
 Classification of Explosive—Class 3—Nitro-compound—Division 2—Granulated Guncotton Powder.
 Definition of Explosives—
 Class 3—Nitro-compound—Division 2—Granulated Guncotton Powder.
 Class 7—Firework—Division 1—Firework Composition.
 Division 2—Manufactured Fireworks.
 Friendly Societies Act 1928—Sixty-ninth Annual Report of the Government Statist relating to the period of twelve months ended 30th June, 1946, with Appendices.
 Gas Regulation Act 1933—Gas Regulation (Emergency Powers) Regulations (No. 51).
 Grain Elevators Act 1934—Report of the Grain Elevators Board for the year ended 31st October, 1946.
 Justices Act 1928 and Acts Interpretation Act 1928—Amendment of Rules under the Justices Acts (2 papers).
 Land Act 1928—
 Certificate of the Chief Secretary relating to the proposed compulsory resumption of land for the purposes of a police station at Kilmore.
 Certificates of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of schools at Euroa, Stawell, and Woomelang (3 papers).
 Schedules of country lands proposed to be sold by public auction (2 papers).
 Lands Compensation Act 1928—Return under Section 37 showing the amount of money paid for the year 1946-47 by the State Electricity Commission in connexion with the works and undertakings of the Commission.
 Legal Profession Practice Act 1946—
 Rules of the Supreme Court—Admission Fees.
 Solicitors (Audit and Practising Certificates) Rules 1947.
 Marketing of Primary Products Act 1935—
 Proclamation declaring that eggs shall become the property of the Egg and Egg Pulp Marketing Board for a further period of two years.
 Regulations—Registration of Producers of Onions.
 Melbourne and Metropolitan Tramways Act 1928—Appeal Board—Amendment of Regulations (2 papers).
 Melbourne Harbor Trust Act 1928—Statement of Accounts of the Melbourne Harbor Trust Commissioners for the year 1946.
 Melbourne Sailors' Home Act 1901—Accounts and Statements of Receipts and Expenditure for the years 1945 and 1946 (2 papers).
 Milk Board Acts—Regulation—Contributions by Dairymen and Owners of Milk Depots.
 Police Regulation Acts—
 Police Regulations.
 Determination No. 5 of the Police Classification Board.
 Public Service Act 1946—
 Public Service (Governor in Council) Regulations—Amendment of Regulations—
 Part II.—Hours of Duty and Times of Attendance of Officers and Employees.
 Part IV.—Leave of Absence—Sick Leave (2 papers).

Public Service (Public Service Board) Regulations—Amendment of Regulations—

Part I.—Appointments to the Administrative, Professional, and Technical and General Divisions—Technical and General Division—Department of Agriculture.

Part III.—Salaries, Increments, and Allowances—

Administrative and Professional Divisions—Scale of rates of annual salaries.

General—Payment of certain Officers in class “E”.

Administrative Division—

Departments of Chief Secretary and Public Instruction.

Department of Mines.

Department of Premier (2 papers).

Department of Public Works.

Department of Treasurer.

Professional Division—

Department of Agriculture (4 papers).

Department of Chief Secretary (4 papers).

Departments of Chief Secretary and Agriculture.

Departments of Chief Secretary and Public Works.

Department of Health.

Department of Lands and Survey (3 papers).

Department of Law (2 papers).

Department of Mines.

Department of State Forests.

Department of Water Supply (2 papers).

Technical and General Division—

Department of Agriculture (2 papers).

Department of Chief Secretary (4 papers).

Department of Health (2 papers).

Department of Mines.

Department of Public Instruction.

Department of Public Works (3 papers).

Departments of Public Works and Agriculture.

Department of Treasurer (2 papers).

Department of Water Supply (3 papers).

Temporary Employees—

Department of Agriculture.

Department of Chief Secretary (2 papers).

Department of Health (4 papers).

Departments of Lands and Survey, Mines, Water Supply, and General.

Department of Public Instruction.

Department of Public Works (3 papers).

Department of Treasurer.

Department of Water Supply (2 papers).

Part V.—Travelling Expenses—

General.

Departments of State Forests and Water Supply.

Seeds Acts—

Regulations amended (3 papers).

Regulations—Victorian Seeds Certification Schemes.

Slum Reclamation and Housing Acts—Amendment of Regulations—

Housing (Procedural and Forms) Regulations.

Housing (Standard of Habitation) Regulations.

State Coal Mine Industrial Tribunal Act 1932—Award No. 71 made by the State Coal Mine Industrial Tribunal relating to the rates of pay of certain workers at the State Coal Mine, Wonthaggi, together with the Report of the Victorian Railways Commissioners with regard thereto.

Supreme Court Acts—Amendment of Rules of the Supreme Court—Supreme Court Library.

Teaching Service Act 1946—Amendment of Regulations—

Teaching Service (Governor in Council) Regulations (3 papers).

Teaching Service (Classification, Salaries, and Allowances) Regulations (3 papers).

Teaching Service (Teachers' Tribunal) Regulations (3 papers).

Town and Country Planning Act 1944—Regulations.

Trotting Races Act 1946—Regulations.

Water Acts—Copy of Declaration of the Minister of Water Supply (together with plan) defining the area that ought to be constituted the Robinvale Irrigation and Water Supply District.

Workers' Compensation Acts—Workers' Compensation Board Fund—Balance-sheet and Statement of Receipts and Expenditure for the year 1946-47.

12. DECLARATION OF MEMBER.—The Honorable Sir Frank Beaurepaire delivered to the Clerk the Declaration required by the fifty-fifth section of the Act No. 3660, as hereunder set forth :—

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, FRANCIS JOSEPH EDMUND BEAUREPAIRE*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment ; and further, that such lands or tenements are situate in the municipal district of Hawthorn, and are known as No. 2 Fordholm-road, Hawthorn.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Hawthorn are rated in the rate-book of the said municipality upon a yearly value of £245.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ FRANK BEAUREPAIRE.”

13. SPEECH OF HIS EXCELLENCY THE GOVERNOR.—The President reported the Speech of His Excellency the Governor.

The Honorable Paul Jones moved, That the Council agree to the following Address to His Excellency the Governor in reply to His Excellency's Opening Speech :—

MAY IT PLEASE YOUR EXCELLENCY—

We, the Legislative Council of Victoria, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the gracious Speech which you have been pleased to address to Parliament.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable P. J. Clarey moved, That the Address be presented to His Excellency the Governor by the President and such Members of the Council as may wish to accompany him.

Question—put and resolved in the affirmative.

14. ADJOURNMENT.—The Honorable P. J. Clarey moved, That the Council, at its rising, adjourn until to-morrow at half-past Four o'clock.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty-two minutes past Eight o'clock, adjourned until to-morrow.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 2.

WEDNESDAY, 1ST OCTOBER, 1947.

1. The President took the Chair and read the Prayer.
2. CONSOLIDATED REVENUE BILL (No. 1).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to apply out of the Consolidated Revenue the sum of Two million seven hundred and seventeen thousand nine hundred and three pounds to the service of the year One thousand nine hundred and forty-seven and One thousand nine hundred and forty-eight* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
Melbourne and Metropolitan Tramways Act 1928—Report and Statement of Accounts of the Melbourne and Metropolitan Tramways Board for the year 1946-47.
Public Service Act 1946—Public Service (Public Service Board) Regulations—Regulations amended—Part III.—Salaries, Increments and Allowances—Administrative Division—Departments of Premier, Chief Secretary, Treasurer, Public Instruction, Law, Lands and Survey, Public Works, Health, Agriculture, Labour, State Forests, and Water Supply.
4. DAYS OF BUSINESS.—The Honorable P. J. Clarey moved, That Tuesday, Wednesday, and Thursday in each week be the days on which the Council shall meet for the despatch of business during the present Session, and that half-past Four o'clock be the hour of meeting on each day ; that on Tuesday and Thursday in each week the transaction of Government business shall take precedence of all other business ; and that on Wednesday in each week Private Members' business shall take precedence of Government business ; and that no new business be taken after half-past Ten o'clock.
Debate ensued.
Question—put and resolved in the affirmative.
5. STANDING ORDERS COMMITTEE.—The Honorable P. J. Clarey moved, That the Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, W. H. Edgar, Sir George Goudie, T. Harvey, P. P. Inchbold, J. H. Lienhop, and D. L. McNamara be members of the Select Committee on the Standing Orders of the House ; three to be the quorum.
Question—put and resolved in the affirmative.
6. HOUSE COMMITTEE.—The Honorable P. J. Clarey moved, That the Honorables Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett be members of the House Committee.
Question—put and resolved in the affirmative.
7. LIBRARY COMMITTEE.—The Honorable P. J. Clarey moved, That the Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin be members of the Joint Committee to manage the Library.
Question—put and resolved in the affirmative.
8. PRINTING COMMITTEE.—The Honorable P. J. Clarey moved, That the Honorables the President, P. T. Byrnes, G. L. Chandler, C. E. Isaac, Paul Jones, Colonel G. V. Lansell, W. MacAulay, L. H. McBrien, A. J. Pittard, and R. C. Rankin be members of the Printing Committee ; three to be the quorum.
Question—put and resolved in the affirmative.
9. STATUTE LAW REVISION COMMITTEE.—The Honorable P. J. Clarey moved, That, in compliance with the recommendation of the Joint Select Committee on the Consolidation of the Laws, adopted by this House on the 22nd June, 1915, a Committee be appointed, consisting of six members, to join with a Committee of the Legislative Assembly, to deal with anomalies in the law and make recommendations as to statutory amendments, such Committee to consist of the Honorables W. H. Edgar, A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald, with power to send for persons, papers, and records ; five to be the quorum.
Question—put and resolved in the affirmative.
Ordered—That a Message be sent to the Assembly acquainting them with the foregoing resolution.

10. SEWERAGE DISTRICTS (AMENDMENT) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

11. CONSOLIDATED REVENUE BILL (No. 1).—The Order of the Day for the second reading of this Bill having been read, the Honorable P. P. Coleman moved, That this Bill be now read a second time.

Debate ensued.

Question—put.

The Council divided.

Ayes, 13.

The Hon. Sir William Angliss,
W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
W. H. Edgar,
A. M. Fraser,
C. E. Isaac (*Teller*),
Paul Jones,
L. H. McBrien,
A. E. McDonald,
H. V. MacLeod,
D. L. McNamara,
R. C. Rankin (*Teller*).

Noes, 19.

The Hon. Sir Frank Beaufrepaire,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
C. P. Gartside,
Sir George Goudie,
T. Harvey,
P. P. Inchbold,
J. A. Kennedy,
J. F. Kittson (*Teller*),
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay (*Teller*),
A. J. Pittard,
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters,
A. G. Warner.

And so it passed in the negative.

And then the Council, at thirty-two minutes past Eleven o'clock, adjourned until to-morrow.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 3.

THURSDAY, 2ND OCTOBER, 1947.

1. The President took the Chair and read the Prayer.
2. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:—
Police Regulation Act 1946—Determination No. 6 of the Police Classification Board.
3. EMERGENCY HOUSING ACCOMMODATION (CONTINUATION) BILL.—On the motion of the Honorable A. M. Fraser, leave was given to bring in a Bill to continue the Operation of Section Three of the *Local Government (Emergency Housing Accommodation) Act 1945*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
4. FACTORIES AND SHOPS (BREAD) BILL.—On the motion of the Honorable P. J. Clarey, leave was given to bring in a Bill to amend the Provisions of the Factories and Shops Acts relating to the Making Baking and Delivery of Bread, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
5. EMERGENCY HOUSING ACCOMMODATION (CONTINUATION) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable A. M. Fraser moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

6. **FACTORIES AND SHOPS (BREAD) BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

7. **CONSOLIDATED REVENUE BILL (No. 2).**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to apply out of the Consolidated Revenue the sum of Seven hundred and fourteen thousand two hundred and forty-two pounds to the service of the year One thousand nine hundred and forty-six and One thousand nine hundred and forty-seven*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, and after debate, was read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

8. **CONSOLIDATED REVENUE BILL (No. 3).**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to apply out of the Consolidated Revenue the sum of Four million nine hundred and sixty-four thousand one hundred and forty-three pounds to the service of the year One thousand nine hundred and forty-seven and One thousand nine hundred and forty-eight*” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

The Honorable P. L. Coleman moved, That this Bill be now read a second time.

Debate ensued.

Question—put.

The Council divided.

Ayes, 11.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
C. E. Isaac,
Paul Jones,
L. H. McBrien (*Teller*),
A. E. McDonald (*Teller*),
H. V. MacLeod,
D. L. McNamara,
R. C. Rankin.

Noes, 19.

The Hon. Sir Frank Beaurepaire,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
C. P. Gartside,
Sir George Goudie,
T. Harvey,
P. P. Inchbold,
J. A. Kennedy,
J. F. Kittson,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
A. J. Pittard,
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters (*Teller*),
A. G. Warner (*Teller*).

And so it passed in the negative.

9. **ADJOURNMENT.**—The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at eleven minutes past Eleven o'clock, adjourned until Tuesday next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 4.

TUESDAY, 7TH OCTOBER, 1947.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable P. J. Clarey presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments, viz. :—
Consolidated Revenue Act.
3. LEGISLATIVE COUNCIL (REFERENDUM) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to provide for the Holding of a Referendum relating to the Legislative Council*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. J. Clarey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
4. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
Constitution Act Amendment Act 1928—Statement of Appointments and Alteration in Classification in the Department of the Legislative Council.
Fisheries Acts—Notices of Intention to issue Proclamations—
Respecting fishing in Lake Guy at Bogong.
To alter the Second Schedule to the Fisheries Act 1928.
To prohibit all fishing in or taking fish from—
Jerusalem Creek during the whole of each year.
Lakes Bullen Merri and Purrumbete from 1st May to 30th September in each year.
Lake Wendouree during certain hours.
Yea River and its tributaries.
Land Act 1928—Schedule of country lands proposed to be sold by public auction.
Milk Board Acts—Report of the Milk Board for the year 1945–46.
Public Service Act 1946—Public Service (Public Service Board) Regulations—Amendment of Regulations—
Part III.—Salaries, Increments, and Allowances—
General.
Temporary Employees—Department of Premier.
5. EMERGENCY HOUSING ACCOMMODATION (CONTINUATION) BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
Debate resumed.
The Honorable J. A. Kennedy moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put.

The Council divided.

Ayes, 26.

The Hon. Sir William Angliss,
 Sir Frank Beaurepaire,
 P. T. Byrnes,
 G. L. Chandler,
 Sir Frank Clarke,
 W. H. Edgar,
 C. P. Gartside (*Teller*),
 Sir George Goudie,
 T. Harvey,
 P. P. Inchbold,
 C. E. Isaac,
 J. A. Kennedy,
 J. F. Kittson,
 Col. G. V. Lansell,
 J. H. Lienhop,
 G. S. McArthur,
 W. MacAulay,
 L. H. McBrien,
 A. E. McDonald (*Teller*),
 H. V. MacLeod,
 A. J. Pittard,
 R. C. Rankin,
 I. A. Swinburne,
 G. J. Tuckett,
 D. J. Walters,
 A. G. Warner.

Noes, 6.

The Hon. W. J. Beckett,
 P. J. Clarey,
 P. L. Coleman (*Teller*),
 A. M. Fraser,
 Paul Jones (*Teller*),
 D. L. McNamara.

And so it was resolved in the affirmative.

The Honorable A. M. Fraser moved, That the debate be adjourned until the next day of meeting.

The Honorable J. A. Kennedy moved, as an amendment, That the words "the next day of meeting" be omitted with the view of inserting in place thereof the words "Tuesday next".

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put and negatived.

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That the debate be adjourned until Tuesday next—put and resolved in the affirmative.

6. LEGISLATIVE COUNCIL (REFERENDUM) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. J. Clarey moved, That this Bill be now read a second time.

Debate ensued.

The Honorable Sir Frank Clarke moved, That the debate be now adjourned.

Debate ensued.

Question—That the debate be now adjourned—put.

The Council divided.

Ayes, 26.

The Hon. Sir William Angliss,
 Sir Frank Beaurepaire,
 P. T. Byrnes,
 G. L. Chandler,
 Sir Frank Clarke,
 W. H. Edgar,
 C. P. Gartside,
 Sir George Goudie,
 T. Harvey,
 P. P. Inchbold,
 C. E. Isaac,
 J. A. Kennedy,
 J. F. Kittson,
 Col. G. V. Lansell,
 J. H. Lienhop (*Teller*),
 G. S. McArthur,
 W. MacAulay,
 L. H. McBrien,
 A. E. McDonald,
 H. V. MacLeod,
 A. J. Pittard (*Teller*),
 R. C. Rankin,
 I. A. Swinburne,
 G. J. Tuckett,
 D. J. Walters,
 A. G. Warner.

Noes, 6.

The Hon. W. J. Beckett,
 P. J. Clarey,
 P. L. Coleman (*Teller*),
 A. M. Fraser (*Teller*),
 Paul Jones,
 D. L. McNamara.

And so it was resolved in the affirmative.

The Honorable P. J. Clarey moved, That the debate be adjourned until the next day of meeting.
Debate ensued.

The Honorable Sir Frank Clarke moved, as an amendment, That the words " the next day of meeting " be omitted with the view of inserting in place thereof the words " Tuesday, the 18th November next ".

Question—That the words proposed to be omitted stand part of the question—put and negatived.

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That the debate be adjourned until Tuesday, the 18th November next—put and resolved in the affirmative.

7. ADJOURNMENT.—ALTERATION OF HOUR OF MEETING.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until tomorrow at half-past Two o'clock.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twenty-nine minutes past Ten o'clock, adjourned until tomorrow.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 5.

WEDNESDAY, 8TH OCTOBER, 1947.

1. The President took the Chair and read the Prayer.
2. CONSOLIDATED REVENUE BILL (No. 4).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of Six million one hundred and seventy-eight thousand nine hundred and seventy-three pounds to the service of the year One thousand nine hundred and forty-seven and One thousand nine hundred and forty-eight*" and desiring the concurrence of the Council therein.

On the motion of the Honorable P. L. Coleman, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

Teaching Service Act 1946—Teaching Service (Classification, Salaries, and Allowances) Regulations—Amendment of Regulations.

Water Acts—Regulations for the granting of Certificates of Qualification as Engineers of Water Supply.

4. CONSOLIDATED REVENUE BILL (No. 4).—The Order of the Day for the second reading of this Bill having been read, the Honorable P. L. Coleman moved, That this Bill be now read a second time.

Debate ensued.

Question—put.

The Council divided.

Ayes, 13.

The Hon. Sir William Angliss,
W. J. Beckett,
P. J. Clarey,
P. L. Coleman,
W. H. Edgar,
A. M. Fraser,
C. E. Isaac,
Paul Jones,
L. H. McBrien (*Teller*),
A. E. McDonald,
H. V. MacLeod (*Teller*),
D. L. McNamara,
R. C. Rankin.

Noes, 19.

The Hon. Sir Frank Beaufrepaire,
P. T. Byrnes,
G. L. Chandler (*Teller*),
Sir Frank Clarke,
C. P. Gartside,
Sir George Goudie,
T. Harvey,
P. P. Inchbold,
J. A. Kennedy,
J. F. Kittson,
Col. G. V. Lansell (*Teller*),
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
A. J. Pittard,
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters,
A. G. Warner.

And so it passed in the negative.

5. ADJOURNMENT.—ALTERATION OF DAY AND HOUR OF MEETING.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until this day at a quarter to Nine o'clock.

Question—put and resolved in the affirmative.

And then the Council, at twenty-three minutes past Six o'clock, adjourned until this day.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 6.

WEDNESDAY, 8TH OCTOBER, 1947 (8.45 p.m.).

1. The President took the Chair and read the Prayer.
2. DECLARATION OF MEMBER.—The Honorable P. J. Kennelly delivered to the Clerk the Declaration required by the fifty-fifth section of the Act No. 3660, as hereunder set forth:—

“In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, PATRICK JOHN KENNELLY, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal district of South Melbourne, and are known as 164-166 Nelson-road, South Melbourne.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of South Melbourne are rated in the rate-book of the said municipality upon a yearly value of £64.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ P. J. KENNELLY.”

3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

Constitution Act Amendment Act 1928—Statement of Appointments and Alteration of Classification in the Department of the Legislative Assembly.

Public Service Act 1946—Public Service (Public Service Board) Regulations—Amendment of Regulations—

Part I.—Appointments to the Administrative, Professional, and Technical and General Divisions—General.

Part III.—Salaries, Increments, and Allowances—

Administrative and Professional Divisions—General.

Professional Division—Offices and Rates of Salary.

Technical and General Division—

Department of Agriculture.

Department of Health.

State Savings Bank Act 1928—State Savings Bank of Victoria—Statements and Returns for the year 1946-47.

4. ALTERATION OF SESSIONAL ORDERS.—The Honorable P. J. Clarey moved, by leave, That so much of the Sessional Orders as provides that no new business shall be taken after the hour of half-past Ten o'clock be suspended during the remainder of this day's sitting of the Council.

Question—put and resolved in the affirmative.

5. CONSOLIDATED REVENUE BILL (No. 4).—The Honorable P. L. Coleman moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. P. Inchbold having reported that the Committee had agreed to the Bill without amendment, the Report was adopted and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

6. ADJOURNMENT.—The Honorable P. J. Clarey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable P. J. Clarey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-two minutes past Ten o'clock, adjourned until Tuesday next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

SESSION 1947.

BILL ASSENTED TO AFTER THE FINAL ADJOURNMENT OF BOTH HOUSES
AND BEFORE THE PROROGATION.

The following Message from His Excellency the Governor was received after the final adjournment of both Houses :—

WINSTON DUGAN,
Governor of Victoria.

The Governor informs the Legislative Council that he has, on this day, given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz :—

Consolidated Revenue Act 1947.

The Governor's Office,
Melbourne, 8th October, 1947.

{5325}



VICTORIA

GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 410]

THURSDAY, OCTOBER 9.

[1947.

PROROGUING THE PARLIAMENT OF VICTORIA.

PROCLAMATION

By His Excellency the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia,
&c., &c., &c.

WHEREAS the Parliament of Victoria stands adjourned until Tuesday, the fourteenth day of October, 1947:
Now I, the Governor of the State of Victoria, in the Commonwealth of Australia, do by this my
Proclamation prorogue the said Parliament of Victoria until Thursday, the sixteenth day of October, 1947.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this ninth day of
October, in the year of our Lord One thousand nine hundred and forty-seven, and in the eleventh
year of the reign of His Majesty King George VI.

(L.S.)

WINSTON DUGAN.

By His Excellency's Command,

JOHN CAIN,

Premier.

GOD SAVE THE KING!

By Authority: J. J. GOURLEY, Government Printer, Melbourne.



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 411]

THURSDAY, OCTOBER 9.

[1947

DISCHARGING MEMBERS OF THE LEGISLATIVE COUNCIL FROM ATTENDANCE AND DISSOLVING THE LEGISLATIVE ASSEMBLY.

PROCLAMATION

By His Excellency the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia,
&c., &c., &c.

WHEREAS by *The Constitution Act* it was amongst other things enacted that it should be lawful for the Governor to fix such places within Victoria and, subject to the limitation therein contained, such times for holding the first and every other Session of the Council and Assembly, and to vary and alter the same respectively in such manner as he might think fit; and also from time to time to prorogue the said Council and Assembly, and to dissolve the said Assembly, by Proclamation or otherwise, whenever he should deem it expedient: And whereas the said Council and Assembly, called "The Parliament of Victoria," stand prorogued until Thursday, the sixteenth day of October, 1947: And whereas it is expedient to dissolve the Legislative Assembly: Now therefore I, the Governor of the State of Victoria, in the Commonwealth of Australia, in exercise of the power in me vested in this behalf, do by this my Proclamation discharge the Honorable the Members of the Legislative Council from their meeting and attendance on Thursday, the sixteenth day of October, 1947: And I do dissolve the Legislative Assembly, such dissolution to take effect on Thursday, the ninth day of October, 1947: And I do hereby declare that I have this day given Order that Writs be issued in due form, and according to law, for the election of Members to be duly returned to serve in the Legislative Assembly.

Given under my Hand and the Seal of the State of Victoria, at Melbourne, this ninth day of October, in the year of our Lord One thousand nine hundred and forty-seven and in the eleventh year of the reign, of His Majesty King George VI.

(L.S.)

WINSTON DUGAN.

By His Excellency's Command,

JOHN CAIN,
Premier.

GOD SAVE THE KING!

GENERAL ELECTION.

NOTICE is hereby given that His Excellency the Governor will issue Writs for a General Election of Members to serve in the Legislative Assembly of Victoria on the day first hereinafter mentioned, viz. :—

Date of Issue of Writs	.. .. .	..	Tuesday, 14th October, 1947.
Day of Nomination (before or on which nominations are to be made)	.. .. .	..	Friday, 24th October, 1947 (up to 12 o'clock noon).
Day of Polling	.. .. .	..	Saturday, 8th November, 1947.
Returns of Writs	.. .. .	..	Monday, 24th November, 1947.

By His Excellency's Command,
C. W. KINSMAN,
Official Secretary.

The Governor's Office,
Melbourne, 9th October, 1947.

By Authority: J. J. GOURLEY, Government Printer, Melbourne.

SELECT COMMITTEES

APPOINTED DURING THE SESSION 1947.

No. 1.—ELECTIONS AND QUALIFICATIONS.

Appointed (by President's Warrant) 30th September, 1947.

The Hon. W. J. Beckett
G. L. Chandler
Sir George Goudie
G. S. McArthur

The Hon. A. E. McDonald
D. L. McNamara
A. J. Pittard.

No. 2.—STANDING ORDERS.

Appointed 1st October, 1947.

The Hon. the President
Sir William Angliss
W. J. Beckett
Sir Frank Clarke
W. H. Edgar

The Hon. Sir George Goudie
T. Harvey
P. P. Inchbold
J. H. Lienhop
D. L. McNamara.

No. 3.—HOUSE (JOINT).

Appointed 1st October, 1947, under Act No. 3660, s. 367.

The Hon. the President (*ex officio*)
Sir William Angliss
P. T. Byrnes

The Hon. Sir Frank Clarke
P. J. Kennelly
G. J. Tuckett.

No. 4.—LIBRARY (JOINT).

Appointed 1st October, 1947.

The Hon. the President
P. J. Clarey
P. L. Coleman

The Hon. J. A. Kennedy
R. C. Rankin.

SELECT COMMITTEES—*continued.*

No. 5.—PRINTING.

Appointed 1st October, 1947.

The Hon. the President
P. T. Byrnes
G. L. Chandler
C. E. Isaac
P. Jones

The Hon. Colonel G. V. Lansell
W. MacAulay
L. H. McBrien
A. J. Pittard
R. C. Rankin.

No. 6.—STATUTE LAW REVISION (JOINT).

Appointed 1st October, 1947.

The Hon. W. H. Edgar
A. M. Fraser
Sir George Goudie

The Hon. J. A. Kennedy
G. S. McArthur
A. E. McDonald.





Donahue
7-11-48



VICTORIA - MINUTES OF THE PROCEEDINGS OF THE LEG. COUNCIL, SESSION 1945-46-47 & SESS. 1947