

VICTORIA - MINUTES OF THE PROCEEDINGS OF THE LEG. COUNCIL, SESSION 1947-48



COUNCIL
CHAMBER

VICTORIA.



MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

SESSION 1947-48.

WITH A COPY OF THE DOCUMENT ORDERED TO BE PRINTED.

By Authority

J. J. GOURLEY, GOVERNMENT PRINTER, MELBOURNE.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 1.

TUESDAY, 2ND DECEMBER, 1947.

1. The Council met pursuant to the Proclamation of His Excellency the Governor, bearing date the twentieth day of November, 1947, which Proclamation was read by the Clerk and is as follows :—

FIXING THE TIME FOR HOLDING THE FIRST SESSION OF THE THIRTY-SEVENTH 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 Tuesday, the second day of December, 1947, as the time for the commencement and holding of the First Session of the Thirty-seventh 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 twentieth day of November, 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,

T. T. HOLLWAY,

Premier.

GOD SAVE THE KING!

The Honorable Mr. Justice O'Bryan, 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 O'Bryan said—

MR. PRESIDENT AND HONORABLE MEMBERS 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 twentieth day of November, One thousand nine hundred and forty-seven, 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., Tuesday, the second day of December, One thousand nine hundred and forty-seven, 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 NORMAN O'BRYAN, Judge of Our Supreme Court of the State of Victoria, do give and grant by the tenor of these presents unto the said NORMAN O'BRYAN, 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 NORMAN O'BRYAN 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-fifth day of November, One thousand nine hundred and forty-seven, and in the eleventh year of Our reign.

WINSTON DUGAN.

By His Excellency's Command,

T. T. HOLLWAY,
Premier.

Entered on Record by me in the Register of Patents,
Book 31, page 370, this twenty-fifth day of November,
One thousand nine hundred and forty-seven.

L. CHAPMAN, Under-Secretary.

Then the Honorable Mr. Justice O'Bryan said—

MR. PRESIDENT AND HONORABLE MEMBERS 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 Clifden Eager), Sir William Angliss, W. J. Beckett, P. T. Byrnes, G. L. Chandler, W. H. Edgar, Sir George Goudie, T. Harvey, P. P. Inchbold, J. A. Kennedy, J. F. Kittson, Col. G. V. Lansell, J. H. Lienhop, W. MacAulay, A. E. McDonald, H. V. MacLeod, A. J. Pittard, I. A. Swinburne, G. J. Tuckett, and A. G. Warner 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 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 £69, 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 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, 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, 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, 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 £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 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 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 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, JAMES ARTHUR KENNEDY*, 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 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 £97.

"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 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 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 £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.

"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 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 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 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 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 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 Alberton, and are known as 'Albert Valley,' being allotments 21, 21A, 21B, 22, and 90, parish of Bingingwarri.

" 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, ALLAN ELLIOTT McDONALD, 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 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 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 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, 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, 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 £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 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."

"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."

4. 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:

I have called you together as early as practicable after the recent General Election of Members of the Legislative Assembly for the consideration of public business which requires your immediate attention.

I did not expect to have this further opportunity of meeting you before leaving Victoria. Subject, however, to the approval of His Majesty the King, I have agreed, at the joint request of the Premier and the Leader of the Opposition, to delay my departure.

MR. SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY :

A Supply Bill for the period 16th December to 31st December will be introduced to-day. The Estimates of Revenue and Expenditure for the financial year 1947-1948 will be placed before you at an early date.

Upon assuming office my Advisers are faced with a very serious budgetary position—the result, on the one hand, of the existing financial dependency of the State upon the Commonwealth and, on the other hand, of rising costs due mainly to increased nominal wages and shorter working hours.

During the Parliamentary recess, my Ministers will examine the whole administration of the State in an attempt to avoid unnecessary expenditure while developing the whole of the resources of the State.

MR. PRESIDENT AND HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY :

In view of the limited number of sitting days available before the Christmas adjournment, my Advisers propose that only legislation of an urgent nature should be dealt with immediately.

A Bill will be introduced to place the Justices of the Supreme Court in a comparable position with the Judges of other jurisdictions. Provision will also be made for the Judges of the County Court.

Legislation to increase superannuation payments to retired Government servants by an amount of twenty-five per cent. will be introduced. This is considered necessary in all fairness to those who, in their time, have rendered loyal and devoted service to the State.

During the present short Session other urgent Bills to be introduced will include the following measures :—

State Forests Loan Application.
Land Tax.
Administration and Probate Duties.
Stamps (Increased Duty Continuance).
University (Mildura Branch).
Public Works Loan and Application.
Water Supply Loan and Application.
Officials in Parliament.
Factories and Shops (Bread).
Vegetation Diseases (Fruit Fly).
Railways Loan and Application.
Morwell Brown Coal.
Building Materials Control.
Police Regulation.
Water Act (Amendment).

Bills to give effect to the Government's major programme will be submitted when Parliament reassembles in 1948.

I now leave you to your deliberations, in the earnest hope that, with the blessing of the Almighty, your work may result in the advancement of the welfare of all classes of the community.

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.

5. DECLARATIONS OF MEMBERS.—The Honorables Sir Frank Beaurepaire, P. J. Clarey, Sir Frank Clarke, P. L. Coleman, A. McD. Fraser, C. P. Gartside, C. E. Isaac, Paul Jones, P. J. Kennelly, G. S. McArthur, L. H. McBrien, D. L. McNamara, R. C. Rankin, and D. J. Walters 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, 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, PERCY JAMES CLAREY*, 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 '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 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, PATRICK LESLIE COLEMAN*, 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 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, 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, 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, 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, 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 £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.

"P. J. KENNELLY."

"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, 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 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, 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, 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, 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.”

6. WHEAT MARKETING (WINDING UP) AMENDMENT BILL.—On the motion of the Honorable J. A. Kennedy, leave was given to bring in a Bill to amend Section Two of the *Wheat Marketing (Winding Up) Act 1924*, 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 second day of December, 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 second day of December, One thousand nine hundred and forty-seven.

CLIFDEN EAGER,

President of the Legislative Council.

9. PUBLIC WORKS COMMITTEE.—The Honorable J. A. Kennedy moved, by leave, That the following Members of this House be appointed members of the Public Works Committee, viz. :—the Honorable Charles Percival Gartside and the Honorable Trevor Harvey.

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 :—

Anti-Cancer Council Act 1936—Report of the Anti-Cancer Council of Victoria for the year 1946–47, together with Statements of Receipts and Expenditure and audited Balance-sheet.

Constitution Act Amendment Act 1928—Part IX.—Statements of Persons temporarily employed in the Departments of the Legislative Council and Legislative Assembly (two papers).

Constitution Act Amendment Acts—Amendment of Legislative Assembly Election Regulations. Education Act 1928—Amendment of Regulations—

- Regulation II.—Standard of Education.
- Regulation XVI.—Tuition Fees for Secondary Education.
- Regulation XXXIII.—School Committees.
- Regulation XXXVIII.—Girls' Schools.
- Regulation XXXIX.—District High Schools.

Explosives Act 1928—

Orders in Council relating to Classification and Definition of Explosives—

Class 3—Nitro-compound—Division 1—Nobel Parabellum Powder; Division 2—Penta-erythritol-tetranitrate ("P.E.T.N.") (two papers).

Class 6—Ammunition—Division 2—Nobel's Primers (two papers).

Report of the Chief Inspector of Explosives on the working of the Act during the year 1946.

Fire Brigades Act 1928—Report of the Metropolitan Fire Brigades Board for the year 1946–47.

Fruit and Vegetables Act 1928—Amendment of Regulations—Potatoes.

Geelong Harbor Trust Act 1928—Accounts and Statement of Receipts and Expenditure of the Geelong Harbor Trust Commissioners for the year 1946.

Hospitals and Charities Act 1928—Report of the Charities Board of Victoria for the year 1946–47.

Land Act 1928—

Certificates of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of schools at Geelong West and Patchewollock (two papers).

Schedules of country lands proposed to be sold by public auction (two papers).

Land Surveyors Act 1942—Land Surveyors Regulations—Part 2.

Milk and Dairy Supervision Acts—Amendment of Regulations.

Milk Board Acts—Report and Statement of Accounts of the Milk Board for the year 1946–47.

Motor Car (Third-Party Insurance) Act 1939—Statistical Returns by Authorized Insurers for the year 1946–47.

Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—Part III.—Salaries, Increments and Allowances—

Professional Division—

- Department of Agriculture.
- Department of Chief Secretary.
- Department of Health (two papers).
- Department of State Forests.
- Department of Water Supply (two papers).

Technical and General Division—

Department of Chief Secretary.

Department of Lands and Survey.

Department of Water Supply.

General and Departments of Premier, Chief Secretary, Treasurer, Public Instruction, Law, Lands and Survey, Public Works, Mines, Health, Agriculture, Labour, State Forests, and Water Supply.

General—Regulation 55 revoked.

Temporary Employees—

Department of Agriculture (two papers).

Department of Chief Secretary (two papers).

Department of Health.

General and Departments of Chief Secretary and Water Supply.

Public Works Committee Acts—Twelfth General Report of the Public Works Committee.

Railways Act 1928—Report of the Victorian Railways Commissioners for the year 1946–47.

River Murray Waters Act 1915—Report of the River Murray Commission for the year 1946–47.

Second-hand Dealers Acts—Additional Regulation—Cameras.

Soil Conservation Act 1940—Report of the Soil Conservation Board for the year 1946–47.

Supreme Court Acts—Amendment of Probate and Administration Rules of the Supreme Court.

Teaching Service Act 1946—Report of the Teachers' Tribunal for the year 1946–47.

Town and Country Planning Act 1944—Report of the Town and Country Planning Board for the year 1946–47.

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

The Honorable J. F. Kittson 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 P. J. Clarey 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.

12. ADJOURNMENT.—The Honorable J. A. Kennedy 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 sixteen minutes past Six o'clock, adjourned until Tuesday next.

HUGH B. JAMIESON,

Clerk of the Legislative Council.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 1.

TUESDAY, 9TH DECEMBER, 1947.

Question.

1. The Hon. W. H. EDGAR: To ask the Honorable the Commissioner of Public Works—What was the total cost (including the cost of the installation of the necessary electric lighting) of equipping and altering the Royal Agricultural Show Grounds at Flemington for the purposes of holding night trotting races.

NOTICES OF MOTION:—

1. The Hon. J. A. KENNEDY: To move, That Tuesday, Wednesday, Thursday, and Friday in each week be the days on which the Council shall meet for the despatch of business during the present month, that the hour of meeting be half-past Four o'clock on Tuesday and Wednesday in each week and Eleven o'clock on Thursday and Friday in each week, and that on each day the transaction of Government business shall take precedence of all other business.
2. The Hon. J. A. KENNEDY: To move, That Tuesday, Wednesday, and Thursday in each week be the days on which the Council shall meet for the despatch of business during the remainder of the 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.
3. The Hon. J. A. KENNEDY: To move, 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.
4. The Hon. J. A. KENNEDY: To move, 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.
5. The Hon. J. A. KENNEDY: To move, 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.
6. The Hon. J. A. KENNEDY: To move, 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.
7. The Hon. J. A. KENNEDY: To move, 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.

Contingent on the foregoing being carried—

To move, That a Message be sent to the Legislative Assembly acquainting them with the foregoing resolution.

ORDER OF THE DAY (to take precedence):—

1. ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—MOTION FOR—*Resumption of debate (Hon. P. J. Clarey).*

ORDER OF THE DAY:—

Government Business.

1. WHEAT MARKETING (WINDING UP) AMENDMENT BILL—(Hon. P. T. Byrnes)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President of the Legislative Council.

SESSIONAL COMMITTEES—SECOND SESSION 1947.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—
The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, G. S. McArthur, A. E. McDonald, D. L. McNamara, and A. J. Pittard.

By Authority: J. J. GOURLY, Government Printer, Melbourne.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 2.

WEDNESDAY, 10TH DECEMBER, 1947.

Question.

1. THE HON. T. HARVEY : To ask the Honorable the Commissioner of Public Works—Will he lay on the table of the Library the file relating to the closing and re-opening of the beet sugar factory at Maffra.

ORDER OF THE DAY (to take precedence) :—

1. ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—MOTION FOR—*Resumption of debate* (Hon. Sir George Goudie).

ORDERS OF THE DAY:—

Government Business.

1. WHEAT MARKETING (WINDING UP) AMENDMENT BILL—(Hon. P. T. Byrnes)—Second reading.
2. DROUGHT RELIEF (AMENDMENT) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
3. MELBOURNE AND METROPOLITAN TRAMWAYS (AMENDMENT) BILL—(Hon. J. A. Kennedy)—Second reading.
4. STATE FORESTS LOAN AND APPLICATION BILL—(from Assembly—Hon. A. G. Warner)—Second reading.
5. UNIVERSITY (MILDURA BRANCH) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
6. FORESTS (COMMISSIONERS) BILL—(from Assembly—Hon. A. G. Warner)—Second reading.
7. AUDITOR-GENERAL'S SALARY BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
8. WATER SUPPLY LOAN AND APPLICATION BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
9. PUBLIC WORKS LOAN AND APPLICATION BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
10. MUNICIPAL ENDOWMENT (TEMPORARY DISCONTINUANCE) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
11. COUNTRY ROADS BOARD FUND (AMENDMENT) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.

HUGH B. JAMIESON,

Clerk of the Legislative Council.

CLIFDEN EAGER,

President of the Legislative Council.

SESSIONAL COMMITTEES—SECOND SESSION 1947.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, G. S. McArthur, A. E. McDonald, D. L. McNamara, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—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.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables W. H. Edgar, A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

By Authority: J. J. GOURLEY, Government Printer, Melbourne.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 2.

TUESDAY, 9TH DECEMBER, 1947.

1. The President took the Chair and read the Prayer.
2. DROUGHT RELIEF (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 ‘ Drought Relief Act 1947’* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. H. Lienhop, 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. 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 A. G. Warner, 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. FACTORIES AND SHOPS (BREAD) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend the Provisions of the Factories and Shops Acts relating to the Making Baking and Delivery of Bread* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable A. G. Warner, 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. 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 One million four hundred and forty-one thousand four hundred and fifty-five 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 J. A. Kennedy, 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. 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 J. A. Kennedy, 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. FORESTS (COMMISSIONERS) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to make provision for Increasing the Salaries of the Commissioners of the Forests Commission* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable A. G. Warner, 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. 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 J. A. Kennedy, 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. 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 J. A. Kennedy, 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. UNIVERSITY (MILDURA BRANCH) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Sections Three and Four of the ‘University (Mildura Branch) Act 1946’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. H. Lienhop, 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. WATER SUPPLY 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 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 J. H. Lienhop for the Honorable P. T. Byrnes, 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. MELBOURNE AND METROPOLITAN TRAMWAYS (AMENDMENT) BILL.—On the motion (by leave without notice) of the Honorable J. A. Kennedy, leave was given to bring in a Bill to amend Section Eight 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.

13. 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—Part IX.—Statement of Persons temporarily employed in the Department of the Legislative Council and Legislative Assembly House Committee.

Land Act 1928—Report for the year 1946–47.

Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—Salaries, Increments, and Allowances—Professional Division—Department of Mines.

State Coal Mine Industrial Tribunal Act 1932—Award No. 72 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.

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.

14. DAYS OF BUSINESS.—The Honorable J. A. Kennedy moved, That Tuesday, Wednesday, Thursday, and Friday in each week be the days on which the Council shall meet for the despatch of business during the present month, that the hour of meeting be half-past Four o'clock on Tuesday and Wednesday in each week and Eleven o'clock on Thursday and Friday in each week and that on each day the transaction of Government business shall take precedence of all other business.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable J. A. Kennedy 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 remainder of the 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.

The Honorable W. J. Beckett, moved, as an amendment, That the following words be added to the question:—“Provided that at Eleven o'clock on each day the President shall interrupt the proceedings on any business then under consideration; and if the Council be in Committee the Chairman shall leave the Chair and make his report to the Council; and if a motion has been moved for the adjournment of the Council or of the debate such motion shall lapse: Provided further that (i) if at the time of interruption a question has been put, the decision of the Chair shall be declared and any division demanded shall be taken, and (ii) if a Bill which has been fully considered in Committee is under consideration at the time of interruption the President may upon a request made, by leave of the Council, by the Member in charge of the Bill, put all questions necessary to complete the consideration of the Bill, no further debate or amendment being allowed.

The President shall direct that the business interrupted (other than business which in accordance with the foregoing provisions has lapsed or has been concluded) shall be set down, at the stage reached, as an Order of the Day for the next day of meeting.

The President shall then adjourn the Council to the next day of meeting without question put, but if a Minister of the Crown requests, by leave of the Council, that the Council be adjourned to some other specified day, the President shall adjourn the Council to such day."

Debate ensued.

Amendment, by leave, withdrawn.

Question—That Tuesday, Wednesday, and Thursday in each week be the days on which the Council shall meet for the despatch of business during the remainder of the 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—put and resolved in the affirmative.

15. **STANDING ORDERS COMMITTEE.**—The Honorable J. A. Kennedy 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.

16. **HOUSE COMMITTEE.**—The Honorable J. A. Kennedy 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.

17. **LIBRARY COMMITTEE.**—The Honorable J. A. Kennedy 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.

18. **PRINTING COMMITTEE.**—The Honorable J. A. Kennedy 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.

19. **STATUTE LAW REVISION COMMITTEE.**—The Honorable J. A. Kennedy 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.

20. **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 12 *ante*), having been read—

Debate resumed.

The Honorable Sir George Goudie 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. **AUDITOR-GENERAL'S SALARY BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to increase the Salary of the Auditor-General*" and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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.

22. **CONSOLIDATED REVENUE BILL (No. 1).**—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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

23. **FACTORIES AND SHOPS (BREAD) BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable A. G. Warner 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.

Motion—That the debate be now adjourned—by leave, withdrawn.

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 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.

24. ADJOURNMENT.—The Honorable J. A. Kennedy 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.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 3.

WEDNESDAY, 10TH DECEMBER, 1947.

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

2. SUPREME COURT (JUDGES' SALARIES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to increase the Salaries of the Judges of the Supreme Court*" and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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. 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 J. H. Lienhop, 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. 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-eight*" and desiring the concurrence of the Council therein.

On the motion of the Honorable P. T. Byrnes, 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. 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 Act 1946' 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 J. H. Lienhop, 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. SUPERANNUATION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend the Superannuation Acts*" and desiring the concurrence of the Council therein.

On the motion of the Honorable A. G. Warner, 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. 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—Amendment of Adult Education Regulations.

Education Act 1928—Amendment of Regulations—Regulation XLI.—Technical Schools.

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 Strathbogie.

Teaching Service Act 1946—Regulations—

Amendment of Teaching Service (Classification, Salaries, and Allowances) Regulations (two papers).

Amendment of Teaching Service (Teachers' Tribunal) Regulations (four papers).

Transport Regulation Acts—Report of the Transport Regulation Board for the year 1946-47.

8. 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 12 *ante*), having been read—
 Debate resumed.
 Question—put and resolved in the affirmative.
 The Honorable J. A. Kennedy 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.
9. WHEAT MARKETING (WINDING UP) 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.
10. 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
11. MELBOURNE AND METROPOLITAN TRAMWAYS (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.
12. BALLAARAT 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 Crown Grant and Reservation as a Site for a Town Hall of certain Land in the Parish of Ballaarat, the Reservation of such Land for Educational and other Public Purposes, and the Acquisition of certain other Land by the Minister of Public Instruction*” and desiring the concurrence of the Council therein.
 On the motion of the Honorable J. H. Lienhop, 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. 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 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.
14. 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
15. FORESTS (COMMISSIONERS) 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

16. 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 J. A. Kennedy, 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.
17. FACTORIES AND SHOPS (BREAD) BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendment made by the Council in this Bill.
18. AUDITOR-GENERAL'S SALARY 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
19. WATER SUPPLY 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
20. STATE ELECTRICITY COMMISSION (FINANCIAL) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to authorize the Raising of Further Moneys by the State of Victoria and the State Electricity Commission of Victoria for the Purposes of the State Electricity Commission Acts*” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. H. Lienhop, 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. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 9, be postponed until the next day of meeting.
22. 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 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
23. 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 for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. T. Byrnes, 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.
24. BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL (AMENDMENT) BILL.—On the motion (by leave without notice) of the Honorable A. G. Warner, leave was given to bring in a Bill to amend Sections Three and Twenty-three of the *Building Operations and Building Materials Control 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.
25. ADJOURNMENT.—The Honorable J. A. Kennedy 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 fourteen minutes past Eleven o'clock, adjourned until Tuesday next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 3.

TUESDAY, 16TH DECEMBER, 1947.

Question.

- *1. The Hon. W. H. EDGAR: To ask the Honorable the Minister in Charge of Housing—
- What permits were issued to the trustees of the Royal Agricultural Society of Victoria during the past twelve months for alterations and additions to the Royal Agricultural Show Grounds at Flemington for the purposes of holding night trotting races.
 - What amount of expenditure was allowed in the case of each permit in respect of (i) labour and (ii) materials.
 - Has all the work for which permits were granted been completed; if not, what work is still in progress.

ORDERS OF THE DAY:—

Government Business.

- PUBLIC WORKS LOAN AND APPLICATION BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- *2. BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL (AMENDMENT) BILL—(Hon. A. G. Warner)—Second reading.
- *3. ADMINISTRATION AND PROBATE DUTIES BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- *4. LAND TAX BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
- *5. SUPERANNUATION BILL—(from Assembly—Hon. A. G. Warner)—Second reading.
6. COUNTRY ROADS BOARD FUND (AMENDMENT) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- *7. BALLAARAT LAND BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- *8. SUPREME COURT (JUDGES' SALARIES) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- *9. WATER BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
- *10. STATE ELECTRICITY COMMISSION (FINANCIAL) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- *11. STAMPS (INCREASED DUTY CONTINUANCE) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- *12. RAILWAY LOAN APPLICATION BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SECOND SESSION 1947.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, G. S. McArthur, A. E. McDonald, D. L. McNamara, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—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.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables W. H. Edgar, A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 4.

WEDNESDAY, 17TH DECEMBER, 1947.

Question.

- *1. The Hon. G. L. CHANDLER: To ask the Honorable P. T. Byrnes, Minister without Portfolio—
- What area of land is being acquired by the State Rivers and Water Supply Commission for the extension of the Lysterfield Water Storage catchment area.
 - From how many owners is land being acquired and what is the total estimated amount of compensation payable.
 - How many owners have been fully compensated and what is the total amount of compensation already paid.
 - Have the amounts actually paid to each owner exceeded the respective amounts estimated; if so, what is the average percentage increase.

ORDERS OF THE DAY:—

Government Business.

- STAMPS (INCREASED DUTY CONTINUANCE) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
- RAILWAY LOAN APPLICATION BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
- SEWERAGE DISTRICTS (AMENDMENT) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- STATE ELECTRICITY COMMISSION (FINANCIAL) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- PUBLIC ACCOUNT ADVANCES (AMENDMENT) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- INFECTIOUS DISEASES HOSPITAL (AMENDMENT) BILL—(from Assembly—Hon. A. G. Warner)—Second reading.
- PUBLIC WORKS LOAN AND APPLICATION (AMENDMENT) BILL—(from Assembly—Hon. A. G. Warner)—Second reading.
- SUPREME COURT (JUDGES' SALARIES) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL (AMENDMENT) BILL—(Hon. A. G. Warner)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
- WATER BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
- SUPERANNUATION BILL—(from Assembly—Hon. A. G. Warner)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
- VEGETATION DISEASES (FRUIT FLY) BILL—(from Assembly—(Hon. P. T. Byrnes)—Second reading.
- COUNTRY SEWERAGE LOAN AND APPLICATION BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SECOND SESSION 1947.

- ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, G. S. McArthur, A. E. McDonald, D. L. McNamara, and A. J. Pittard.
- STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, W. H. Edgar, Sir George Goudie, T. Harvey, P. P. Inehbold, J. H. Lienhop, and D. L. McNamara.
- HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.
- LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.
- PRINTING.—(Appointed 9th December, 1947).—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.
- STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables W. H. Edgar, A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

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MR. PRESIDENT TAKES THE CHAIR AT A QUARTER PAST ELEVEN O'CLOCK.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 5.

THURSDAY, 18TH DECEMBER, 1947.

Question.

1. The Hon. G. L. CHANDLER: To ask the Honorable P. T. Byrnes, Minister without Portfolio—
- What area of land is being acquired by the State Rivers and Water Supply Commission for the extension of the Lysterfield Water Storage catchment area.
 - From how many owners is land being acquired and what is the total estimated amount of compensation payable.
 - How many owners have been fully compensated and what is the total amount of compensation already paid.
 - Have the amounts actually paid to each owner exceeded the respective amounts estimated; if so, what is the average percentage increase.

ORDERS OF THE DAY:—

Government Business.

1. WATER BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
2. SUPREME COURT (JUDGES' SALARIES) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
3. VEGETATION DISEASES (FRUIT FLY) BILL—(from Assembly—(Hon. P. T. Byrnes)—Second reading.
4. SUPERANNUATION BILL—(from Assembly—Hon. A. G. Warner)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
5. COUNTRY SEWERAGE LOAN AND APPLICATION BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

MEETINGS OF SELECT COMMITTEES.

Thursday, 18th December.

HOUSE COMMITTEE (JOINT)—At a quarter to Two o'clock.

SESSIONAL COMMITTEES—SECOND SESSION 1947.

- ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, G. S. McArthur, A. E. McDonald, D. L. McNamara, and A. J. Pittard.
- STANDING ORDERS.—(Appointed 9th December, 1947).—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.
- HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.
- LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.
- PRINTING.—(Appointed 9th December, 1947).—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.
- STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables W. H. Edgar, A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER PAST ELEVEN O'CLOCK.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 6.

FRIDAY, 19TH DECEMBER, 1947.

In accordance with adjournment the Council will meet this day.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SECOND SESSION 1947.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, G. S. McArthur, A. E. McDonald, D. L. McNamara, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—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.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables W. H. Edgar, A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 4.

TUESDAY, 16TH DECEMBER, 1947.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable J. A. Kennedy 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. :—
 - Consolidated Revenue Act 1947.*
 - Municipal Endowment (Temporary Discontinuance) Act 1947.*
 - Forests (Commissioners) Act 1947.*
 - State Forests Loan and Application Act 1947.*
 - Melbourne and Metropolitan Tramways (Amendment) Act 1947.*
 - Auditor-General's Salary Act 1947.*
 - Drought Relief (Amendment) Act 1947.*
 - Wheat Marketing (Winding Up) Amendment Act 1947.*
 - University (Mildura Branch) Act 1947.*
 - Factories and Shops (Bread) Act 1947.*
 - Water Supply Loan and Application Act 1947.*
3. VEGETATION DISEASES (FRUIT FLY) 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 Control and Eradication of Fruit Fly in certain Areas of Victoria* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. T. Byrnes, 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. PUBLIC WORKS LOAN AND APPLICATION (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend the ‘ Public Works Loan and Application Act 1946 ’* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. G. Warner, 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. WHEAT MARKETING (WINDING UP) AMENDMENT BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.
6. MELBOURNE AND METROPOLITAN TRAMWAYS (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.
7. MELBOURNE AND METROPOLITAN BOARD OF WORKS (CONTRIBUTIONS) BILL.—On the motion (by leave without notice) of the Honorable J. A. Kennedy, leave was given to bring in a Bill to provide for Contributions by the Melbourne and Metropolitan Board of Works to certain Municipalities and for the Maintenance by the Board of certain Roads, and for other purposes, 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.
8. LEAVE OF ABSENCE.—The Honorable W. J. Beckett moved, by leave, That leave of absence be granted to the Honorable Daniel Laurence McNamara for the remainder of the Session on account of ill-health.

Question—put and resolved in the affirmative.

9. 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 (Local Advisory Committee) Regulations.
 - Coal Mines Regulation Act 1928—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 1946–47.
 - Marketing of Primary Products Act 1935—Regulations—Onion Marketing Board—Thirty-sixth period of time for computation of or accounting for the net proceeds of the sale of onions.
 - 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 Health.
 - Technical and General Division—Department of Water Supply (two papers).
 - Temporary Employees—General and Departments of Premier, Chief Secretary, Treasurer, Public Instruction, Law, Lands and Survey, Public Works, Mines, Health, Agriculture, State Forests, and Water Supply.
 - Water Acts—Report of the State Rivers and Water Supply Commission for the year 1946–47.
10. 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
11. SEWERAGE DISTRICTS (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Sections Twenty-one Twenty-three and Seventy-seven of the ‘Sewerage Districts Act 1928’*” and desiring the concurrence of the Council therein.
- On the motion of the Honorable J. H. Lienhop, 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. COUNTRY SEWERAGE 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 Sewerage Works in Country Districts and to sanction the Issue and Application of the Money so raised and of other Money available for the purpose under Loan Acts or in the the State Loans Repayment Fund, and for other purposes*” and desiring the concurrence of the Council therein.
- On the motion of the Honorable P. T. Byrnes, 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. 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 Seven of the ‘Public Account Advances Act 1924’*” and desiring the concurrence of the Council therein.
- On the motion of the Honorable J. A. Kennedy, 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. INFECTIOUS DISEASES HOSPITAL (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to the Accommodation of General Medical and Surgical Cases at Fairfield Hospital, and for other purposes*” and desiring the concurrence of the Council therein.
- On the motion of the Honorable A. G. Warner, 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. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
- Soldier Settlement Act 1945—Report of the Soldier Settlement Commission for the period ended 30th June, 1947, together with Balance-sheet and Statement of Accounts duly audited.
16. 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.
17. 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

18. **LAND 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
19. **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, after debate, read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
20. **BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL (AMENDMENT) BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable A. G. Warner 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.
21. **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.
22. **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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
23. **BALLAARAT 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
24. **SUPERANNUATION BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable A. G. Warner 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.
25. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 8 to 10 inclusive, be postponed until the next day of meeting.
26. **STAMPS (INCREASED DUTY CONTINUANCE) BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable J. H. Lienhop 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.

27. RAILWAY LOAN APPLICATION BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy 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. ADJOURNMENT.—ALTERATION OF HOUR OF MEETING.—The Honorable J. A. Kennedy moved, by leave, That the Council, at its rising, adjourn until to-morrow at Two o'clock.

Debate ensued.

Question—put and resolved in the affirmative.

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

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 5.

WEDNESDAY, 17TH DECEMBER, 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:—

Factories and Shops Acts—Report of the Chief Inspector of Factories and Shops for the year 1946.

Fisheries Acts—Notice of intention to alter the proclamation respecting the use of mesh or set nets in the Port of Corner Inlet and Port Albert.

State Electricity Commission Act 1928—Report of the State Electricity Commission of Victoria for the year 1946–47.

3. STAMPS (INCREASED DUTY CONTINUANCE) 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

4. RAILWAY LOAN APPLICATION 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

5. 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

6. STATE ELECTRICITY COMMISSION (FINANCIAL) 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
7. 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
8. INFECTIOUS DISEASES HOSPITAL (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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
9. OFFICIALS IN PARLIAMENT BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend Division Two of Part II. of 'The Constitution Act Amendment Act 1928'*" and desiring the concurrence of the Council therein.
On the motion of the Honorable J. A. Kennedy, 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. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
Free Library Service Board Act 1946—Report of the Free Library Service Board of Victoria for the period from 2nd May to 30th June, 1947.
Mental Hygiene Act 1928—Report of the Director of Mental Hygiene for the year 1946.
Motor Car (Third-Party) Insurance Act 1939—State Motor Car Insurance Office—Report, Profit and Loss Account, and Balance-sheet for the year 1946-47.
Police Regulation Acts—Amendment of Police Regulations.
Public Library National Gallery and Museums Act 1944—Reports, with Statements of Income and Expenditure, for the year 1946-47 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 Museums of Victoria.
Workers' Compensation Act 1928—State Accident Insurance Office—Report, Profit and Loss Account, and Balance-sheet for the year 1946-47.
11. PUBLIC WORKS LOAN AND APPLICATION (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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
12. OFFICIALS IN PARLIAMENT BILL.—This Bill was, according to Order and after debate, read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council 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 with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council 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.
13. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 8, be postponed until later this day.

14. BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL (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, having been read—

Debate resumed.

And the Council having continued to sit until after Twelve of the clock—

THURSDAY, 18TH DECEMBER, 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 the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 15 ADJOURNMENT.—The Honorable J. A. Kennedy moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

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

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 6.

THURSDAY, 18TH DECEMBER, 1947.

1. The President took the Chair and read the Prayer.
2. 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 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.
3. SUPREME COURT (JUDGES' SALARIES) 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
4. VEGETATION DISEASES (FRUIT FLY) 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.
5. 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 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. COUNTRY SEWERAGE 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

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

Transport Regulation Acts—Amendment of Regulations—

Transport Regulations (General Regulations No. 1).

Transport Regulations (General Conditions of Licence for Commercial Goods Vehicles).

Transport Regulations (General Conditions of Licence for Commercial Passenger Vehicles).

8. 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. Bailey, Mr. Cain, Lieut.-Col. Leggatt, Mr. Merrifield, Mr. Oldham, and Mr. Schilling, 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.

9. MELBOURNE AND METROPOLITAN BOARD OF WORKS (CONTRIBUTIONS) 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.

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

Clause 4, sub-clause (1), line 2, omit “portions” and insert “portion”.

On the motion of the Honorable J. A. Kennedy, the Council agreed to the amendment made by the Assembly and ordered the Bill to be returned to the Assembly with a Message acquainting them therewith.

10. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:—

Victorian Inland Meat Authority Act 1942—Report of the Victorian Inland Meat Authority for the year 1946-47.

11. ADJOURNMENT.—The Honorable J. A. Kennedy moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

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

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 7.

FRIDAY, 19TH DECEMBER, 1947.

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

2. POLICE REGULATION (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the Police Regulation Acts*” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. H. Lienhop, 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. VEGETATION DISEASES (FRUIT FLY) BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendment made by the Council in this Bill.

4. POLICE REGULATION (AMENDMENT) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. H. Lienhop moved, That this Bill be now read a second time.

Debate ensued.

Question—put.

The Council divided.

Ayes, 14.

The Hon. Sir William Angliss,
 Sir Frank Beaurepaire (*Teller*),
 P. T. Byrnes,
 G. L. Chandler,
 C. P. Gartside,
 Sir George Goudie,
 T. Harvey (*Teller*),
 P. P. Inchbold,
 C. E. Isaac,
 J. A. Kennedy,
 J. H. Lienhop,
 W. MacAulay,
 D. J. Walters,
 A. G. Warner.

Noes, 6.

The Hon. W. J. Beckett,
 P. J. Clarey,
 P. L. Coleman,
 A. M. Fraser,
 Paul Jones (*Teller*),
 L. H. McBrien (*Teller*).

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 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.

5. BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.

6. FACTORIES AND SHOPS (DETERMINATIONS) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Section One hundred and Seventy-one of the ‘Factories and Shops Act 1928’ and Section Twenty-two of the ‘Factories and Shops Act 1941’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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.

7. 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-eight and to appropriate Supplies granted in this and the last two preceding Sessions of Parliament*” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

8. ADJOURNMENT.—The Honorable J. A. Kennedy 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 J. A. Kennedy moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at four 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.

HUGH B. JAMIESON,
 Clerk of the Legislative Council.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 7.

THURSDAY, 15TH JANUARY, 1948.

Pursuant to a resolution of the House, the President has fixed this day, at half-past Four o'clock as the day and hour for the meeting of the Council.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, W. H. Edgar, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables W. H. Edgar, A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 8.

THURSDAY, 15TH JANUARY, 1948.

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. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable J. A. Kennedy presented a Message from His Excellency the Governor informing the Council that he had, on the 23rd December last, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—

Public Works Loan and Application Act.
Administration and Probate Duties Act.
Land Tax Act.
Country Roads Board Fund (Amendment) Act.
Ballaarat Land Act.
Stamps (Increased Duty Continuance) Act.
Railway Loan Application Act.
Sewerage Districts (Amendment) Act.
State Electricity Commission (Financial) Act.
Public Account Advances (Amendment) Act.
Infectious Diseases Hospital (Amendment) Act.
Public Works Loan and Application (Amendment) Act.
Officials in Parliament Act.
Water Act.
Supreme Court (Judges' Salaries) Act.
Superannuation Act.
Country Sewerage Loan and Application Act.
Melbourne and Metropolitan Board of Works (Contributions) Act.
Vegetation Diseases (Fruit Fly) Act.
Building Operations and Building Materials Control (Amendment) Act.
Police Regulation (Amendment) Act.
Factories and Shops (Determinations) Act.

4. PRESENTATION OF ADDRESS TO HIS EXCELLENCY THE GOVERNOR.—The President reported that, accompanied by Honorable Members, he had, on the 23rd December last, waited upon His Excellency the Governor and had presented to him the Address of the Legislative Council, adopted on the 10th December last, 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.

5. THE LATE HONORABLE DANIEL LAURENCE MCNAMARA.—The Honorable J. A. Kennedy moved, by leave, That this House place on record its deep regret at the death of the Honorable Daniel Laurence McNamara, one of the Members for the Melbourne Province and a former Minister of the Crown, and its keen appreciation of the valuable services rendered by him to the Parliament and the people of Victoria.

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

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

6. PAPERS.—The Honorable J. A. Kennedy presented, by command of His Excellency the Governor—
Police—Report of the Chief Commissioner of Police for the year 1946.

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:—

Education Act 1928—Amendment of Regulations—Regulation XXIII.—School Hours and Organization.

Geelong Waterworks and Sewerage Act 1928—Fortieth Balance-sheet of the Geelong Waterworks and Sewerage Trust as at 30th June, 1947.

Land Act 1928—Schedule of Country Lands proposed to be sold by public auction.

Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—
Part III.—Salaries, Increments, and Allowances—

Professional Division—Department of Agriculture.

Technical and General Division—

Department of Treasurer.

Department of Water Supply.

Temporary Employees—

Department of Agriculture.

Department of Chief Secretary.

Department of Health.

Department of Public Instruction.

Part VII.—Miscellaneous—Yearly Report on Officers.

Seeds Act 1935—Amendment of Regulations.

Teaching Service Act 1946—Amendment of Regulations—

Teaching Service (Classification, Salaries, and Allowances) Regulations (two papers).

Teaching Service (Teachers' Tribunal) Regulations.

7. ESSENTIAL SERVICES 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 Protection of the Community against the Interruption or Dislocation of Essential Services*" and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed.

Objection having been taken to leave being given for the motion, That the second reading of the Bill be made an Order of the Day for later this day—

The Honorable J. A. Kennedy moved, That the Bill be treated as an urgent Bill.

Question—That the Bill be treated as an urgent Bill—put.

The Council divided.

Ayes, 22.

The Hon. Sir Frank Beaufrepaire,
P. T. Byrnes,
G. L. Chandler (*Teller*),
Sir Frank Clarke,
Sir George Goudie,
T. Harvey,
P. P. Inchbold,
C. E. Isaac,
J. A. Kennedy,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
L. H. McBrien,
A. E. McDonald,
H. V. MacLeod,
A. J. Pittard,
R. C. Rankin (*Teller*),
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,
P. J. Kennelly.

And so it was resolved in the affirmative.

The Honorable J. A. Kennedy moved, That the second reading of the Bill be made an Order of the Day for later this day.

Question—put.

The Council divided.

Ayes, 22.

The Hon. Sir Frank Beaurepaire,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
Sir George Goudie,
T. Harvey,
P. P. Inchbold,
C. E. Isaac,
J. A. Kennedy,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
L. H. McBrien (*Teller*),
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,
A. M. Fraser,
Paul Jones (*Teller*),
P. J. Kennelly (*Teller*).

And so it was resolved in the affirmative.

The Honorable J. A. Kennedy moved, That the Bill be now read a second time.

Debate ensued.

And the Council having continued to sit until after Twelve of the clock—

FRIDAY, 16TH JANUARY, 1948.

Debate continued.

The Honorable G. J. Tuckett moved, That the question be now put, and six other Members having risen in their places as indicating approval of the motion—

Question—That the question be now put—put.

The Council divided.

Ayes, 20.

The Hon. Sir Frank Beaurepaire,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
Sir George Goudie,
T. Harvey,
P. P. Inchbold,
C. E. Isaac,
J. A. Kennedy,
Col. G. V. Lansell,
J. H. Lienhop,
W. MacAulay,
A. E. McDonald,
H. V. MacLeod,
A. J. Pittard (*Teller*),
R. C. Rankin,
I. A. Swinburne (*Teller*),
G. J. Tuckett,
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,
P. J. Kennelly,
G. S. McArthur (*Teller*).

And so it was resolved in the affirmative.

Question—That the Bill be now read a second time—put.

The Council divided.

Ayes, 21.

The Hon. Sir Frank Beaurepaire,
 P. T. Byrnes,
 G. L. Chandler,
 Sir Frank Clarke,
 Sir George Goudie,
 T. Harvey,
 P. P. Inchbold,
 C. E. Isaac,
 J. A. Kennedy,
 Col. G. V. Lansell (*Teller*),
 J. H. Lienhop,
 G. S. McArthur,
 W. MacAulay,
 A. E. McDonald,
 H. V. MacLeod,
 A. J. Pittard,
 R. C. Rankin,
 I. A. Swinburne,
 G. J. Tuckett,
 D. J. Walters (*Teller*),
 A. G. Warner.

Noes, 6.

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

And so it was resolved in the affirmative.—Bill read a second time.

The Honorable J. A. Kennedy moved, That the Bill be now committed.

Question—That the Bill be now committed—put.

The Council divided.

Ayes, 21.

The Hon. Sir Frank Beaurepaire,
 P. T. Byrnes,
 G. L. Chandler,
 Sir Frank Clarke,
 Sir George Goudie,
 T. Harvey,
 P. P. Inchbold,
 C. E. Isaac (*Teller*),
 J. A. Kennedy,
 Col. G. V. Lansell,
 J. H. Lienhop,
 G. S. McArthur,
 W. MacAulay (*Teller*),
 A. E. McDonald,
 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 (*Teller*),
 Paul Jones,
 P. J. Kennelly.

And so it was resolved in the affirmative.—Bill committed to a Committee of the whole.

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.

The Honorable J. A. Kennedy moved, That the Bill be now read a third time.

Debate ensued.

The Honorable D. J. Walters moved, That the question be now put, and six other Members having risen in their places as indicating approval of the motion—

Question—That the question be now put—put.

The Council divided.

Ayes, 21.

The Hon. Sir Frank Beaufrepaire,
 P. T. Byrnes,
 G. L. Chandler,
 Sir Frank Clarke (*Teller*),
 Sir George Goudie,
 T. Harvey,
 P. P. Inchbold,
 C. E. Isaac,
 J. A. Kennedy,
 Col. G. V. Lansell,
 J. H. Lienhop,
 G. S. McArthur,
 W. MacAulay,
 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.

Noes, 5.

The Hon. P. J. Clarey,
 P. L. Coleman (*Teller*),
 A. M. Fraser (*Teller*),
 Paul Jones,
 P. J. Kennelly.

And so it was resolved in the affirmative.

Question—That the Bill be now read a third time—put.

The Council divided.

Ayes, 21.

The Hon. Sir Frank Beaufrepaire,
 P. T. Byrnes,
 G. L. Chandler,
 Sir Frank Clarke,
 Sir George Goudie,
 T. Harvey,
 P. P. Inchbold,
 C. E. Isaac,
 J. A. Kennedy,
 Col. G. V. Lansell,
 J. H. Lienhop,
 G. S. McArthur,
 W. MacAulay,
 A. E. McDonald,
 H. V. MacLeod (*Teller*),
 A. J. Pittard,
 R. C. Rankin,
 I. A. Swinburne (*Teller*),
 G. J. Tuckett,
 D. J. Walters,
 A. G. Warner.

Noes, 5.

The Hon. P. J. Clarey,
 P. L. Coleman,
 A. M. Fraser,
 Paul Jones (*Teller*),
 P. J. Kennelly (*Teller*).

And so it was resolved in the affirmative.—Bill read a third time.

Question—That the Bill do pass—put.

The Council divided.

Ayes, 21.

The Hon. Sir Frank Beaurepaire (*Teller*),
 P. T. Byrnes,
 G. L. Chandler,
 Sir Frank Clarke,
 Sir George Goudie,
 T. Harvey,
 P. P. Inchbold,
 C. E. Isaac,
 J. A. Kennedy,
 Col. G. V. Lansell,
 J. H. Lienhop,
 G. S. McArthur,
 W. MacAulay,
 A. E. McDonald,
 H. V. MacLeod,
 A. J. Pittard,
 R. C. Rankin,
 I. A. Swinburne,
 G. J. Tuckett,
 D. J. Walters (*Teller*),
 A. G. Warner.

Noes, 5.

The Hon. P. J. Clarey,
 P. L. Coleman,
 A. M. Fraser (*Teller*),
 Paul Jones (*Teller*),
 P. J. Kennelly.

And so it was resolved in the affirmative.—Bill passed.

Question—That the title of the Bill be *An Act to make provision with respect to the Protection of the Community against the Interruption or Dislocation of Essential Services*—put and resolved in the affirmative.

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. ESSENTIAL SERVICES BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in this Bill.
9. ADJOURNMENT.—The Honorable J. A. Kennedy 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 forty-seven minutes past Four 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.

HUGH B. JAMIESON,
 Clerk of the Legislative Council.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 8.

TUESDAY, 27TH APRIL, 1948.

Pursuant to a resolution of the House, the President has fixed this day, at half-past Four o'clock as the day and hour for the meeting of the Council.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, W. H. Edgar, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables W. H. Edgar, A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 9.

TUESDAY, 27TH APRIL, 1948.

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. RETURN TO WRIT.—The President announced that on the 19th February last he had issued a Writ for the election of a member to serve for the Melbourne Province in the place of the Honorable Daniel Laurence McNamara, deceased, and that such Writ had been returned to him and by the indorsement thereon it appeared that Frederick Miles Thomas had been elected in pursuance thereof.
4. SWEARING-IN OF NEW MEMBER.—The Honorable Frederick Miles Thomas, 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, FREDERICK MILES THOMAS*, 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 Collingwood, and are known as 18 Emma-street, Collingwood.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Collingwood are rated in the rate-book of the said municipality upon a yearly value of £50.

“ 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.

“ F. M. THOMAS.”
5. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. A. Kennedy presented a Message from His Excellency the Lieutenant-Governor, as Deputy for the Governor, informing the Council that he had, on the 20th January last, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments, viz. :—

Essential Services Act.
6. LOCAL GOVERNMENT (STREETS) BILL.—On the motion (by leave without notice) of the Honorable J. A. Kennedy, leave was given to bring in a Bill to provide for the Declaration of the Alignment of Streets, for the Widening of Streets and for the Opening of New Streets, and for other purposes connected therewith, 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.
7. COUNTRY ROADS BILL.—On the motion (by leave without notice) of the Honorable J. A. Kennedy, leave was given to bring in a Bill to extend the Application of the Provisions of the *Local Government (Streets) Act 1948* to State Highways Main Roads Developmental Roads Tourists' Roads and Forest Roads, 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.
8. TOWN AND COUNTRY PLANNING BILL.—On the motion (by leave without notice) of the Honorable J. A. Kennedy, leave was given to bring in a Bill to amend the *Town and Country Planning Act 1944* and for other purposes, 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. MELBOURNE HARBOR TRUST (CHAIRMAN'S SALARY) BILL.—On the motion (by leave without notice) of the Honorable J. A. Kennedy, and after debate, leave was given to bring in a Bill to make provision for Increasing the Salary of the Chairman of the Melbourne Harbor Trust Commissioners, 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. BOILERS INSPECTION (AMENDMENT) BILL.—On the motion (by leave without notice) of the Honorable J. H. Lienhop, leave was given to bring in a Bill to amend the Law relating to the Inspection and Regulation of Boilers, 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 Honorable J. A. Kennedy presented, by command of His Excellency the Governor—
Indeterminate Sentences Board—Report for the year 1946–47.

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.
- Children's Court Act 1928—Amendment of Regulations.
- Companies Act 1938—Return by Prothonotary of business of the Supreme Court in connexion with the winding-up of Companies during the year 1947.
- Constitution Act Amendment Acts—Amendment of the Legislative Council Elections Regulations 1936.
- Country Fire Authority Acts—Amendment of the Country Fire Authority (General) Regulations.
- Country Roads Act 1928—Report of the Country Roads Board for the year 1946–47.
- Dairy Products Acts—Report of the Victorian Dairy Products Board for the six months ended 31st December, 1947.
- Dried Fruits Acts—Statement showing details of Receipts and Expenditure under the Dried Fruits Acts for the year 1947.
- Education Act 1928—Amendment of Regulations—Regulation XXI.—Scholarships.
- Forests Act 1928—Report of the Forests Commission of Victoria for the year 1946–47.
- 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 1947.
- Fruit and Vegetables Acts—Amendment of Regulations.
- Hairdressers Registration Acts—Hairdressers Registration Regulations 1947.
- Justices Act 1928 and Acts Interpretation Act 1928—Amendment of Rules under the Justices Acts (two papers).
- Land Acts—
Amendments of Regulations (two papers).
Certificates of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of schools at Bendigo, Carlton, East Oakleigh, and Shepparton (four papers).
Schedules of country lands proposed to be sold by public auction (four papers).
- Land Surveyors Act 1942—Land Surveyors Regulations, Part 1.
- Legal Profession Practice Acts—
Rules of the Council of Legal Education 1947.
Solicitors (Sharing of Remuneration) Rules 1947.
- Local Authorities Superannuation Act 1947—Regulations No. 1.
- Local Government Act 1946—Regulations—Notices relating to construction of Private Streets, and Drainage of Houses, Buildings or Lands.
- Marketing of Primary Products Act 1935—Amendment of Chicory Marketing Board Regulations 1936.
- Medical Act 1928—Pharmacy Board of Victoria—The Pharmacy Regulations 1947.
- 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 1946–47.
- Poisons Act 1928—Dangerous Drugs Regulations 1947.
- Police Regulation Acts—
Amendment of Police Regulations (three papers).
Determinations Nos. 7, 8, and 9 of the Police Classification Board (three papers).

- Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—
- Part I.—Appointments to the Administrative, Professional, and Technical and General Divisions—
- Professional Division—Regulation 22A—Candidates for appointment as Draughtsmen.
- Technical and General Division—Department of Health.
- Part II.—Promotions and Transfers—
- Regulation 42 amended.
- Technical and General Division—Department of Health.
- Part III.—Salaries, Increments, and Allowances—
- Administrative and Professional Divisions.—Scale of rates of annual salaries.
- Professional Division—
- Department of Agriculture (five papers).
- Department of Chief Secretary (two papers).
- Department of Health (five papers).
- Department of Law (three papers).
- Department of Mines.
- Department of State Forests.
- Department of Water Supply (two papers).
- Departments of Chief Secretary, Treasurer, Law, Public Works, Agriculture, State Forests, and Water Supply.
- Departments of Law and Health.
- Departments of Treasurer, Public Works, Agriculture, and State Forests.
- Technical and General Division—
- Department of Chief Secretary (four papers).
- Department of Health (two papers).
- Department of Public Works (two papers).
- Department of Treasurer (two papers).
- Department of Water Supply.
- General.
- Temporary Employees—
- Department of Agriculture (two papers).
- Department of Chief Secretary.
- Department of Health (six papers)
- Department of Public Works (two papers).
- Department of State Forests (two papers).
- Department of Treasurer.
- Departments of Health and Mines.
- General.
- General and Department of Agriculture.
- Part V.—Travelling Expenses—
- Department of Health.
- Departments of State Forests and Water Supply.
- General (three papers).
- Railways Act 1928—
- Awards made by the Railways Classification Board together with the Reports of the Victorian Railways Commissioners with regard thereto—
- Award No. 95 relating to rates of salaries and wages for the year 1947.
- Award No. 96 relating to certain conditions of employment.
- Reports of the Victorian Railways Commissioners for the quarters ended 30th June, 30th September, and 31st December, 1947 (three papers).
- Registration of Births Deaths and Marriages Act 1928—General Abstract of the number of Births, Deaths, and Marriages registered during the year 1947 in Victoria.
- Seeds Acts—Amendment of Regulations—Linseed.
- State Coal Mine Industrial Tribunal Act 1932—Award No. 73 made by the State Coal Mine Industrial Tribunal relating to rates of pay and working conditions of certain workers at the State Coal Mine, Wonthaggi, together with the Report of the Victorian Railways Commissioners with regard thereto.
- Superannuation Act 1928—Report of the State Superannuation Board for the year 1946–47.
- Supreme Courts Acts and Legal Profession Practice Acts—Rules of the Supreme Court—Certain rules repealed.
- Teaching Service Act 1946—Amendment of Regulations—
- Teaching Service (Classification, Salaries, and Allowances) Regulations (three papers).
- Teaching Service (Governor in Council) Regulations (two papers).
- Teaching Service (Teachers' Tribunal) Regulations (four papers).
- Zoological Gardens Act 1936—Amendment of Regulations.

12. TOWN AND COUNTRY PLANNING BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy 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.
13. MELBOURNE HARBOR TRUST (CHAIRMAN'S SALARY) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy 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.
14. COUNTRY ROADS BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy 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.
15. ADJOURNMENT.—The Honorable J. A. Kennedy 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-two minutes past Five o'clock, adjourned until Tuesday next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 9.

TUESDAY, 4TH MAY, 1948.

Question—

1. The Hon. G. L. CHANDLER: To ask the Honorable the Commissioner of Public Works—
 - (a) What are the names and addresses of all persons holding leases of railway land at (i) Belgrave, and (ii) Upper Ferntree Gully.
 - (b) What is, in the case of each lease—
 - (i) the date and term thereof;
 - (ii) the annual rental charged; and
 - (iii) the length of the frontage of the land leased.

Government Business.

ORDERS OF THE DAY:—

1. LOCAL GOVERNMENT (STREETS) BILL—(*Hon. J. A. Kennedy*)—Second reading.
2. COUNTRY ROADS BILL—(*Hon. J. A. Kennedy*)—Second reading—*Resumption of debate* (*Hon. W. J. Beckett*).
3. BOILERS INSPECTION (AMENDMENT) BILL—(*Hon. J. H. Lienhop*)—Second reading.
4. MELBOURNE HARBOR TRUST (CHAIRMAN'S SALARY) BILL—(*Hon. J. A. Kennedy*)—Second reading—*Resumption of debate* (*Hon. W. J. Beckett*).
5. TOWN AND COUNTRY PLANNING BILL—(*Hon. J. A. Kennedy*)—Second reading—*Resumption of debate* (*Hon. W. J. Beckett*).

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947-48.

- ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, G. S. McArthur, A. E. McDonald, and A. J. Pittard.
- STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, W. H. Edgar, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.
- HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.
- LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.
- PRINTING.—(Appointed 9th December, 1947).—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.
- STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables W. H. Edgar, A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 10.

WEDNESDAY, 5TH MAY, 1948.

Question—

- *1. The Hon. J. F. KIRTSON : To ask the Honorable the Commissioner of Public Works—
- (a) What theoretical examinations is it necessary for a constable in the Victorian Police Force to pass in order to be promoted to—
- (i) First Constable ;
 - (ii) Senior Constable ;
 - (iii) Sergeant (First or Second Class) ; and
 - (iv) All ranks above that of Sergeant.
- (b) What clause or clauses in the Police Regulations provide for each of such examinations.

Government Business.

NOTICES OF MOTION :—

- *1. The Hon. J. A. KENNEDY : To move, That so much of the Sessional Orders as provides that the Council shall meet for the despatch of business on Thursday in each week and that half-past Four o'clock be the hour of meeting be suspended during the present month and that during the present month the Council shall meet on Thursday and Friday in each week at Eleven o'clock.
- *2. The Hon. J. A. KENNEDY : To move, That so much of the Sessional Orders as provides 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 be suspended during the present month and that during the present month Government business shall take precedence of all other business and new business may be taken at any hour.

ORDERS OF THE DAY :—

1. TOWN AND COUNTRY PLANNING BILL—(*Hon. J. A. Kennedy*)—Second reading—*Resumption of debate* (*Hon. W. J. Beckett*).
2. BOILERS INSPECTION (AMENDMENT) BILL—(*Hon. J. H. Lienhop*)—Second reading.

* *Notifications to which an asterisk (*) is prefixed appear for the first time.*

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947-48.

- ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.
- STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, W. H. Edgar, A. M. Fraser†, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.
- HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.
- LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.
- PRINTING.—(Appointed 9th December, 1947).—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.
- STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables W. H. Edgar, A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 11.

THURSDAY, 6TH MAY, 1948.

Questions—

- *1. The Hon. I. A. SWINBURNE : To ask the Honorable the Commissioner of Public Works—
- (a) Is it necessary to obtain a permit in order to move sheep by motor transport ; if so—
 - (i) what is the relevant authority for the issuing of a permit ;
 - (ii) what persons are authorized to issue permits ; and
 - (iii) is it the responsibility of the owner of the sheep or the owner of the motor vehicle carrying the sheep to obtain such permit.
 - (b) Is it compulsory for persons issuing permits to inspect the sheep before a permit is issued.
 - (c) How many convictions were secured during the year ended 31st December, 1947, against—
 - (i) Owners of motor vehicles for carrying sheep without permits ; and
 - (ii) Agents for accepting sheep carried by motor vehicle without permits.
 - (d) How many convictions for sheep stealing were secured during the past five years—
 - (i) from evidence obtained from permits ; and
 - (ii) against owners of motor vehicles who had not obtained a permit.
- *2. The Hon. A. M. FRASER : To ask the Honorable the Minister in Charge of Housing—
- (a) What arrangements have been made or are contemplated for the importation of cement from sources outside Australia.
 - (b) What will be the price of such cement landed in Australia in comparison with cement manufactured in Australia.
 - (c) What arrangements are contemplated for the distribution of such cement when received in Victoria.
- *3. The Hon. P. L. COLEMAN : To ask the Honorable the Minister of Mines—What amount of black coal per week was received from New South Wales during the periods from January to April, 1947, and from January to April, 1948, and what policy was adopted by the Government in regard to the distribution thereof.
- *4. The Hon. P. L. COLEMAN : To ask the Honorable the Minister of Mines—What amount of brown coal was produced by (i) the State Electricity Commission and (ii) private enterprise in the months of December, 1947, and January, February, March, and April, 1948, respectively.
- *5. The Hon. P. L. COLEMAN : To ask the Honorable the Minister in Charge of Housing—
- (a) What are the monthly production figures for bricks, terra-cotta tiles, cement tiles, cement sheeting (all types) and cement pipes of all sizes, for the periods from December, 1946, to March, 1947, and from December, 1947, to March, 1948.
 - (b) What are the monthly figures for all types of timber produced in Victoria during the periods from December, 1946, to March, 1947, and from December, 1947, to March, 1948.
 - (c) What are the details of timber imported from all sources into Victoria during the periods mentioned in (b).
- *6. The Hon. P. L. COLEMAN : To ask the Honorable the Minister in Charge of Housing—
- (a) What is the allocation to Victoria of galvanized iron, galvanized iron piping and wire products.
 - (b) What amounts of these materials were held on behalf of Victoria at (i) Newcastle and (ii) Port Kembla during the months of December, 1947 and January, February and March, 1948, respectively.
 - (c) What amounts of these materials were received in Victoria—(i) by rail, (ii) by sea and (iii) by road during the months of December, 1947, and January, February, and March, 1948, respectively.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

- *7. The Hon. P. L. COLEMAN : To ask the Honorable the Minister in Charge of Housing—What are the details of the various instructions issued regarding the distribution of cement during the period from 1st December, 1947, to 30th April, 1948.
- *8. The Hon. A. M. FRASER : To ask the Honorable the Commissioner of Public Works—What department of the Public Service and what Minister has the responsibility for the administration of the following subject matters—
- (a) Evictions of tenants ;
 - (b) Fixation of fair rents ;
 - (c) Acquisition of land for housing ;
 - (d) Production and distribution of building materials ;
 - (e) Granting of permits for building ;
 - (f) Temporary housing accommodation ; and
 - (g) Co-operative building societies.

Government Business.

ORDERS OF THE DAY :—

1. LANDLORD AND TENANT BILL.—(*from Assembly—Hon. J. A. Kennedy*)—Second reading.
2. BOILERS INSPECTION (AMENDMENT) BILL.—(*Hon. J. H. Lienhop*)—Second reading.
3. TOWN AND COUNTRY PLANNING BILL.—(*Hon. J. A. Kennedy*)—To be further considered in Committee.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947–48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, W. H. Edgar, A. M. Fraser†, Sir George Goudie, T. Harvey, P. P. Inehbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables W. H. Edgar, A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 10.

TUESDAY, 4TH MAY, 1948.

- 1. The President took the Chair and read the Prayer.
- 2. COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The President laid upon the Table the following Warrant appointing a member 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 Patrick John Kennelly

to be a member of the Committee of Elections and Qualifications.

Given under my hand this fourth day of May, One thousand nine hundred and forty-eight.

CLIFDEN EAGER,

President of the Legislative Council.

- 3. STANDING ORDERS COMMITTEE.—The Honorable J. A. Kennedy moved, by leave, that the Honorable Archibald McDonald Fraser be a member of the Select Committee on the Standing Orders of the House.

Question—put and resolved in the affirmative.

- 4. PAPERS.—The Honorable J. A. Kennedy presented, by command of His Excellency the Governor—
Education—Report of the Minister of Public Instruction for the year 1946–47.
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 :—

Coal Mine Workers Pensions Act 1942—Statements of Accounts of the Pensions Tribunal for the year 1946–47, duly audited.

Co-operative Housing Societies Acts—Co-operative Housing Societies (General) Regulations No. 4.

Country Fire Authority Act 1944—Report of the Country Fire Authority for the year 1946–47, together with a duly audited balance-sheet and statement of receipts and expenditure during that year.

Fisheries Acts—Notices of Intention to issue Proclamations—

To alter the Proclamation respecting the area closed against netting near Limeburner's Bay, near Geelong.

To fix a minimum length for bream.

To prohibit all fishing in or the taking or fish from Rawes Spring Creek, near Corryong, during the whole of each year.

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.

Declaring that onions shall become the property of the Onion Marketing Board for a further period of two years.

Motor Car (Third-Party Insurance) Act 1939—Regulations—Maximum Rates of Insurance Premiums.

Police Regulation Acts—Amendment of Police Regulations.

Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—
Part III.—Salaries, Increments, and Allowances—

Professional Division—

Department of Agriculture.
Department of Health.

Technical and General Division—

Department of Chief Secretary (three papers).
Department of Labour.

Temporary Employees—

Department of Health.
Department of Public Works.

Stamps Act 1946—Stamps Regulations 1948.

Teaching Service Act 1946—Amendment of Regulations—

Teaching Service (Classification, Salaries, and Allowances) Regulations.

Teaching Service (Governor in Council) Regulations.

Teaching Service (Teachers' Tribunal) Regulations (two papers).

Vegetation Diseases (Fruit Fly) Act 1947—Vegetation Diseases (Fruit Fly) Compensation Regulations 1948.

5. LOCAL GOVERNMENT (STREETS) 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.

6. COUNTRY ROADS 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.

7. 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.

8. MELBOURNE HARBOR TRUST (CHAIRMAN'S SALARY) 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.

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

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 11.

WEDNESDAY, 5TH MAY, 1948.

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

2. LANDLORD AND TENANT BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act relating to the Control of Rents of Premises and the Recovery of Possession of Premises, to amend the 'Landlord and Tenant Act 1928', and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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 Honorable J. A. Kennedy presented, by command of His Excellency the Governor—
State Electricity Commission—Report on the Extension of the Kiewa Hydro-electric
Project from 117 megawatts to 289 megawatts, and matters related to the system
generating capacity.

Ordered to lie on the Table.

The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by
the Clerk :—

Workers' Compensation Acts—Regulations—Rates of Premium in respect of policies of
insurance.

4. ALTERATION OF SESSIONAL ORDERS.—The Honorable J. A. Kennedy moved, That so much of the
Sessional Orders as provides that the Council shall meet for the despatch of business on Thursday
in each week and that half-past Four o'clock be the hour of meeting be suspended during the
present month and that during the present month the Council shall meet on Thursday and
Friday in each week at Eleven o'clock.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable J. A. Kennedy moved, That so much of the Sessional Orders as provides 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 be suspended during the
present month and that during the present month Government business shall take precedence of
all other business and new business may be taken at any hour.

Debate ensued.

Question—put and resolved in the affirmative.

5. TOWN AND COUNTRY PLANNING 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 J. A. Kennedy moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twenty-four minutes past Six o'clock, adjourned until to-morrow.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 12.

THURSDAY, 6TH MAY, 1948.

1. The President took the Chair and read the Prayer.
2. LANDLORD AND TENANT 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 of the clock—

FRIDAY, 7TH MAY, 1948.

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, after debate, 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.

3. 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—Report of the Registrar for the year 1946–47.
 Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—
 Part III.—Salaries, Increments, and Allowances—
 Professional Division—Department of Chief Secretary.
 Technical and General Division—
 Department of Chief Secretary.
 Department of Health.
 Temporary Employees—
 Department of Health.
 Department of Water Supply.

4. ADJOURNMENT.—The Honorable J. A. Kennedy 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-eight minutes past Five 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.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 12.

TUESDAY, 8TH JUNE, 1948.

Questions—

1. The Hon. I. A. SWINBURNE : To ask the Honorable the Commissioner of Public Works—
 - (a) Is it necessary to obtain a permit in order to move sheep by motor transport ; if so—
 - (i) what is the relevant authority for the issuing of a permit ;
 - (ii) what persons are authorized to issue permits ; and
 - (iii) is it the responsibility of the owner of the sheep or the owner of the motor vehicle carrying the sheep to obtain such permit.
 - (b) Is it compulsory for persons issuing permits to inspect the sheep before a permit is issued.
 - (c) How many convictions were secured during the year ended 31st December, 1947, against—
 - (i) owners of motor vehicles for carrying sheep without permits ; and
 - (ii) agents for accepting sheep carried by motor vehicle without permits.
 - (d) How many convictions for sheep stealing were secured during the past five years—
 - (i) from evidence obtained from permits ; and
 - (ii) against owners of motor vehicles who had not obtained a permit.
2. The Hon. A. M. FRASER : To ask the Honorable the Minister in Charge of Housing—
 - (a) What arrangements have been made or are contemplated for the importation of cement from sources outside Australia.
 - b) What will be the price of such cement landed in Australia in comparison with cement manufactured in Australia.
 - (c) What arrangements are contemplated for the distribution of such cement when received in Victoria.
3. The Hon. P. L. COLEMAN : To ask the Honorable the Minister in Charge of Housing—
 - (a) What are the monthly production figures for bricks, terra-cotta tiles, cement tiles, cement sheeting (all types) and cement pipes of all sizes, for the periods from December, 1946, to March, 1947, and from December, 1947, to March, 1948.
 - (b) What are the monthly figures for all types of timber produced in Victoria during the periods from December, 1946, to March, 1947, and from December, 1947, to March, 1948.
 - (c) What are the details of timber imported from all sources into Victoria during the periods mentioned in (b).
4. The Hon. P. L. COLEMAN : To ask the Honorable the Minister in Charge of Housing—
 - (a) What is the allocation to Victoria of galvanized iron, galvanized iron piping and wire products.
 - (b) What amounts of these materials were held on behalf of Victoria at (i) Newcastle and (ii) Port Kembla during the months of December, 1947 and January, February and March, 1948, respectively.
 - (c) What amounts of these materials were received in Victoria—(i) by rail, (ii) by sea and (iii) by road during the months of December, 1947, and January, February, and March, 1948, respectively.
5. The Hon. P. L. COLEMAN : To ask the Honorable the Minister in Charge of Housing—What are the details of the various instructions issued regarding the distribution of cement during the period from 1st December, 1947, to 30th April, 1948.

Government Business.

ORDERS OF THE DAY :—

1. BOILERS INSPECTION (AMENDMENT) BILL—(*Hon. J. H. Lienhop*)—Second reading.
2. TOWN AND COUNTRY PLANNING BILL—(*Hon. J. A. Kennedy*)—To be further considered in Committee.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, W. H. Edgar, A. M. Fraser†, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables W. H. Edgar, A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 13.

TUESDAY, 8TH JUNE, 1948.

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 WILLIAM HASLAM EDGAR.—The Honorable J. A. Kennedy moved, by leave, That this House place on record its deep regret at the death of the Honorable William Haslam Edgar, one of the Members for the East Yarra Province, a former Member for the old Melbourne West Province, a former Minister of the Crown, and a former Acting-President and Chairman of Committees of the Council, and its keen appreciation of the long and valuable services rendered by him to the Parliament and the people of Victoria.

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

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

4. ADJOURNMENT.—The Honorable J. A. Kennedy moved, That the House, out of respect to the memory of the late Honorable William Haslam Edgar, do now adjourn until a quarter to Eight o'clock this day.

Question—put and resolved in the affirmative.

And then the Council, at thirty-one minutes past Five o'clock, adjourned until a quarter to Eight o'clock this day.

1. The President resumed the Chair.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable J. A. Kennedy presented a Message from His Excellency the Governor informing the Council that he had, on the 11th May last, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments, viz. :—

Landlord and Tenant Act.

3. BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL (AMENDMENT) BILL No. 2.—On the motion (by leave without notice) of the Honorable A. G. Warner, and after debate, leave was given to bring in a Bill to amend the Building Operations and Building Materials Control Acts, 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. SHEARERS' HUT ACCOMMODATION BILL.—On the motion (by leave without notice) of the Honorable J. H. Lienhop, leave was given to bring in a Bill to amend the *Shearers' Hut Accommodation 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.

5. 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—Amendment of Regulations—Payment to Medical Officers.

Dried Fruits Acts—Statement showing details of Receipts and Expenditure under the Dried Fruits Acts during the year 1947.

Education Act 1928—Amendment of Regulations—

Regulation IV. (B)—Pupil's Cookery Certificate.

Regulation IV. (I)—Girls' School Intermediate Certificate.

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

Regulation XX.—Allowances for School Requisites and Maintenance to pupils attending Post-primary Schools and Classes.

Land Act 1928—

Certificates of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of schools at Elmore, Footscray (Kingsville), and Footscray (Wembley-avenue) (three papers).

Schedule of country lands proposed to be sold by public auction.

Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—

Part I.—Appointments to the Administrative, Professional, and Technical and General Divisions—Technical and General Division—Department of Health.

Part III.—Salaries, Increments and Allowances—

Administrative and Professional Divisions—

Regulation 60—Rates of Annual Salaries in Class “E”.

Scale of Rates of Annual Salaries in Classes “D” and “E”.

Professional Division—

Department of Agriculture.

Department of Chief Secretary.

Department of Water Supply.

Departments of Chief Secretary, Law, Lands and Survey, Public Works, Health, Agriculture, State Forests, and Water Supply.

Technical and General Division—

Department of Health (two papers).

Department of Public Works.

General and Departments of Chief Secretary, Law, Lands and Survey, Health, Agriculture, and Water Supply.

Temporary Employees—

Department of Health (two papers)

Department of Public Instruction (two papers).

Department of Treasurer (two papers).

Departments of Treasurer, Lands and Survey, and Water Supply.

General and Departments of Chief Secretary, Treasurer, Public Instruction, Lands and Survey, Health, Agriculture, State Forests, and Water Supply.

Part V.—Travelling Expenses—Department of Chief Secretary.

Railways Act 1928—Report of the Victorian Railways Commissioners for the quarter ended 31st March, 1948.

Teaching Service Act 1946—Amendment of Regulations—

Teaching Service (Classification, Salaries, and Allowances) Regulations.

Teaching Service (Teachers' Tribunal) Regulations (two papers).

6. **BOILERS INSPECTION (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 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. **BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL (AMENDMENT) BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable A. G. Warner 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. **TOWN AND COUNTRY PLANNING 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 the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

9. **AJOURNMENT.**—The Honorable J. A. Kennedy 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-five minutes past Ten o'clock, adjourned until Tuesday next.

HUGH B. JAMIESON,

Clerk of the Legislative Council.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 13.

TUESDAY, 15TH JUNE, 1948.

Questions—

- *1. The Hon. A. M. FRASER: To ask the Honorable the Commissioner of Public Works—
- (a) What work, if any, has been done on the permanent way &c., of the Mont Park railway siding under the provisions of the *Railways (Mont Park Siding) Act 1946* so as to allow of the running of passenger trains.
 - (b) When is it expected that the siding will be open or available for passenger traffic.
- *2. The Hon. A. M. FRASER: To ask the Honorable the Minister in Charge of Housing—
- (a) What additional temporary housing, if any, has been made available for dispossessed tenants or occupiers since the 1st December, 1947.
 - (b) What is the nature of such housing and where is it situated.

Government Business.

ORDERS OF THE DAY:—

- *1. BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL (AMENDMENT) BILL (No. 2)—(*Hon. A. G. Warner*)—Second reading—*Resumption of debate (Hon. W. J. Beckett)*.
- *2. SHEARERS' HUT ACCOMMODATION BILL—(*Hon. J. H. Lienhop*)—Second reading.
3. BOILERS INSPECTION (AMENDMENT) BILL—(*Hon. J. H. Lienhop*)—To be further considered in Committee.

* *Notifications to which an asterisk (*) is prefixed appear for the first time.*

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947-48.

- ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.
- STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser†, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.
- HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.
- LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.
- PRINTING.—(Appointed 9th December, 1947).—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.
- STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 14.

TUESDAY, 15TH JUNE, 1948.

1. The President took the Chair and read the Prayer.
2. STATE ELECTRICITY COMMISSION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to make provision with respect to a Scheme for the Further Development of the Brown Coal Briquette Industry in the Latrobe Valley, and the Extension of the Kiewa Hydro-Electric Project, to increase the Borrowing Powers 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 J. H. Lienhop, 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. MINERS’ PHTHISIS (TREASURY ALLOWANCES) AMENDMENT BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the ‘Miners’ Phthisis (Treasury Allowances) Act 1938’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. H. Lienhop, 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. STATUTE LAW REVISION COMMITTEE BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to make Provision with respect to a Joint Statute Law Revision Committee of the Legislative Council and the Legislative Assembly*” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. A. Kennedy, 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. PUBLIC WORKS COMMITTEE BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the ‘Public Works Committee Act 1935’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. A. Kennedy, 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. 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 (Nos. 52 to 54) (three papers).
 - Land Act 1928—Schedule of country lands proposed to be sold by public auction.
 - Marketing of Primary Products Act 1935—Regulations—Maize Marketing Board—Thirteenth period of time for the computation of or accounting for the net proceeds of the sale of maize.
 - Police Regulation Act 1946—Determination No. 10 of the Police Classification Board.
 - Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—
 - Part III.—Salaries, Increments and Allowances—
 - Administrative and Professional Divisions—Regulation 54A—Rates of Annual Salaries of certain officers in Classes “E” and “D”.
 - Technical and General Division—
 - Department of Health.
 - Department of State Forests.
 - General.
 - Temporary Employees—
 - Department of Agriculture.
 - Department of Chief Secretary.
 - Department of Health.
 - Department of Public Works.
 - Part V.—Travelling Expenses—General.

7. BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL (AMENDMENT) 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 the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

8. MIDWIVES (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 ‘ Midwives Act 1928 ’* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. T. Byrnes, 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. CARRIERS AND INNKEEPERS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend the ‘ Carriers and Innkeepers Act 1928 ’* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. G. Warner, 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. ADMINISTRATION AND PROBATE (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 the Administration of the Estates of Deceased Persons* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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. CORONERS (MEDICAL WITNESSES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend Section Twenty-nine of the ‘ Coroners Act 1928 ’* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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. CAMBERWELL LANDS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to provide, upon the Transfer and Surrender to His Majesty of certain Land at Burwood, for the Reservation of that Land as a site for a Public Park and Children’s Playground, for the Excision of a Part of certain Land at Camberwell permanently reserved as a Site for Public Gardens and for the Reservation of the Land so Excised, together with the Land forming the existing Town Hall Site at Camberwell, as a Site for a Town Hall and for Municipal Purposes* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. T. Byrnes, 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. CLOSER SETTLEMENT (DISPOSAL OF LAND) 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 ‘ Closer Settlement Act 1938 ’* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. T. Byrnes, 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 J. A. Kennedy moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honorable J. A. Kennedy moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at eleven minutes past Ten o’clock, adjourned until Tuesday next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 14.

TUESDAY, 22ND JUNE, 1948.

Questions—

- *1. The Hon. P. L. COLEMAN: To ask the Honorable the Minister of Mines—
- (a) What ships loaded with coal for industry were moved to the Gas Works berth during the period January to May, 1948.
 - (b) What quantity of coal intended for industry was unloaded and used in the manufacture of gas during such period.
- *2. The Hon. P. L. COLEMAN: To ask the Honorable the Minister of Mines—
- (a) What was the amount of black coal allocated to the following industries during the periods December, 1946, to May, 1947, and December, 1947, to May, 1948 respectively—
 - (i) cement, manufacturing
 - (ii) brick manufacturing, and
 - (iii) terracotta tile manufacturing.
 - (b) What amount of black coal was received in this State from New South Wales during (i) April and May, 1947, and (ii) April and May, 1948.
- *3. The Hon. P. L. COLEMAN: To ask the Honorable the Minister in Charge of Housing—What was the quantity of bricks, terracotta tiles, cement tiles, cement sheeting and cement piping manufactured in Victoria during (i) May, 1947, and (ii) May, 1948.

Government Business.

ORDERS OF THE DAY :—

- *1. STATE ELECTRICITY COMMISSION BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- *2. STATUTE LAW REVISION COMMITTEE BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- *3. PUBLIC WORKS COMMITTEE BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- *4. MIDWIVES (AMENDMENT) BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
- *5. CARRIERS AND INNKEEPERS BILL—(from Assembly—Hon. A. G. Warner)—Second reading.
- *6. MINERS' PHTHISIS (TREASURY ALLOWANCES) AMENDMENT BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- *7. ADMINISTRATION AND PROBATE (AMENDMENT) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- *8. CAMBERWELL LANDS BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
- *9. CORONERS (MEDICAL WITNESSES) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- *10. CLOSER SETTLEMENT (DISPOSAL OF LAND) BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
11. BOILERS INSPECTION (AMENDMENT) BILL—(Hon. J. H. Lienhop)—To be further considered in Committee.
12. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947–48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser†, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 15.

TUESDAY, 22ND JUNE, 1948.

1. The President took the Chair and read the Prayer.
2. STANDING ORDERS COMMITTEE.—The Honorable J. A. Kennedy moved, by leave, That the Honorable Charles Percival Gartside be a member of the Select Committee on the Standing Orders of the House.
Question—put and resolved in the affirmative.
3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
 - Fisheries Acts—Notices of Intention to issue Proclamations—
 - Respecting netting restrictions in Tamboon Inlet.
 - Respecting restrictions on fishing boats and nets in the Top or Upper Lake of Mallacoota Inlet.
 - Respecting the use of fishing nets in Lake Tyers.
 - To alter the conditions governing netting in Mallacoota Inlet.
 - To alter the Proclamation defining the Mouth of the Barwon River.
 - To alter the Regulations regarding the use of long lines in Port Phillip Bay.
 - To fix a bag limit for bream taken from the Sydenham Inlet and the Bemm River.
 - To prohibit all fishing in or the taking of fish from certain waters from 1st September to 31st October in each year.
 - To revoke the Proclamation respecting netting in Bancroft Bay in the Gippsland Lakes.
 - Gas Regulation Act 1933—Gas Regulation (Emergency Powers) Regulations (No. 55).
 - Land Acts—
 - Amendment of Regulations—Conditions of Sale.
 - Certificates of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of schools at Essendon, Queenscliff, and Wangaratta (three papers).
 - Police Regulation Acts—Amendment of the Police Regulations.
 - Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—
 - Part III.—Salaries, Increments, and Allowances—
 - Professional Division—Department of Agriculture.
 - Temporary Employees—Department of Health.
 - Part V.—Travelling Expenses—General.
4. STATE ELECTRICITY COMMISSION BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. H. Lienhop 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.

5. **STATUTE LAW REVISION COMMITTEE 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.
6. **PUBLIC WORKS COMMITTEE 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
7. **MIDWIVES (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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
8. **CARRIERS AND INNKEEPERS 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
9. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of Order of the Day, Government Business, No. 6, be postponed until the next day of meeting.
10. **ADMINISTRATION AND PROBATE (AMENDMENT) BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy 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.
11. **CAMBERWELL LANDS 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
12. **ADJOURNMENT.**—The Honorable J. A. Kennedy 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 Ten o'clock, adjourned until Tuesday next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 15.

TUESDAY, 29TH JUNE, 1948.

Questions.

- *1. The Hon. I. A. SWINBURNE : To ask the Honorable the Commissioner of Public Works—
- (a) For what purpose is the railway line from Bowser to Bright being strengthened.
 - (b) What is the cost of the work carried out to date.
 - (c) How long is it estimated that the work will take to complete and what is the estimated further cost thereof.
- *2. The Hon. A. M. FRASER : To ask the the Honorable P. T. Byrnes, Minister without Portfolio—
Is the land occupied by the Victoria Racing Club or any part thereof Crown land ; if so, what is (i) the area of Crown land so occupied, and (ii) the nature of the tenancy or holding from the Crown.

Government Business.

ORDERS OF THE DAY :—

1. STATE ELECTRICITY COMMISSION BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading—
Resumption of debate (Hon. W. J. Beckett).
2. MINERS' PHTHISIS (TREASURY ALLOWANCES) AMENDMENT BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
3. ADMINISTRATION AND PROBATE (AMENDMENT) BILL—(from Assembly—Hon. J. A. Kennedy)—
Second reading—*Resumption of debate (Hon. W. J. Beckett).*
4. CLOSER SETTLEMENT (DISPOSAL OF LAND) BILL—(from Assembly—Hon. P. T. Byrnes)—Second
reading.
5. CORONERS (MEDICAL WITNESSES) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
6. STATUTE LAW REVISION COMMITTEE BILL—(from Assembly—Hon. J. A. Kennedy)—To be further
considered in Committee.
7. BOILERS INSPECTION (AMENDMENT) BILL—(Hon. J. H. Lienhop)—To be further considered in
Committee.
8. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

* *Notifications to which an asterisk (*) is prefixed appear for the first time.*

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947–48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

 LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

 No. 16.

 TUESDAY, 29TH JUNE, 1948.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable J. A. Kennedy 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. :—
 - Public Works Committee Act.*
 - Midwives (Amendment) Act.*
 - Carriers and Innkeepers Act.*
3. 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 Five million four hundred and thirty-seven thousand three hundred and seventeen pounds to the service of the year One thousand nine hundred and forty-eight and One thousand nine hundred and forty-nine*” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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 :—
 - Country Fire Authority Act 1944—Amendment of Regulations—Travelling Expenses.
 - Gas Regulation Act 1933—Gas Regulation (Emergency Powers) Regulations (Nos. 56 and 57) (two papers).
 - Public Library, National Gallery and Museums Act 1944—Amendment of Building Trustees Regulations.
 - 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 Treasurer.
 - Departments of Treasurer and Law.
 - Technical and General Division—Department of Chief Secretary.
 - Technical and General Division and Temporary Employees—Regulation 55—Rates of salary.
 - Temporary Employees—Departments of Treasurer, Law, Premier, and Labour.
 - Part V.—Travelling Expenses—General.
 - Teaching Service Act 1946—Amendment of Regulations—
 - Teaching Service (Classification, Salaries, and Allowances) Regulations.
 - Teaching Service (Teachers’ Tribunal) Regulations (two papers).
 - Trade Unions Act 1928—Report of the Government Statist on Trade Unions for the year 1947.
5. STATE ELECTRICITY COMMISSION 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. J. Clarey 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. CONSOLIDATED REVENUE 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

7. MINERS' PHTHISIS (TREASURY ALLOWANCES) 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

8. ADJOURNMENT—The Honorable J. A. Kennedy 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 sixteen minutes past Ten o'clock, adjourned until Tuesday next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 16.

TUESDAY, 6TH JULY, 1948.

Questions.

- *1. The Hon. W. MACAULAY: To ask the Honorable P. T. Byrnes, Minister without Portfolio—
- (a) What was the balance standing to the credit of the Rivers and Streams Fund (i) at 31st May, 1947, and (ii) at 31st May, 1948.
 - (b) What were the amounts of the total receipts and expenditure (i) during the year 1946-47 and (ii) during the year 1947-48.
- *2. The Hon. T. HARVEY: To ask the Honorable the Commissioner of Public Works—
- (a) How many bulls have been slaughtered or castrated since the 1st January, 1948, on instructions from officers of the Department of Agriculture pursuant to the provisions of the Cattle Breeding Acts.
 - (b) Have officers of the Department been instructed to police the provisions of the Cattle Breeding Acts; if not, why not.
- *3. The Hon. T. HARVEY: To ask the Honorable P. T. Byrnes, Minister without Portfolio—
- (a) How many heifers have been purchased by the Soldier Settlement Commission and what was the average price paid for each.
 - (b) How many of such heifers have been sold to soldier settlers and what was the average price paid by the settlers.
 - (c) How many of such heifers have been sold to purchasers other than soldier settlers.
 - (d) How many of such heifers—
 - (i) died since their purchase by the Commission;
 - (ii) proved not to be in calf at the time of their purchase;
 - (iii) aborted while in the possession of the Commission;
 - (iv) are still in the possession of the Commission.
 - (e) How many pedigreed bulls have been purchased by the Commission.
 - (f) Were all of such bulls out of tested cows.

Government Business.

ORDERS OF THE DAY:—

1. STATE ELECTRICITY COMMISSION BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading—*Resumption of debate* (Hon. P. J. Clarey).
2. STATUTE LAW REVISION COMMITTEE BILL—(from Assembly—Hon. J. A. Kennedy)—To be further considered in Committee.
3. CLOSER SETTLEMENT (DISPOSAL OF LAND) BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
4. ADMINISTRATION AND PROBATE (AMENDMENT) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
5. CORONERS (MEDICAL WITNESSES) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
6. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.
7. BOILERS INSPECTION (AMENDMENT) BILL—(Hon. J. H. Lienhop)—To be further considered in Committee.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS

No. 17.

TUESDAY, 6TH JULY, 1948.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable J. A. Kennedy presented a Message from His Excellency the Governor informing the Council that he had, on the 30th June last, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—
 - Camberwell Lands Act.*
 - Consolidated Revenue Act.*
 - Miners' Phthisis (Treasury Allowances) Amendment Act.*
 - Building Operations and Building Materials Control (Amendment) Act.*
3. VEGETATION DISEASES (FRUIT FLY) BILL (No. 2).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend Section Two of the 'Vegetation Diseases (Fruit Fly) Act 1947'*" and desiring the concurrence of the Council therein. On the motion of the Honorable P. T. Byrnes, 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. HORSE BREEDING (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 'Horse Breeding Act 1928'*" and desiring the concurrence of the Council therein. On the motion of the Honorable J. H. Lienhop, 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. COUNTRY ROADS (PERMANENT WORKS) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to reduce the Liabilities of Municipalities in respect of Permanent Works on Main Roads and State Highways*" and desiring the concurrence of the Council therein. On the motion of the Honorable J. A. Kennedy, 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. BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL (AMENDMENT) BILL (No. 2).—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.
7. BUILDING OPERATIONS CONTROL (AMENDMENT) BILL.—On the motion (by leave without notice) of the Honorable A. G. Warner, leave was given to bring in a Bill to amend Section Six of the *Building Operations and Building Materials Control 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.
8. GEELONG HARBOR TRUST (LAND) BILL.—On the motion (by leave without notice) of the Honorable J. A. Kennedy, leave was given to bring in a Bill to provide for the Excision of Certain Land at Portarlington from the Lands vested in the Geelong Harbor Trust Commissioners, 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—MOTION UNDER STANDING ORDER No. 53.—The Honorable P. L. Coleman moved, That the Council do now adjourn, and said he proposed to speak on the subject of “The incapacity of the Government to deal effectively with the production and distribution of building materials”; and six Members having risen in their places and required the motion to be proposed, the question was put and, after debate, negatived.

10. PAPERS.—The Honorable J. A. Kennedy presented, by command of His Excellency the Governor—

Penal System of New Zealand—Report by the Deputy Inspector-General of Penal Establishments (Victoria).

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:—

Explosives Act 1928—Orders in Council relating to the Definition of Explosives—

Class 3—Nitro-compound.

Class 7—Firework.

Milk Board Acts—Regulations—Contributions by metropolitan dairymen and owners of milk depots.

Poisons Acts—

Dangerous Drugs Regulations 1948.

Dangerous Drugs Regulations 1948 (No. 2).

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 Treasurer.

Technical and General Division—

Department of Water Supply.

Departments of Chief Secretary and Health.

Temporary Employees—Department of Health.

11. SHRINE OF REMEMBRANCE TRUSTEES BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to the Application of the Funds of the Shrine of Remembrance Trustees, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. H. Lienhop, 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. ADJOURNMENT.—The Honorable J. A. Kennedy moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honorable J. A. Kennedy moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

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

HUGH B. JAMIESON,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 17.

TUESDAY, 13TH JULY, 1948.

Questions.

- *1. The Hon. A. M. FRASER : To ask the Honorable the Commissioner of Public Works—Will he lay on the table of the Library the file relating to the recent increase in the fares charged by private bus operators.
- *2. The Hon. H. V. MACLEOD : To ask the Honorable the Commissioner of Public Works—
- What area of land is at present comprised in the Condah Aboriginal Station.
 - Has such land been used for any other purpose than an aboriginal station ; if so, during what period.
 - Has any portion of such land been leased ; if so, (i) to whom has it been leased, (ii) what amount of rental is being charged per acre, (iii) what is the total amount of rent received to date, and (iv) how has such amount been applied.
 - If the land has been leased how many buildings were on the land at the time the first lease was granted and how many are there now.
 - Have any buildings been removed ; if so, (i) on whose authority was such action taken, (ii) whither were they removed, and (iii) for what purposes are they now being used.
 - Were any of the buildings sold ; if so, what price was obtained for them.
- *3. The Hon. P. J. KENNELLY : To ask the Honorable the Commissioner of Public Works—
- How many applications by solicitors for practising certificates under the provisions of the Legal Profession Practice Acts have been refused by the Council of the Law Institute of Victoria.
 - What are the names of the persons whose applications were refused ; on what grounds were they refused ; and what were the respective amounts of the deficiencies in the trust accounts of such applicants.
 - How many applications are now pending or not dealt with.
- *4. The Hon. H. V. MACLEOD : To ask the Honorable the Commissioner of Public Works—
- What area of land is at present comprised in the Framlingham Aboriginal Station.
 - Has such land been used for any other purposes than an aboriginal station ; if so, during what period.
 - Has any portion of such land been leased ; if so, (i) to whom has it been leased, (ii) what amount of rental is being charged per acre, (iii) what is the total amount of rent received to date, and (iv) how has such amount been applied.
 - If the land has been leased how many buildings were on the land at the time the first lease was granted and how many are there now.
 - Have any buildings been removed ; if so, (i) on whose authority was such action taken, (ii) whither were they removed, and (iii) for what purposes are they now being used.
 - Were any of the buildings sold ; if so, what price was obtained for them.
 - How many aboriginals are at present on this station.
- *5. The Hon. A. M. FRASER : To ask the Honorable the Minister in Charge of Housing—Will he lay on the table of the Library the file relating to the granting of a permit to Mornington Investments Pty. Ltd. for renovations or repairs to a guest house at Mount Eliza.
- *6. The Hon. H. V. MACLEOD : To ask the Honorable the Commissioner of Public Works—
- How many aboriginals are at Lake Tyers Aboriginal Station at the present time.
 - Did Mr. Millington resign the position of Manager of the Station ; if so, when.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

Government Business.

ORDERS OF THE DAY :—

1. STATE ELECTRICITY COMMISSION BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading—*Resumption of debate* (Hon. P. J. Clarey).
- *2. BUILDING OPERATIONS CONTROL (AMENDMENT) BILL—(Hon. A. G. Warner)—Second reading.
3. STATUTE LAW REVISION COMMITTEE BILL—(from Assembly—Hon. J. A. Kennedy)—To be further considered in Committee.
4. CLOSER SETTLEMENT (DISPOSAL OF LAND) BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
5. ADMINISTRATION AND PROBATE (AMENDMENT) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
- *6. VEGETATION DISEASES (FRUIT FLY) BILL (No. 2)—(from Assembly—Hon. P. T. Byrnes)—Second reading.
7. CORONERS (MEDICAL WITNESSES) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- *8. COUNTRY ROADS (PERMANENT WORKS) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- *9. SHRINE OF REMEMBRANCE TRUSTEES BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- *10. GEELONG HARBOR TRUST (LAND) BILL—(Hon. J. A. Kennedy)—Second reading.
- *11. HORSE BREEDING (AMENDMENT) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
12. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.
13. BOILERS INSPECTION (AMENDMENT) BILL—(Hon. J. H. Lienhop)—To be further considered in Committee.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by [Mr. President's Warrant, 2nd December, 1947].—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 18.

WEDNESDAY, 14TH JULY, 1948.

Question.

- *1. The Hon. T. HARVEY: To ask the Honorable the Commissioner of Public Works—
- (a) Into how many shires is Victoria divided, and how many of such shires have been proclaimed under the provisions of Part II. of the Milk and Dairy Supervision Acts.
 - (b) How many dairy supervisors are employed by the Department of Agriculture, and how many of them operate over one or more shires.
 - (c) How many stock inspectors are employed by the Department of Agriculture, what are the names of the districts in which they are located, and how many of them are operating from the head office of the Department in Melbourne.

Government Business.

ORDERS OF THE DAY :—

1. BUILDING OPERATIONS CONTROL (AMENDMENT) BILL—(*Hon. A. G. Warner*)—Second reading—*Resumption of debate (Hon. A. M. Fraser).*
2. CLOSER SETTLEMENT (DISPOSAL OF LAND) BILL—(*from Assembly—Hon. P. T. Byrnes*)—Second reading.
3. STATUTE LAW REVISION COMMITTEE BILL—(*from Assembly—Hon. J. A. Kennedy*)—To be further considered in Committee.
4. VEGETATION DISEASES (FRUIT FLY) BILL (No. 2)—(*from Assembly—Hon. P. T. Byrnes*)—Second reading.
5. ADMINISTRATION AND PROBATE (AMENDMENT) BILL—(*from Assembly—Hon. J. A. Kennedy*)—Second reading—*Resumption of debate (Hon. W. J. Beckett).*
- *6. CORANDERRK LANDS BILL—(*from Assembly—Hon. P. T. Byrnes*)—Second reading.
7. CORONERS (MEDICAL WITNESSES) BILL—(*from Assembly—Hon. J. A. Kennedy*)—Second reading.
8. COUNTRY ROADS (PERMANENT WORKS) BILL—(*from Assembly—Hon. J. A. Kennedy*)—Second reading.
9. GEELONG HARBOR TRUST (LAND) BILL—(*Hon. J. A. Kennedy*)—Second reading.
10. SHRINE OF REMEMBRANCE TRUSTEES BILL—(*from Assembly—Hon. J. H. Lienhop*)—Second reading.
11. HORSE BREEDING (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Lienhop*)—Second reading.
12. SHEARERS' HUT ACCOMMODATION BILL—(*Hon. J. H. Lienhop*)—Second reading.
13. BOILERS INSPECTION (AMENDMENT) BILL—(*Hon. J. H. Lienhop*)—To be further considered in Committee.

TUESDAY, 20TH JULY.

Question.

1. The Hon. A. M. FRASER: To ask the Honorable the Minister in Charge of Housing—Will he lay on the table of the Library the file relating to the granting of a permit to Mornington Investments Pty. Ltd. for renovations or repairs to a guest house at Mount Eliza.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

* *Notifications to which an asterisk (*) is prefixed appear for the first time.*

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 18.

TUESDAY, 13TH JULY, 1948.

1. The President took the Chair and read the Prayer.
2. TOWN AND COUNTRY PLANNING 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 taken into consideration later this day.
3. CORANDERRK LANDS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to validate the Crown Grants of certain Lands at Coranderrk in the Parish of Gracedale and to revoke the Permanent Reservation of certain other Land thereat as a Site for the use of the Aborigines, and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honorable P. T. Byrnes, 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. ISSUE OF WRIT.—The President announced that he had on Wednesday, the 7th instant, issued a Writ for the election of a Member to serve for the East Yarra Province in the place of the Honorable William Haslam Edgar, deceased, and that by such Writ the following dates have been fixed for such election:—
Nomination Day—Monday, 26th July, 1948.
Polling Day—Saturday, 7th August, 1948.
Return of Writ—Before or on Tuesday, 17th August, 1948.
5. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
Free Library Service Board Act 1946—Library Training School Regulations.
Gas Regulation Act 1933—Gas Regulation (Emergency Powers) Regulations (Nos. 58 to 61) (four papers).
Land Act 1928—Certificate of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purpose of a school at Warburton.
Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—
Part III.—Salaries, Increments and Allowances—Temporary Employees—
Department of Mines.
Department of Water Supply.
State Development Act 1941—Report of the State Development Committee on the Development of North Western Victoria.
Teaching Service Act 1946—Amendment of Teaching Service (Teachers' Tribunal) Regulations (two papers).
6. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until after No. 2.
7. BUILDING OPERATIONS CONTROL (AMENDMENT) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable A. G. Warner moved, That this Bill be now read a second time.
The Honorable A. M. Fraser 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.

8. STATE ELECTRICITY COMMISSION 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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

9. TOWN AND COUNTRY PLANNING BILL.—The Order of the Day for the consideration of the amendment made by the Assembly in this Bill having been read, the said amendment was read and is as follows :—

Clause 6, lines 22-4, omit—

“; and

(b) sub-section (6) of section fourteen of the Principal Act were repealed”.

On the motion of the Honorable J. A. Kennedy, the Council agreed to the amendment made by the Assembly, and ordered the Bill to be returned to the Assembly with a Message acquainting them therewith.

10. ADJOURNMENT.—The Honorable J. A. Kennedy moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

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

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 19.

WEDNESDAY, 14TH JULY, 1948.

- The President took the Chair and read the Prayer.
- 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 (General).
Police Regulation Act 1946—Determination No. 11 of the Police Classification Board.
- BUILDING OPERATIONS CONTROL (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 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 the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- CLOSER SETTLEMENT (DISPOSAL OF LAND) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. T. Byrnes moved, That this Bill be now read a second time.
The Honorable A. M. Fraser 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.
- STATUTE LAW REVISION COMMITTEE 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 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 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. VEGETATION DISEASES (FRUIT FLY) BILL (No. 2).—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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

7. ADMINISTRATION AND PROBATE (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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

8. CORANDERRK LANDS 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

9. CORONERS (MEDICAL WITNESSES) 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

10. COUNTRY ROADS (PERMANENT WORKS) 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

11. ADJOURNMENT.—The Honorable J. A. Kennedy 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 fourteen minutes past Nine o'clock, adjourned until Tuesday next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 19.

TUESDAY, 20TH JULY, 1948.

Government Business.

ORDERS OF THE DAY :—

1. SHRINE OF REMEMBRANCE TRUSTEES BILL—(*from Assembly—Hon. J. H. Lienhop*)—Second reading.
2. CLOSER SETTLEMENT (DISPOSAL OF LAND) BILL—(*from Assembly—Hon. P. T. Byrnes*)—Second reading—*Resumption of debate (Hon. A. M. Fraser)*.
3. GEELONG HARBOR TRUST (LAND) BILL—(*Hon. J. A. Kennedy*)—Second reading.
4. HORSE BREEDING (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Lienhop*)—Second reading.
5. SHEARERS' HUT ACCOMMODATION BILL—(*Hon. J. H. Lienhop*)—Second reading.
6. BOILERS INSPECTION (AMENDMENT) BILL—(*Hon. J. H. Lienhop*)—To be further considered in Committee.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 20.

TUESDAY, 20TH JULY, 1948.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable J. A. Kennedy 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. :—
 - State Electricity Commission Act.*
 - Town and Country Planning Act.*
 - Coranderrk Lands Act.*
 - Coroners (Medical Witnesses) Act.*
3. COUNTRY ROADS 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 amendments and desiring the concurrence of the Council therein.

Ordered—That the foregoing Message be taken into consideration later this day.
4. MELBOURNE NORTH 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 Land in the Parish of Melbourne North permanently reserved as a Site for the use of the Victorian Horticultural Improvement Society* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. T. Byrnes, 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. NON-CONTRIBUTORY STATE PENSIONS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to increase certain Non-Contributory State Pensions* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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. TEMPORARY CHAIRMEN OF COMMITTEES TO ACT AS DEPUTY-PRESIDENT.—The Honorable J. A. Kennedy moved, by leave, That, during the remainder of the Session, in the event of the Chairman of Committees being absent, one of the Temporary Chairmen of Committees may take the Chair as Deputy-President whenever requested to do so by the President during a sitting of the Council, without any formal communication to the Council.

Question—put and resolved in the affirmative.
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 Acts—Co-operative Housing Societies (General) Regulations No. 5.
 - Fisheries Acts—Notices of intention to issue Proclamations—
 - To prohibit fishing from boats within a certain area in Lake Purrumbete.
 - To revoke the Proclamation permitting netting in Lake Wallace.
 - Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—Part III.—Salaries, Increments and Allowances—
 - Technical and General Division—
 - Department of Treasurer.
 - General.
 - Temporary Employees—
 - Department of Agriculture.
 - Department of Treasurer.
 - General and Departments of Treasurer and Public Works.

8. SHRINE OF REMEMBRANCE TRUSTEES 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

9. NON-CONTRIBUTORY STATE 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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

10. CLOSER SETTLEMENT (DISPOSAL OF LAND) 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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

11. GEELONG HARBOR TRUST (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 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 the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

12. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 and 5, be postponed until the next day of meeting.

13. BOILERS INSPECTION (AMENDMENT) 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 J. H. Lienhop moved, That the said Order be discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

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

Question—put and resolved in the affirmative.

The Honorable J. A. Kennedy moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

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

HUGH B. JAMIESON,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 20.

TUESDAY, 27TH JULY, 1948.

Question.

- *1. The Hon. I. A. SWINBURNE: To ask the Honorable the Commissioner of Public Works—
- (a) What amount was received as rent from the leasing of unused roads during each of the past five years.
 - (b) What expenditure was incurred in each of those years in the payment of salaries of officers engaged in the supervision of unused roads and in the collection of rentals therefrom.

Government Business.

ORDERS OF THE DAY:—

- *1. MELBOURNE NORTH LAND BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
2. HORSE BREEDING (AMENDMENT) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- *3. COUNTRY ROADS BILL—AMENDMENTS OF THE ASSEMBLY—To be considered.
4. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

MEETING OF SELECT COMMITTEE.

Wednesday, 28th July.

LIBRARY COMMITTEE (JOINT)—At a quarter to Two o'clock.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser†, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 21.

WEDNESDAY, 28TH JULY, 1948.

Government Business.

NOTICES OF MOTION :—

- *1. The Hon. A. G. WARNER : To move, That he have leave to bring in a Bill to provide for the Registration and Issue of Certificates of Title in respect of Compulsorily Acquired Lands, and for other purposes.
- *2. The Hon. J. A. KENNEDY : To move, That so much of the Sessional Orders as provides 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 be suspended during the present month and the months of August and September next and that, during such months, Government business shall take precedence of all other business and new business may be taken at any hour.

ORDERS OF THE DAY :—

- *1. LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL—(*Hon. J. A. Kennedy*)—Second reading.
- 2. HORSE BREEDING (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Lienhop*)—Second reading.
- 3. COUNTRY ROADS BILL—AMENDMENTS OF THE ASSEMBLY—To be considered.
- 4. SHEARERS' HUT ACCOMMODATION BILL—(*Hon. J. H. Lienhop*)—Second reading.

TUESDAY, 3RD AUGUST.

Government Business.

ORDER OF THE DAY :—

- *1. PUBLIC TRUSTEE BILL—(*from Assembly—Hon. J. A. Kennedy*)—Second reading—*Resumption of debate (Hon. A. M. Fraser).*

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser†, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

* *Notifications to which an asterisk (*) is prefixed appear for the first time.*

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 22.

THURSDAY, 29TH JULY, 1948.

Government Business.

NOTICE OF MOTION :—

- *1. The Hon. J. A. KENNEDY: To move, That the Council, at its rising, adjourn until to-morrow at Eleven o'clock.

ORDERS OF THE DAY :—

- *1. POLICE OFFENCES (RACE-MEETINGS) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
 2. LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL—(Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. A. M. Fraser).
 *3. PARLIAMENTARY SALARIES AND ALLOWANCES BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
 *4. PARLIAMENTARY CONTRIBUTORY RETIREMENT FUND BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
 *5. TRANSFER OF LAND (ACQUISITIONS) BILL—(Hon. A. G. Warner)—Second reading.
 6. HORSE BREEDING (AMENDMENT) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
 7. COUNTRY ROADS BILL—AMENDMENTS OF THE ASSEMBLY—To be considered.
 8. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

TUESDAY, 3RD AUGUST.

Government Business.

ORDER OF THE DAY :—

1. PUBLIC TRUSTEE BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. A. M. Fraser).

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser†, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

* *Notifications to which an asterisk (*) is prefixed appear for the first time.*

By Authority: J. J. GOURLEY, Government Printer, Melbourne.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 21.

TUESDAY, 27TH JULY, 1948.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable J. A. Kennedy presented a Message from His Excellency the Governor informing the Council that he had, on the 26th instant, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—
 - Vegetation Diseases (Fruit Fly) Act.*
 - Administration and Probate (Amendment) Act.*
 - Country Roads (Permanent Works) Act.*
 - Shrine of Remembrance Trustees Act.*
 - Non-Contributory State Pensions Act.*
 - Closer Settlement (Disposal of Land) Act.*
3. PUBLIC TRUSTEE BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the Public Trustee Acts, the ‘Administration and Probate Act 1928’ and the ‘Settled Land Act 1928’ in relation to the Public Trustee*” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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. STATUTE LAW REVISION COMMITTEE BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in this Bill.
5. LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL.—On the motion (by leave without notice) of the Honorable J. A. Kennedy, and after debate, leave was given to bring in a Bill to amend the Law providing for the Superannuation of Permanent Employés of Municipalities and other Local Authorities, 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. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Education Act 1928—Amendment of Regulations—
 - Regulation XX.—Allowances for school requisites and maintenance to pupils attending Post-primary Schools and Classes.
 - Regulation XXI.—Scholarships.
 - Regulation XXXIII.—School Committees.
 - Regulation XXXVI.(B).—Consolidated Schools.
 - Regulation XXXVIII.—Girls’ Schools.
 - Regulation XXXIX.—District High Schools.
 - Regulation XLIV.—Allowance for maintenance of State Schools.
 - Fisheries Acts—Notice of intention to issue a Proclamation to vary the Proclamation respecting restrictions on netting in Corner Inlet and Port Albert, and adjacent waters.
 - Land Act 1928—Certificate of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purpose of a school at Dandenong.

Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—

Part II.—Promotions and Transfers—Regulation 34—Relative seniority of officers of the Technical and General Division in the Government Printing Office.

Part III.—Salaries, Increments and Allowances—

Professional Division—

Department of Chief Secretary.

Department of Lands and Survey.

Technical and General Division—

Department of Public Works.

Department of Treasurer (Government Printing Office).

General and Departments of Chief Secretary, Lands and Survey, and Public Works.

Temporary Employees—

Department of Agriculture.

Department of Public Works.

Department of Treasurer (Government Printing Office).

General and Departments of Chief Secretary, Public Works, Agriculture, and Water Supply.

Part V.—Travelling Expenses—Regulation 85.

State Development Act 1941—Report of the State Development Committee on Noxious Weeds.

Teaching Service Act 1946—Amendment of Regulations—

Teaching Service (Classification, Salaries and Allowances) Regulations (two papers).

Teaching Service (Teachers' Tribunal) Regulations.

7. MELBOURNE NORTH 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

8. PUBLIC TRUSTEE BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy moved, That this Bill be now read a second time.

The Honorable A. M. Fraser 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.

And then the Council, at one minute past Eight o'clock, adjourned until to-morrow.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 22.

WEDNESDAY, 28TH JULY, 1948.

1. The President took the Chair and read the Prayer.
2. POLICE OFFENCES (RACE-MEETINGS) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Division Eleven of Part IV. of the ‘Police Offences Act 1928’, to amend the ‘Police Offences (Race-meetings) Act 1929’ and to repeal the ‘Police Offences (Race-meetings) Act 1946’*” and desiring the concurrence of the Council therein. On the motion of the Honorable J. H. Lienhop, 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. PARLIAMENTARY SALARIES AND ALLOWANCES BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to make provision with respect to Parliamentary Salaries Allowances and Reimbursement of Expenses*” and desiring the concurrence of the Council therein. On the motion of the Honorable J. A. Kennedy, 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. PARLIAMENTARY CONTRIBUTORY RETIREMENT FUND BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend the ‘ Parliamentary Contributory Retirement Fund Act 1946’* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—

Education Act 1928—Amendment of Regulations—Regulation XL.—Special classes in approved subjects.

6. TRANSFER OF LAND (ACQUISITIONS) BILL.—On the motion of the Honorable A. G. Warner, leave was given to bring in a Bill to provide for the Registration and Issue of Certificates of Title in respect of Compulsorily Acquired Lands, 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.

7. ALTERATION OF SESSIONAL ORDERS.—The Honorable J. A. Kennedy moved, That so much of the Sessional Orders as provides 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 be suspended during the present month and the months of August and September next, and that, during such months, Government business shall take precedence of all other business and new business may be taken at any hour.

Debate ensued.

Question—put and resolved in the affirmative.

8. LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy moved, That this Bill be now read a second time.

The Honorable A. M. Fraser 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 J. A. Kennedy 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 Five o’clock, adjourned until to-morrow.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 23.

THURSDAY, 29TH JULY, 1948.

1. The President took the Chair and read the Prayer.
2. HOSPITALS AND CHARITIES BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to establish a Hospitals and Charities Commission and to amend and consolidate the Law relating to Hospitals and Charities, and for other purposes* ” and desiring the concurrence of the Council therein.
- On the motion of the Honorable J. A. Kennedy, 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 1928—Certificate of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purpose of a school at Traralgon.
- Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—
- Part II.—Promotions and Transfers—Regulation 42A.
- Part III.—Salaries, Increments and Allowances—
- Professional Division—Department of Health.
- Technical and General Division—Department of Water Supply.
- Temporary Employees—
- Department of Health.
- Department of Public Works.

4. 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.

And the Council having continued to sit until after Twelve of the clock—

FRIDAY, 30TH JULY, 1948.

The President resumed the Chair; and the Honorable G. J. Tuckett reported that the Committee had agreed to the Bill with an amendment.

Ordered—That the Report be taken into consideration on the next day of meeting.

And then the Council, at eight minutes past One o'clock in the morning, adjourned until Tuesday next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 23.

TUESDAY, 3RD AUGUST, 1948.

Government Business.

ORDERS OF THE DAY :—

1. POLICE OFFENCES (RACE-MEETINGS) BILL—(*from Assembly—Hon. J. H. Lienhop*)—Consideration of Report.
2. TRANSFER OF LAND (ACQUISITIONS) BILL—(*Hon. A. G. Warner*)—Second reading.
- *3. HOSPITALS AND CHARITIES BILL—(*from Assembly—Hon. J. A. Kennedy*)—Second reading.
4. PUBLIC TRUSTEE BILL—(*from Assembly—Hon. J. A. Kennedy*)—Second reading—*Resumption of debate (Hon. A. M. Fraser)*.
5. LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL—(*Hon. J. A. Kennedy*)—Second reading—*Resumption of debate (Hon. A. M. Fraser)*.
6. HORSE BREEDING (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Lienhop*)—Second reading.
7. PARLIAMENTARY SALARIES AND ALLOWANCES BILL—(*from Assembly—Hon. J. A. Kennedy*)—Second reading.
8. PARLIAMENTARY CONTRIBUTORY RETIREMENT FUND BILL—(*from Assembly—Hon. J. A. Kennedy*)—Second reading.
9. COUNTRY ROADS BILL—AMENDMENTS OF THE ASSEMBLY—To be considered.
10. SHEARERS' HUT ACCOMMODATION BILL—(*Hon. J. H. Lienhop*)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser†, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

* *Notifications to which an asterisk (*) is prefixed appear for the first time.*

By Authority: J. J. GOURLEY, Government Printer, Melbourne.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 24.

WEDNESDAY, 4TH AUGUST, 1948.

Questions.

- *1. The Hon. A. M. FRASER : To ask the Honorable the Commissioner of Public Works :—
- Is the Moonee Valley Racing Club the registered proprietor or the lessee of the land comprising the Moonee Valley Racecourse.
 - If it is the lessee, what are the terms and conditions of the lease.
 - Will the Minister obtain for the information of Members a copy of the Club's balance-sheet for each of the financial years 1946-47 and 1947-48.
- *2. The Hon. A. M. FRASER : To ask the Honorable the Commissioner of Public Works—Will he lay on the Table of the Library the record of the proceedings (including the evidence) of the Judicial Committee appointed by the Government to investigate the question of salaries of Members of Parliament.

Government Business.

NOTICE OF MOTION :—

- *1. The Hon. A. G. WARNER : To move, That he have leave to bring in a Bill to amalgamate the Existing Offices of Master-in-Equity and Chief Clerk of the Supreme Court in a New Office of Master of the Supreme Court of Victoria, and for purposes connected therewith.

ORDERS OF THE DAY :—

- HORSE BREEDING (AMENDMENT) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL—(Hon. J. A. Kennedy)—Second reading—*Resumption of debate (Hon. A. M. Fraser).*
- HOSPITALS AND CHARITIES BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading—*Resumption of debate (Hon. W. J. Beckett).*
- LOCAL GOVERNMENT (STREETS) BILL—AMENDMENTS OF THE ASSEMBLY—To be considered.
- COUNTRY ROADS BILL—AMENDMENTS OF THE ASSEMBLY—To be considered.
- HEPBURN SPRINGS LAND BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
- GAS REGULATION (AMENDMENT) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- HEALTH (HOSPITALS) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- PARLIAMENTARY SALARIES AND ALLOWANCES BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- PARLIAMENTARY CONTRIBUTORY RETIREMENT FUND BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

TUESDAY, 10TH AUGUST.

Government Business.

ORDER OF THE DAY :—

- TRANSFER OF LAND (ACQUISITIONS) BILL—(Hon. A. G. Warner)—Second reading—*Resumption of debate (Hon. C. P. Gartside).*

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 24.

TUESDAY, 3RD AUGUST, 1948.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. A. Kennedy presented a Message from His Excellency the Lieutenant-Governor, as Deputy for 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 :—
Melbourne North Land Act.
3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
Education Act 1928—Amendment of Regulations—
Regulation XXVIII.—Holidays.
Regulation XLI.—Technical Schools.
Friendly Societies Act 1928—Seventieth Annual Report of the Government Statist relating to the period of twelve months ended 30th June, 1947, with Appendices.
Land Act 1928—Certificate of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purpose of a school at Ballarat.
Melbourne Harbor Trust Act 1928—Statement of Accounts of the Melbourne Harbor Trust Commissioners for the year 1947.
4. POLICE OFFENCES (RACE-MEETINGS) BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole on this Bill having been read, the Report was adopted 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 an amendment and desiring their concurrence therein.
5. TRANSFER OF LAND (ACQUISITIONS) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable A. G. Warner moved, That this Bill be now read a second time.
Debate ensued.
The Honorable C. P. Gartside 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. HEPBURN SPRINGS LAND BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to authorize the Grantees or their Successors of a Crown Grant of certain Land at Hepburn to demise Portion thereof to be used only as a Site for the Working of Mineral Springs therein and the Collection Preparation Sale and Removal of the Natural Mineral Waters thereof for a Term not exceeding Ten Years*" and desiring the concurrence of the Council therein.
On the motion of the Honorable P. T. Byrnes, 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. GAS 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 'Gas Regulation Act 1933'*" and desiring the concurrence of the Council therein.
On the motion of the Honorable J. H. Lienhop, 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. HEALTH (HOSPITALS) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend Part VIII. of the 'Health Act 1928'*" and desiring the concurrence of the Council therein.
On the motion of the Honorable J. A. Kennedy, 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. **STATUTE LAW REVISION COMMITTEE BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Message from His Excellency the Lieutenant-Governor, as Deputy for the Governor, pursuant to the provisions of Section XXXVI. of The Constitution Act, recommending an amendment which he desires to be made in this Bill, and acquainting the Council that the Assembly have agreed to such amendment, and desiring the concurrence of the Council therein.

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

10. **LOCAL GOVERNMENT (STREETS) 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 amendments and desiring the concurrence of the Council therein.

Ordered—That the amendments made in this Bill by the Assembly be considered later this day.

11. **MELBOURNE HARBOR TRUST (CHAIRMAN'S SALARY) BILL.**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.

12. **HOSPITALS AND CHARITIES BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy moved, That this Bill be now read a second time.

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.

13. **STATUTE LAW REVISION COMMITTEE BILL.**—The Order of the Day for the consideration of the Message from the Assembly transmitting a Message from His Excellency the Lieutenant-Governor, as Deputy for the Governor, pursuant to the provisions of Section XXXVI. of The Constitution Act, recommending an amendment which he desires to be made in this Bill having been read, the said amendment was read and is as follows:—

Clause 6, sub-clause (2) omit "his duties" and insert "his attendance".

On the motion of the Honorable J. A. Kennedy, and after debate, the Council agreed to the amendment recommended by His Excellency the Lieutenant-Governor, as Deputy for the Governor, and ordered His Excellency's Message to be returned to the Assembly with a Message acquainting them therewith.

14. **PUBLIC 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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

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

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 25.

WEDNESDAY, 4TH AUGUST, 1948.

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

2. **POLICE OFFENCES (RACE-MEETINGS) BILL.**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendment made by the Council in this Bill.

3. **PAPERS.**—The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:—

Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—

Part III.—Salaries, Increments, and Allowances—

Professional Division—Department of Law.

Temporary Employees—Departments of Premier and Water Supply.

Regulation 55.

4. HORSE BREEDING (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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

5. LOCAL AUTHORITIES SUPERANNUATION (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 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 the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

6. HOSPITALS AND CHARITIES 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. J. Clarey 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. LOCAL GOVERNMENT (STREETS) BILL.—The Order of the Day for the consideration of the amendments made in this Bill by the Assembly having been read, the said amendments were read and are as follow:—

1. Clause 3, interpretation of "Street", lines 15-17, omit " (other than a State highway main road developmental road tourists' road or forest road within the meaning of the Country Roads Acts)."

2. Clause 4, page 3, interpretation of "Person concerned", line 5, after "street" insert "and also includes any corporation or other body which is authorized by law to construct works in over or under the street."

3. Clause 7, sub-clause (1), paragraph (a), line 13, after "alignment" insert "and where it is proposed to depart from the original alignment, so far as there is evidence of that original alignment, a statement of the reasons for that proposed departure."

4. Clause 10, line 29, after "variation" insert "and of the reasons for the proposed variation."

5. Clause 19, sub-clause (1), line 33, after "marks" insert "and the old alignment and the position of walls fences buildings and other permanent structures and features."

6. Clause 20, sub-clause (1), paragraph (b), line 13, after "council" insert "and to every corporation or other body which is authorized by law to construct works in over or under the street."

7. Clause 21, line 25, omit "building or work or portion of a building or work" and insert "building or other substantial improvement or portion of a building or other substantial improvement."

8. " lines 28-9, omit "improvements may be effected to any such building or work" and insert "alterations may be effected to any such building or improvement."

9. " line 30, after "use" insert "but not so as thereby to increase the council's liability to pay compensation."

10. Clause 24, insert the following sub-clause to follow sub-clause (1):—

" () A council shall not acquire any land subject to any such reservation as aforesaid unless the council—

(a) has first given reasonable notice of its intention to do so to every corporation or other body which is authorized by law to construct works in over or under the street in question; and

(b) has given due consideration to any representations made to the council by any such corporation or body in respect of the proposed reservation."

11. " sub-clause (2), page 12, line 1, omit "the last preceding sub-section" and insert "sub-section (1) of this section."

On the motion of the Honorable J. A. Kennedy, and after debate, the Council agreed to the amendments made by the Assembly, and ordered the Bill to be returned to the Assembly with a Message acquainting them therewith.

8. COUNTRY ROADS BILL.—The Order of the Day for the consideration of the amendments made in this Bill by the Assembly having been read, the said amendments were read and are as follow :—

1. Clause 2, lines 2-6, omit all words and figures beginning “the provisions” and ending “forest roads” and insert “the powers functions and duties conferred and imposed upon municipal councils by or under the *Local Government (Streets) Act* 1948 shall so far as applicable be conferred and imposed also upon the Country Roads Board so far as relates to the declaration of the alignment the widening and the opening up of State highways main roads developmental roads tourists’ roads and forest roads, and the provisions of the said Act shall extend and apply accordingly.”
2. „ line 23, omit “the said Act” and insert “this Act.”
3. „ line 28, omit “in the manner provided in the said Act” and insert “pursuant to this Act.”
4. „ line 32, omit “*Tourist*” and insert “*Tourists*’.”
5. „ insert the following sub-clause to follow sub-clause (3) :—
 “() If any question arises between the council of any municipality and the Country Roads Board as to or arising out of the exercise or carrying out by either of its powers functions or duties under the *Local Government (Streets) Act* 1948 or this Act in respect of any State highway main road developmental road tourists’ road or forest road the Governor in Council may by Order finally and conclusively determine that question and may for the purpose of that determination adjust and apportion any matter or thing between the council and the Board.”
6. In the Title, omit “extend” and insert “make Provision with respect to.”

On the motion of the Honorable J. A. Kennedy, and after debate, the Council agreed to the amendments made by the Assembly, and ordered the Bill to be returned to the Assembly with a Message acquainting them therewith.

9. HEPBURN SPRINGS LAND BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. T. Byrnes 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 the next day of meeting.
10. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 7, be postponed until the next day of meeting.
11. HEALTH (HOSPITALS) BILL.—The order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy 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 the next day of meeting.
12. BUILDING OPERATIONS CONTROL (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.
13. LANDLORD AND TENANT (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the Landlord and Tenant Acts*” and desiring the concurrence of the Council therein.
 On the motion of the Honorable J. A. Kennedy, for the Honorable A. G. Warner, 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 J. A. Kennedy moved, by leave, That the Council, at its rising, adjourn until Tuesday next.
 Debate ensued.
 Question—put and resolved in the affirmative.

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

HUGH B. JAMIESON,
Clerk of the Legislative Council.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 25.

TUESDAY, 10TH AUGUST, 1948.

Government Business.

ORDERS OF THE DAY :—

1. HOSPITALS AND CHARITIES BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. P. J. Clarey).
2. TRANSFER OF LAND (ACQUISITIONS) BILL—(Hon. A. G. Warner)—Second reading—*Resumption of debate* (Hon. C. P. Gartside).
3. HEPBURN SPRINGS LAND BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
4. GAS REGULATION (AMENDMENT) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- *5. LANDLORD AND TENANT (AMENDMENT) BILL—(from Assembly—Hon. A. G. Warner)—Second reading.
6. HEALTH (HOSPITALS) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
7. PARLIAMENTARY SALARIES AND ALLOWANCES BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
8. PARLIAMENTARY CONTRIBUTORY RETIREMENT FUND BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
9. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947-48.

- ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.
- STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.
- HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.
- LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.
- PRINTING.—(Appointed 9th December, 1947).—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.
- STATUTE LAW REVISION (JOINT).—(Appointed 9th December, 1947).—The Honorables A. M. Fraser, Sir George Goudie, J. A. Kennedy, G. S. McArthur, and A. E. McDonald.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

* *Notifications to which an asterisk (*) is prefixed appear for the first time.*

By Authority: J. J. GOURLEY, Government Printer, Melbourne.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 26.

WEDNESDAY, 11TH AUGUST, 1948.

Government Business.

NOTICE OF MOTION :—

- *1. The Hon. J. H. LIENHOP: To move, That he have leave to bring in a Bill to amend Section Four of the *Farmers Debts Adjustment Act 1935*.

ORDERS OF THE DAY :—

1. LANDLORD AND TENANT (AMENDMENT) BILL—(from Assembly—Hon. A. G. Warner)—Second reading—*Resumption of debate* (Hon. P. J. Clarey).
2. HEPBURN SPRINGS LAND BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
3. GAS REGULATION (AMENDMENT) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
4. HEALTH (HOSPITALS) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
- *5. JUSTICES (COURTS) BILL—(Hon. A. G. Warner)—Second reading.
- *6. COMMONWEALTH TRANSFERRED OFFICERS BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
7. PARLIAMENTARY SALARIES AND ALLOWANCES BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
8. PARLIAMENTARY CONTRIBUTORY RETIREMENT FUND BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
9. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947–48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

* *Notifications to which an asterisk (*) is prefixed appear for the first time.*

By Authority: J. J. GOURLEY, Government Printer, Melbourne.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 26.

TUESDAY, 10TH AUGUST, 1948.

1. The President took the Chair and read the Prayer.
2. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. A. Kennedy presented Messages from His Excellency the Lieutenant-Governor, as Deputy for 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 6th instant—
 - Melbourne Harbor Trust (Chairman's Salary) Act.*
 - Police Offences (Race-meetings) Act.*
 - Statute Law Revision Committee Act.*
 - On the 10th instant—
 - Public Trustee Act.*
3. JUSTICES (COURTS) BILL.—On the motion (by leave without notice) of the Honorable A. G. Warner, leave was given to bring in a Bill to make Provision with respect to the sittings of Courts of General Sessions and Courts of Petty Sessions, 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. 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.
 - Lands Compensation Act 1928—Return under section 37 showing particulars in connexion with the purchase sale or exchange of lands by the State Electricity Commission during the year 1947-48.
 - Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—
 - Part III.—Salaries, Increments, and Allowances—
 - Technical and General Division—
 - Department of Health.
 - Department of Lands and Survey.
 - Department of Public Instruction.
 - Temporary Employees—
 - Department of Chief Secretary.
 - Department of Health.
 - Department of Lands and Survey.
 - General.
 - Vegetation Diseases (Fruit Fly) Act 1947—Amendment of Regulations.
 - 5. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 4 inclusive, be postponed until later this day.
 - 6. LANDLORD AND TENANT (AMENDMENT) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable A. G. Warner moved, That this Bill be now read a second time.
 - Debate ensued.
 - The Honorable P. J. Clarey 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. COMMONWEALTH TRANSFERRED OFFICERS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to the Application of the Superannuation Acts and of Section Sixty-four of the ‘Public Service Act 1946’ to certain Officers transferred from the Service of the Commonwealth*” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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. HOSPITALS AND CHARITIES 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 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.

9. TRANSFER OF LAND (ACQUISITIONS) 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 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 the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

10. ADJOURNMENT.—The Honorable J. A. Kennedy moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

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

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 27.

WEDNESDAY, 11TH AUGUST, 1948.

1. The President took the Chair and read the Prayer.
2. 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 to serve for the East Yarra Province, and that by the indorsement on such writ it appeared that Ewen Paul Cameron had been elected in pursuance thereof.
3. SWEARING-IN OF NEW MEMBER.—The Honorable Ewen Paul Cameron, 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, EWEN PAUL CAMERON*, 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 10 Orrong-crescent, 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 £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.

“ E. P. CAMERON.”

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

Constitution Statute—Statement of Expenditure under Schedule D to Act 18 and 19 Vict., Cap. 55, and Acts Nos. 3660, 4367, 4437, 5052, and 5252 during the year 1947–48.

Land Surveyors Act 1942—Regulations for the examination and registration of surveyors.

5. FARMERS DEBTS ADJUSTMENT (BOARD) BILL.—On the motion of the Honorable J. H. Lienhop, leave was given to bring in a Bill to amend Section Four of the *Farmers Debts Adjustment Act* 1935, 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. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until after No. 2.
7. HEPBURN SPRINGS LAND 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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

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. GAS 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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

10. LANDLORD AND TENANT AMENDMENT BILL.—The Order of the Day for the resumption of the debate the on 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 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.

11. RIVER IMPROVEMENT BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act relating to River Improvement and Drainage, and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable P. T. Byrnes, 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. 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.

13. JUSTICES (COURTS) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable A. G. Warner 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 the next day of meeting.

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

Question—put and resolved in the affirmative.

The Honorable J. A. Kennedy 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.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 27.

TUESDAY, 17TH AUGUST, 1948.

Government Business.

ORDERS OF THE DAY :—

1. HEALTH (HOSPITALS) BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
- *2 RIVER IMPROVEMENT BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
3. JUSTICES (COURTS) BILL—(Hon. A. G. Warner)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
4. COMMONWEALTH TRANSFERRED OFFICERS BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- *5. FARMERS DEBTS ADJUSTMENT (BOARD) BILL—(Hon. J. H. Lienhop)—Second reading.
6. PARLIAMENTARY SALARIES AND ALLOWANCES BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
7. PARLIAMENTARY CONTRIBUTORY RETIREMENT FUND BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
8. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

* *Notifications to which an asterisk (*) is prefixed appear for the first time.*

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 28.

WEDNESDAY, 18TH AUGUST, 1948.

Question.

- *1. The Hon. F. M. THOMAS: To ask the Honorable the Minister in Charge of Housing—How many eviction orders were made by the Fitzroy, Carlton, Collingwood, North Melbourne, and Richmond courts respectively during each of the years 1933, 1934, and 1935.

Government Business.

NOTICE OF MOTION :—

- *1. The Hon. J. A. KENNEDY: To move, That he have leave to bring in a Bill to amend Section Sixty of the *Country Roads Act 1928*.

ORDERS OF THE DAY :—

1. COMMONWEALTH TRANSFERRED OFFICERS BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
2. RIVER IMPROVEMENT BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading—*Resumption of debate* (Hon. P. J. Clarey).
3. FARMERS DEBTS ADJUSTMENT (BOARD) BILL—(Hon. J. H. Lienhop)—Second reading.
- *4. FORESTS (AMENDMENT) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
5. PARLIAMENTARY SALARIES AND ALLOWANCES BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
6. PARLIAMENTARY CONTRIBUTORY RETIREMENT FUND BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
7. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

TUESDAY, 24TH AUGUST.

Government Business.

ORDER OF THE DAY :—

- *1. PRICES REGULATION BILL—(from Assembly—Hon. A. G. Warner)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

* *Notifications to which an asterisk (*) is prefixed appear for the first time.*

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

By Authority: J. J. GOURLEY, Government Printer, Melbourne.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 28.

TUESDAY, 17TH AUGUST, 1948.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. A. Kennedy presented a Message from His Excellency the Lieutenant-Governor, as Deputy for 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. :—
 - Horse Breeding (Amendment) Act.*
 - Building Operations Control (Amendment) Act.*
 - Local Government (Streets) Act.*
 - Country Roads Act.*
 - Landlord and Tenant (Amendment) Act.*
3. PRICES REGULATION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to the Regulation and Removal of Control of Prices and Rates for certain Goods and Services and of certain Transactions in Land, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. G. Warner, 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. FORESTS (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Sections Three and Sixty-three of the ‘Forests Act 1928’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, for the Honorable J. H. Lienhop, 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. HOSPITALS AND CHARITIES BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to one of the amendments made in such Bill by the Council, and have agreed to others of the said amendments with amendments, and desiring the concurrence of the Council therein.

Ordered—That the foregoing Message be taken into consideration later this day.
6. LANDLORD AND TENANT (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in this Bill.
7. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—
 - Part III.—Salaries, Increments, and Allowances—
 - Technical and General Division—
 - Department of Law.
 - Department of Treasurer.
 - General.
 - Temporary Employees—
 - Department of Chief Secretary.
 - General.
 - Part V.—Travelling Expenses—Regulation 89A.
 - Teaching Service Act 1946—Amendment of Teaching Service (Teachers’ Tribunal) Regulations

8. HEALTH (HOSPITALS) 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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

9. HOSPITALS AND CHARITIES BILL.—The Order of the Day for the consideration of the amendments made in this Bill by the Council and agreed to by the Assembly with amendments 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.
<p>1. Clause 3, page 3, line 32, after “ object ” insert “ but includes any person society or association, whether or not exempted by the foregoing provisions of this interpretation, specified by Order of the Governor in Council published in the <i>Government Gazette</i>.”</p>	<p>Agreed to, with the following amendment :— Omit “ exempted ” and insert “ excluded ”.</p>
<p>2. Clause 21, page 13, paragraph (g), insert the following sub-paragraph to follow sub-paragraph (ii) :— “ () under conditions approved by the Commission, the post graduate education of nurses employed or intending to be employed by any registered institution or society.”</p>	<p>Agreed to, with the following amendment :— After “ Commission ” insert “ after consultation with the Nurses Board and with the approval of the Minister ”.</p>

On the motion of the Honorable J. A. Kennedy, the Council agreed to the amendments made by the Assembly on the amendments of the Council, and ordered the Bill to be returned to the Assembly with a Message acquainting them therewith.

10. RIVER IMPROVEMENT BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. T. Byrnes moved, That this Bill be now read a second time.

Debate ensued.

The Honorable P. J. Clarey 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.

11. JUSTICES (COURTS) 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 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 the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

12. PRICES REGULATION BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable A. G. Warner 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 Tuesday next.

13. ADJOURNMENT.—The Honorable J. A. Kennedy moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

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

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 29.

WEDNESDAY, 18TH AUGUST, 1948.

1. The President took the Chair and read the Prayer.
2. 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 Eleven million one hundred and ninety-seven thousand seven hundred and thirty-seven pounds to the service of the year One thousand nine hundred and forty-eight and One thousand nine hundred and forty-nine* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. A. Kennedy, 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 :—
 - Legal Profession Practice Act 1946—
 - Solicitors (Audit and Practising Certificates) Rules 1948.
 - Solicitors (Professional Conduct and Practice) Rules 1948.
 - Seeds Acts—Amendment of Regulations.
 - Teaching Service Act 1946—Amendment of Regulations—
 - Teaching Service (Governor in Council) Regulations.
 - Teaching Service (Teachers' Tribunal) Regulations.
4. COUNTRY ROADS (BY-LAWS) BILL.—On the motion of the Honorable J. A. Kennedy, leave was given to bring in a Bill to amend Section Sixty of the *Country Roads 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.
5. COMMONWEALTH TRANSFERRED OFFICERS 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
6. RIVER IMPROVEMENT 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. FARMERS DEBTS ADJUSTMENT (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 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 the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
8. FORESTS (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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

9. PARLIAMENTARY SALARIES AND ALLOWANCES BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. J. Beckett moved, as an amendment, That all the words after "That" be omitted with the view of inserting in place thereof the words "this House declines to read a second time a Bill that does not give effect to the decisions of a properly appointed independent tribunal".

Debate ensued.

And the Council having continued to sit until after Twelve of the clock—

THURSDAY, 19TH AUGUST, 1948.

Debate continued.

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

The Council divided.

Ayes, 24.

The Hon. Sir William Angliss,
P. T. Byrnes,
E. P. Cameron,
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,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
A. E. McDonald,
H. V. MacLeod,
A. J. Pittard,
R. C. Rankin (*Teller*),
I. A. Swinburne (*Teller*),
G. J. Tuckett,
D. J. Walters,
A. G. Warner.

Noes, 7.

The Hon. W. J. Beckett,
P. J. Clarey,
P. L. Coleman (*Teller*),
A. M. Fraser,
Paul Jones,
L. H. McBrien,
F. M. Thomas (*Teller*).

And so it was resolved in the affirmative.

Question—That this Bill be now read a second time—put and resolved in the affirmative.—
Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council 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 with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council 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.

10. 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 Seven hundred and fifty-nine thousand six hundred and sixty-six 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 J. A. Kennedy, 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. ADJOURNMENT.—The Honorable J. A. Kennedy 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-five minutes past Three o'clock in the morning, adjourned until Tuesday next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 29.

TUESDAY, 24TH AUGUST, 1948.

Government Business.

ORDERS OF THE DAY :—

1. PARLIAMENTARY CONTRIBUTORY RETIREMENT FUND BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- *2. CONSOLIDATED REVENUE BILL (No. 3)—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- *3. CONSOLIDATED REVENUE BILL (No. 4)—(from Assembly—Hon. J. A. Kennedy)—Second reading.
4. PRICES REGULATION BILL—(from Assembly—Hon. A. G. Warner)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
- *5. COUNTRY ROADS (BY-LAWS) BILL—(Hon. J. A. Kennedy)—Second reading.
6. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 30.

TUESDAY, 24TH AUGUST, 1948.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable J. A. Kennedy 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-Assistant of the Legislative Council, for and in the absence of the Clerk of the Parliaments, viz. :—
 - Hepburn Springs Land Act.*
 - Gas Regulation (Amendment) Act.*
 - Commonwealth Transferred Officers Act.*
 - Forests (Amendment) Act.*
 - Parliamentary Salaries and Allowances Act.*
 - Local Authorities Superannuation (Amendment) Act.*
 - Justices (Courts) Act.*
 - Farmers Debts Adjustment (Board) Act.*
3. STIPENDIARY MAGISTRATES BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to change the Title of Police Magistrate to that of Stipendiary Magistrate*” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. H. Lienhop, 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. TEACHING SERVICE (APPLICATION OF ENACTMENTS) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to clarify the Application of Certain Enactments in relation to the Director of Education and the Teaching Service*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. G. Warner, 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. RIVER IMPROVEMENT BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendment made by the Council in this Bill.
6. FARMERS DEBTS ADJUSTMENT (BOARD) BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.
7. JUSTICES (COURTS) BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.

8. LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.
9. GEELONG HARBOR TRUST (LAND) BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.
10. LOCAL GOVERNMENT (FOOTSCRAY STREET CONSTRUCTION) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to authorize Variations in a certain Scheme of Private Street Construction in the City of Footscray, and for purposes connected therewith* ” and desiring the concurrence of the Council therein.
- Bill ruled to be a Private Bill.
- The Honorable J. A. Kennedy moved, That this Bill be dealt with as a Public Bill.
- Debate ensued.
- Question—put and resolved in the affirmative.
- The Honorable J. A. Kennedy 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.
11. MARINE (PILOTAGE RATES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to increase certain Maximum Rates of Pilotage under the ‘ Marine Act 1928 ’* ” and desiring the concurrence of the Council therein.
- On the motion of the Honorable J. H. Lienhop, 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. PAPERS.—The Honorable J. A. Kennedy presented, by command of His Excellency the Governor—
- Penal Establishments, Gaols, and Reformatory Prisons—Report and Statistical Tables for the year 1947.
- 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:—
- Local Government Act 1946—Regulations relating to the alignment of streets and roads.
- Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—
- Part III.—Salaries, Increments, and Allowances—
- Professional Division—
- Department of Health.
- Department of Premier.
- Technical and General Division—Department of Premier.
- Temporary Employees—Department of Mines.
13. 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.
14. PRICES 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 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.
15. STATUTE LAW REVISION COMMITTEE.—The Honorable J. A. Kennedy moved, by leave, That the following Members of this House be appointed members of the Statute Law Revision Committee, viz. :—the Honorables P. J. Clarey, A. M. Fraser, Sir George Goudie, G. S. McArthur, A. E. McDonald, and D. J. Walters.
- Question—put and resolved in the affirmative.

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

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 31.

WEDNESDAY, 25TH AUGUST, 1948.

1. The President took the Chair and read the Prayer.
2. 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 A. J. Pittard 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.
3. DISTINGUISHED VISITOR.—The Honorable J. A. Kennedy moved, by leave, That a chair be provided on the floor of the Council Chamber for the Honorable Sir Rupert Shoobridge, President of the Legislative Council of Tasmania.
Question—put and resolved in the affirmative.
The Honorable Sir Rupert Shoobridge then entered the Chamber and was accommodated with a chair at the right of the President.
4. 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.
5. STIPENDIARY MAGISTRATES 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
6. CONSOLIDATED REVENUE BILL (No. 3).—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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
7. 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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
8. COAL MINE WORKERS PENSIONS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the ‘Coal Mine Workers Pensions Act 1942’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable A. G. Warner, for the Honorable J. H. Lienhop, 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. 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 A. G. Warner, 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. LOCAL GOVERNMENT (FOOTSCRAY 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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

11. **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.
12. **TEACHING SERVICE (APPLICATION OF ENACTMENTS) 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
13. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of Order of the Day, Government Business, No. 7 be postponed until later this day.
14. **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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
15. **ADJOURNMENT.**—The Honorable J. A. Kennedy 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 ten minutes past Ten o'clock, adjourned until Tuesday next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 31.

TUESDAY, 31ST AUGUST, 1948.

Government Business.

ORDERS OF THE DAY :—

- 1. MARINE (PILOTAGE RATES) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- *2. STATE SAVINGS BANK BILL—(from Assembly—Hon. A. G. Warner)—Second reading.
- *3. COAL MINE WORKERS PENSIONS BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- 4. COUNTRY ROADS (BY-LAWS) BILL—(Hon. J. A. Kennedy)—Second reading.
- 5. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 24th August, 1948).—The Honorables P. J. Clarey, A. M. Fraser, Sir George Goudie, G. S. McArthur, A. E. McDonald, and D. J. Walters.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.
‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 32.

WEDNESDAY, 1ST SEPTEMBER, 1948.

Government Business.

ORDERS OF THE DAY :—

- *1. BARLEY MARKETING BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
- *2. NORTH-WEST MALLEE SETTLEMENT AREAS BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
- *3. PUBLIC OFFICERS SALARIES BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. A. M. Fraser).
- *4. THORNBURY LAND BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
5. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

* *Notifications to which an asterisk (*) is prefixed appear for the first time.*

MEETING OF SELECT COMMITTEE.

Wednesday, 1st September.

STATUTE LAW REVISION COMMITTEE (JOINT)—At a quarter to Seven o'clock.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser†, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 24th August, 1948).—The Honorables P. J. Clarey, A. M. Fraser, Sir George Goudie, G. S. McArthur, A. E. McDonald, and D. J. Walters.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 32.

TUESDAY, 31ST AUGUST, 1948.

- 1. The President took the Chair and read the Prayer.
- 2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. A. Kennedy presented a Message from His Excellency the Lieutenant-Governor, as Deputy for the Governor, informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk-Assistant of the Legislative Council, for and in the absence of the Clerk of the Parliaments, viz. :—

- Hospitals and Charities Act.*
- Health (Hospitals) Act.*
- River Improvement Act.*
- Geelong Harbor Trust (Land) Act.*
- Stipendiary Magistrates Act.*
- Consolidated Revenue Act (No. 3).*
- Consolidated Revenue Act (No. 4).*
- Local Government (Footscray Street Construction) Act.*
- Teaching Service (Application of Enactments) Act.*
- Parliamentary Contributory Retirement Fund Act.*

- 3. BARLEY MARKETING BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act relating to the Marketing of Barley and other matters incidental thereto* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. T. Byrnes, 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. WORKERS' COMPENSATION (POLICE FORCE) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to apply the provisions of the Workers' Compensation Acts to Members of the Police Force* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. H. Lienhop, 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 :—

- Local Authorities Superannuation Act 1947—
 - Local Authorities Superannuation Regulations No. 2.
 - Local Authorities Superannuation Regulations No. 3.
- Melbourne and Metropolitan Tramways Act 1928—Copy of Special Construction Scheme in its final form for an electric tramway in Latrobe-street and portion of Victoria-parade, from Spencer-street to Gisborne-street within the Municipalities of Melbourne and Fitzroy, Copy of Report of the Public Works Committee thereon in its final form, and Copy of Recommendations of the Melbourne and Metropolitan Tramways Board.
- Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—
 - Part III.—Salaries, Increments, and Allowances—
 - Technical and General Division—Department of Health (two papers).
 - Temporary Employees—
 - Department of Agriculture.
 - Department of Health.

- 6. MARINE (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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

7. STATE SAVINGS BANK 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

8. NORTH-WEST MALLEE SETTLEMENT AREAS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act relating to Land in the North-West Mallee, and for other purposes* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. T. Byrnes, 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. PUBLIC OFFICERS SALARIES BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act relating to the Salaries of certain Public Officers* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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. FIRE BRIGADES (BORROWING AND SALARIES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend the ‘ Fire Brigades Act 1928 ’ and the ‘ Country Fire Authority Act 1944 ’* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. G. Warner, 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. THORNBURY LAND BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to provide for the Grant of a Lease of certain Crown Land at Thornbury, being part of the Land known as the Thornbury Estate, to the Glen Iris Brick Tile and Terra Cotta Company Proprietary Limited, and for other purposes* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable P. T. Byrnes, 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. TRANSFER OF LAND (ACQUISITIONS) 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 amendments and desiring the concurrence of the Council therein.

Ordered—That the amendments made by the Assembly in this Bill be considered later this day.

13. PRICES REGULATION BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in this Bill.

14. 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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

15. COUNTRY ROADS (BY-LAWS) 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 the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

16. BARLEY MARKETING BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. T. Byrnes 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 the next day of meeting.

17. **TRANSFER OF LAND (ACQUISITIONS) BILL.**—The Order of the Day for the consideration of the amendments made by the Assembly in this Bill having been read, the said amendments were read and are as follow:—

1. Clause 3, line 3, after “encumbrances” insert “or subject to a particular encumbrance or encumbrances”.
2. „ paragraph (a), line 20, after “encumbrances” insert “or subject to the encumbrance or encumbrances hereinbefore referred to (as the case may require)”.
3. „ paragraph (b), line 33, after “encumbrances” insert “or subject to the encumbrance or encumbrances hereinbefore referred to (as the case may require)”.

On the motion of the Honorable A. G. Warner, the Council agreed to the amendments made by the Assembly, and ordered the Bill to be returned to the Assembly with a Message acquainting them therewith.

18. **PUBLIC OFFICERS SALARIES BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy moved, That this Bill be now read a second time.

Debate ensued.

The Honorable A. M. Fraser 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. **WORKERS' COMPENSATION (POLICE FORCE) 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

20. **FIRE BRIGADES (BORROWING AND SALARIES) 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

21. **ADJOURNMENT.**—The Honorable J. A. Kennedy moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

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

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 33.

WEDNESDAY, 1ST SEPTEMBER, 1948.

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

2. **MILDURA IRRIGATION AND WATER TRUSTS (AMENDMENT) BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the Mildura Irrigation and Water Trusts Acts*” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. H. Lienhop, 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. **GIPPSLAND RAILWAY (DUPLICATION AND REGRADING) BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to authorize the Duplication and Regrading by The Victorian Railways Commissioners of Part of the Gippsland Railway and for purposes connected therewith*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. G. Warner, 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. PAPER.—The following Paper, pursuant to the directions of several Acts of Parliament, was laid upon the Table by the Clerk :—
 Constitution Act Amendment Acts—Amendment of the Legislative Council Elections Regulations.
5. BARLEY MARKETING 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 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.
6. 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.
7. PUBLIC OFFICERS SALARIES 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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
8. THORNBURY 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 A. J. Pittard 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.
9. LATROBE-STREET TRAMWAY CONSTRUCTION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act relating to the Construction by the Melbourne and Metropolitan Tramways Board of an Electric Tramway along Latrobe Street and Portions of Victoria Street and Victoria Parade within the Cities of Melbourne and Fitzroy, and for purposes connected therewith*" and desiring the concurrence of the Council therein.
 On the motion of the Honorable J. A. Kennedy, 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. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
 Education Act 1928—Amendment of Regulations—Regulation XXX.—School endowment plantations.
11. MILDURA IRRIGATION AND WATER TRUSTS (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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
12. BARLEY MARKETING 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 G. J. Tuckett 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.

The Honorable Sir Frank Clarke moved, That the words "and other matters incidental thereto" in the Title of the Bill be omitted with the view of inserting in place thereof the words "and for other purposes".

Debate ensued.

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

The Council divided.

Ayes, 12.

The Hon. Sir Frank Beaurepaire (*Teller*),
P. T. Byrnes,
C. P. Gartside,
Sir George Goudie,
J. A. Kennedy,
J. H. Lienhop,
W. MacAulay,
H. V. MacLeod (*Teller*),
A. J. Pittard,
R. C. Rankin,
G. J. Tuckett,
D. J. Walters.

Noes, 8.

The Hon. W. J. Beckett,
E. P. Cameron,
Sir Frank Clarke,
P. L. Coleman,
T. Harvey,
P. J. Kennelly,
G. S. McArthur (*Teller*),
I. A. Swinburne (*Teller*).

And so it was resolved in the affirmative.

Question—That the Title of the Bill be—

"An Act relating to the Marketing of Barley and other matters incidental thereto"—
put and resolved in the affirmative.

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. THORNBURY LAND BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in this Bill.

14. NORTH-WEST MALLEE SETTLEMENT AREAS BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. T. Byrnes 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 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 A. J. Pittard 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

15. BARLEY MARKETING BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendment made by the Council in this Bill.

16. LATROBE-STREET TRAMWAY CONSTRUCTION BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy moved, That this Bill be now read a second time.

Debate ensued.

And the Council having continued to sit until after Twelve of the clock—

THURSDAY, 2ND SEPTEMBER, 1948.

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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

17. GIPPSLAND RAILWAY (DUPLICATION AND REGRADING) 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

18. ADJOURNMENT.—The Honorable J. A. Kennedy 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 seventeen 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.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 33.

TUESDAY, 26TH OCTOBER, 1948.

Government Business.

ORDER OF THE DAY:—

I. SHEARERS' HUT ACCOMMODATION BILL—(*Hon. J. H. Lienhop*)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorable W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorable the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorable the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorable the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—The Honorable 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.

STATUTE LAW REVISION (JOINT).—(Appointed 24th August, 1948).—The Honorable P. J. Clarey, A. M. Fraser, Sir George Goudie, G. S. McArthur, A. E. McDonald, and D. J. Walters.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 34.

TUESDAY, 26TH OCTOBER, 1948.

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. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. A. Kennedy presented a Message from His Excellency the Lieutenant-Governor, as Deputy for the Governor, informing the Council that he had, on the 7th September last, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz. :—
 - Prices Regulation Act.*
 - Marine (Pilotage Rates) Act.*
 - State Savings Bank Act.*
 - Coal Mine Workers Pensions Act.*
 - Transfer of Land (Acquisitions) Act.*
 - Workers' Compensation (Police Force) Act.*
 - Fire Brigades (Borrowing and Salaries) Act.*
 - Public Officers Salaries Act.*
 - Mildura Irrigation and Water Trusts (Amendment) Act.*
 - Thornbury Land Act.*
 - Barley Marketing Act.*
 - North-West Mallee Settlement Areas Act.*
 - Latrobe-street Tramway Construction Act.*
 - Gippsland Railway (Duplication and Regrading) Act.*
4. HOUSING BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the Housing Acts, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. G. Warner, 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. MASTER OF THE SUPREME COURT BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amalgamate the Existing Offices of Master-in-Equity and Chief Clerk of the Supreme Court in a New Office of Master of the Supreme Court of Victoria, and for purposes connected therewith*” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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. COUNTRY ROADS (WORKS AND EVIDENCE) BILL.—On the motion (by leave without notice) of the Honorable J. A. Kennedy, leave was given to bring in a Bill to authorize the Country Roads Board to undertake additional Works, and relating to Evidence for the purposes of the Country Roads Acts, 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.
7. BUILDING OPERATIONS (AMENDMENT) BILL.—On the motion (by leave without notice) of the Honorable A. G. Warner, leave was given to bring in a Bill to further amend the Building Operations and Building Materials Control Acts, 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. LAND (LEASES) BILL.—On the motion (by leave without notice) of the Honorable P. T. Byrnes, leave was given to bring in a Bill to amend Section One hundred and twenty-five of the *Land 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.

9. FRIENDLY SOCIETIES (WAR SERVICE) REPEAL BILL.—On the motion (by leave without notice) of the Honorable J. H. Lienhop, leave was given to bring in a Bill to repeal the *Friendly Societies (War Service) Act 1939*, 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 :—
- Adult Education Act 1946—Adult Education (Officers' Leave of Absence) Regulations.
 - Anti-Cancer Council Act 1936—Report of the Anti-Cancer Council of Victoria for the year 1947–48, together with Statement of Receipts and Expenditure and audited Balance-sheet.
 - Cemeteries Acts—Certificate of the Minister of Health in relation to the purchase or taking of certain lands for the proposed extension of the Mansfield Cemetery.
 - Dairy Products Acts—Report of the Victorian Dairy Products Board for the six months ended 30th June, 1948.
 - Dried Fruits Act 1938—Amendment of Regulations—Method of counting votes.
 - Education Act 1928—Amendment of Regulations—Regulation XXXII.—Use of school buildings.
 - Explosives Act 1928—Report of the Chief Inspector of Explosives on the working of the Act during the year 1947.
 - Fisheries Acts—Notice of intention to issue a Proclamation to prohibit all fishing in or the taking of fish from portion of Birch's or Bullarook Creek until 31st August, 1950.
 - Hospitals and Charities Acts—Certificates of the Minister of Health in relation to the acquisition of lands proposed to be resumed for the purposes of the—
 - Essendon and District Memorial Hospital.
 - St. Vincent's Hospital.
 - Land Act 1928—Schedules of country lands proposed to be sold by public auction (two papers).
 - Marketing of Primary Products Acts—Potato Marketing Board Regulations 1948.
 - Melbourne and Metropolitan Tramways Act 1928—Report and Statement of Accounts of the Melbourne and Metropolitan Tramways Board for the year 1947–48.
 - Motor Car Acts—Amendment of Regulations—Form of application for Motor Driver's Licence.
 - Poisons Acts—Dangerous Drugs Regulations 1948—No. 3.
 - Police Regulation Act 1946—Determinations Nos. 12 and 13 of the Police Classification Board (two papers).
 - 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 Public Works.
 - Department of Water Supply (two papers).
 - Departments of Chief Secretary and Agriculture.
 - Technical and General Division—
 - Department of Agriculture.
 - Department of Chief Secretary.
 - Department of Health (two papers).
 - Department of Public Works.
 - Department of Water Supply.
 - Temporary Employees—
 - Department of Agriculture.
 - Department of Health.
 - Department of Premier.
 - Department of Water Supply (two papers).
 - Report of the Public Service Board for the period from 29th October, 1946, to 30th June, 1948.
 - Public Trustee Acts—Regulations—Charges to be made by the Public Trustee.
 - Railways Act 1928—Report of the Victorian Railways Commissioners for the year 1947–48.
 - Soil Conservation Act 1940—Report of the Soil Conservation Board for the year 1947–48.
 - State Savings Bank Act 1928—State Savings Bank of Victoria—Statements and Returns for the year 1947–48.
 - Teaching Service Act 1946—Amendment of Regulations—
 - Teaching Service (Classification, Salaries and Allowances) Regulations (two papers).
 - Teaching Service (Teachers' Tribunal) Regulations (three papers).
 - Transport Regulation Acts—Report of the Transport Regulation Board for the year 1947–48.
 - Workers' Compensation Acts—Workers' Compensation Board Fund—Balance-sheet and Statement of Receipts and Expenditure for the year 1947–48.

11. HOUSING BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable A. G. Warner moved, That this Bill be now read a second time.

Debate ensued.

The Honorable P. J. Clarey 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. MUNICIPAL ENDOWMENT (TEMPORARY DISCONTINUANCE) BILL (No. 2).—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 J. A. Kennedy, 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. 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 J. A. Kennedy, 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. MASTER OF THE SUPREME COURT 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.

15. LAND (LEASES) 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.

16. 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 Act 1946’ 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 J. H. Lienhop, 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.

17. COUNTRY ROADS (WORKS AND EVIDENCE) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy 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 the next day of meeting.

18. ADJOURNMENT.—The Honorable J. A. Kennedy moved, by leave, That the Council, at its rising, adjourn until Wednesday, the 3rd November next.

Question—put and resolved in the affirmative.

And then the Council, at seven minutes past Ten o'clock, adjourned until Wednesday, the 3rd November next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 34.

WEDNESDAY, 3RD NOVEMBER, 1948.

Government Business.

ORDERS OF THE DAY :—

- *1. HOUSING BILL—(from Assembly—Hon. A. G. Warner)—Second reading—*Resumption of debate* (Hon. P. J. Clarey).
- *2. FRIENDLY SOCIETIES (WAR SERVICE) REPEAL BILL—(Hon. J. H. Lienhop)—Second reading.
- *3. MUNICIPAL ENDOWMENT (TEMPORARY DISCONTINUANCE) BILL (No. 2)—(from Assembly—Hon. J. A. Kennedy)—Second reading.
- *4. BUILDING OPERATIONS (AMENDMENT) BILL—(Hon. A. G. Warner)—Second reading.
- *5. MASTER OF THE SUPREME COURT BILL—(from Assembly—Hon. J. A. Kennedy)—To be further considered in Committee.
- *6. COUNTRY ROADS (WORKS AND EVIDENCE) BILL—(Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
- *7. STAMPS (INCREASED DUTY CONTINUANCE) BILL (No. 2)—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- *8. COUNTRY ROADS BOARD FUND (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. J. A. Kennedy)—Second reading.
9. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser†, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 24th August, 1948).—The Honorables P. J. Clarey, A. M. Fraser, Sir George Goudie, G. S. McArthur, A. E. McDonald, and D. J. Walters.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 35.

WEDNESDAY, 3RD NOVEMBER, 1948.

1. The President took the Chair and read the Prayer.
2. 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-nine* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. H. Lienhop, 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 BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend the Motor Car Acts* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. T. Byrnes, 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. 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—Amendment of Adult Education Regulations.
 - Education Act 1928—Report of the Council of Public Education for the year 1947–48.
 - Hospitals and Charities Act 1928—Report of the Charities Board of Victoria for the year 1947–48.
 - Mental Hygiene Act 1928—Report of the Director of Mental Hygiene for the year 1947.
 - Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—
 - Part III.—Salaries, Increments and Allowances—
 - Professional Division—
 - Department of Agriculture.
 - Department of Health (three papers).
 - Department of Law.
 - Technical and General Division—Department of Health (three papers).
 - Temporary Employees—
 - Department of Health (two papers).
 - Department of Premier.
 - Department of Treasurer.
 - Department of Water Supply.
 - Seeds Acts—Amendment of Regulations—Onion seed.
 - Town and Country Planning Act 1944—Appendix to Report of the Town and Country Planning Board for the year 1946–47—Vehicular Traffic Census.
 - Vegetation and Vine Diseases Act 1928—Amendment of Regulations—Subterranean clover.
 - Water Acts—Copy of Declaration of the Minister of Water Supply (with plan) defining the area that ought to be constituted the Central Gippsland Irrigation and Water Supply District.
5. 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.
6. FRIENDLY SOCIETIES (WAR SERVICE) REPEAL 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. MUNICIPAL ENDOWMENT (TEMPORARY DISCONTINUANCE) 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

8. 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.

9. MASTER OF THE SUPREME COURT 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.

10. COUNTRY ROADS (WORKS AND 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.

11. STATUTE LAW REVISION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to revise the Statute Law and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable A. G. Warner, 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. HOUSING 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.

13. 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

14. ADJOURNMENT.—The Honorable J. A. Kennedy 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-six minutes past Ten o'clock, adjourned until Tuesday next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 35.

TUESDAY, 9TH NOVEMBER, 1948.

Government Business.

ORDERS OF THE DAY :—

1. BUILDING OPERATIONS (AMENDMENT) BILL—(*Hon. A. G. Warner*)—Second reading.
2. COUNTRY ROADS BOARD FUND (AMENDMENT) BILL (No. 2)—(*from Assembly—Hon. J. A. Kennedy*)—Second reading.
- *3. LAND TAX BILL (No. 2)—(*from Assembly—Hon. J. H. Lienhop*)—Second reading.
- *4. MOTOR CAR BILL—(*from Assembly—Hon. P. T. Byrnes*)—Second reading.
- *5. STATUTE LAW REVISION BILL—(*from Assembly—Hon. A. G. Warner*)—Second reading.
6. SHEARERS' HUT ACCOMMODATION BILL—(*Hon. J. H. Lienhop*)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

* *Notifications to which an asterisk (*) is prefixed appear for the first time.*

MEETING OF SELECT COMMITTEE.

Wednesday, 10th November.

STATUTE LAW REVISION (JOINT)—*At half-past Nine o'clock.*

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 24th August, 1948).—The Honorables P. J. Clarey, A. M. Fraser, Sir George Goudie, G. S. McArthur, A. E. McDonald, and D. J. Walters.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.
‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 36.

TUESDAY, 9TH NOVEMBER, 1948.

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:—
 - Barley Marketing Act 1948—Barley Marketing (Elections) Regulations 1948 (two papers).
 - Education Act 1928—Amendment of Regulations—
 - Regulation XX.—Allowances for school requisites and maintenance to pupils attending post-primary schools and classes.
 - Regulation XXI.—Scholarships.
 - Fruit and Vegetables Acts—Amendment of Regulations—Tomatoes.
 - Land Act 1928—Amendment of Regulations—Chapter IV.—Survey.
 - Marketing of Primary Products Act 1935—Amendment of Regulations—
 - Egg and Egg Pulp Marketing Board—Registration of egg producers.
 - Onion Marketing Board—Registration of onion producers.
 - Prices Regulation Act 1948—
 - Prices Regulations (Victoria) 1948.
 - Prices Regulations (Victoria) No. 2.
3. BUILDING OPERATIONS (AMENDMENT) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

The Honorable A. G. Warner moved, by leave, That it be an instruction to the Committee that they have power to consider a New Clause dispensing with the requirement of the consent of the Minister in the cases of the erection of certain dwelling houses and structures and of certain additions to buildings.

Question—put and resolved in the affirmative.

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, on the next day of meeting, again resolve itself into the said Committee.
4. 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 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.
5. TREASURY BONDS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to authorize the Issue of Treasury Bonds*" and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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. 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.
7. MOTOR CAR BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. T. Byrnes moved, That this Bill be now read a second time.
- Debate ensued.
- The Honorable P. J. Clarey 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 J. A. Kennedy 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 eight minutes past Ten o'clock, adjourned until Tuesday next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 36.

TUESDAY, 16TH NOVEMBER, 1948.

Government Business.

ORDERS OF THE DAY :—

1. BUILDING OPERATIONS (AMENDMENT) BILL—(*Hon. A. G. Warner*)—To be further considered in Committee.
2. LAND TAX BILL (No. 2)—(*from Assembly—Hon. J. H. Lienhop*)—Second reading.
3. MOTOR CAR BILL—(*from Assembly—Hon. P. T. Byrnes*)—Second reading—*Resumption of debate* (*Hon. P. J. Clarey*).
4. STATUTE LAW REVISION BILL—(*from Assembly—Hon. A. G. Warner*)—Second reading.
- *5. TREASURY BONDS BILL—(*from Assembly—Hon. J. A. Kennedy*)—Second reading.
6. SHEARERS' HUT ACCOMMODATION BILL—(*Hon. J. H. Lienhop*)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

* *Notifications to which an asterisk (*) is prefixed appear for the first time.*

MEETING OF SELECT COMMITTEE.

Wednesday, 17th November.

STATUTE LAW REVISION (JOINT)—*At half-past Nine o'clock.*

SESSIONAL COMMITTEES—SESSION 1947-48.

- ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.
- STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser†, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.
- HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.
- LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.
- PRINTING.—(Appointed 9th December, 1947).—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.
- STATUTE LAW REVISION (JOINT).—(Appointed 24th August, 1948).—The Honorables P. J. Clarey, A. M. Fraser, Sir George Goudie, G. S. McArthur, A. E. McDonald, and D. J. Walters.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 37.

TUESDAY, 16TH NOVEMBER, 1948.

- 1. The President took the Chair and read the Prayer.
- 2. DISTINGUISHED VISITOR.—The Honorable J. A. Kennedy moved, by leave, That a chair be provided on the floor of the Council Chamber for Sir Gilbert Campion, G.C.B., formerly Clerk of the House of Commons.

Question—put and resolved in the affirmative.

Sir Gilbert Campion then entered the Chamber and was accommodated with a chair at the right of the President.

- 3. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable J. A. Kennedy 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 :—

Municipal Endowment (Temporary Discontinuance) Act.
Stamps (Increased Duty Continuance) Act.
Country Roads Board Fund (Amendment) Act.

- 4. ADDRESSES TO HIS MAJESTY KING GEORGE VI. AND HIS EXCELLENCY THE GOVERNOR.—The President announced the receipt of a Message from the Assembly transmitting an Address to His Majesty the King, and an Address to His Excellency the Governor adopted this day by the Assembly and desiring the concurrence of the Council therein.

The Address to His Majesty the King was read by the Clerk, and is as follows :—

TO THE KING'S MOST EXCELLENT MAJESTY :

MOST GRACIOUS SOVEREIGN :

We, Your Majesty's most dutiful and loyal subjects, the Legislative Assembly of Victoria, in Parliament assembled, beg to approach Your Majesty, on behalf of the people of Victoria, with feelings of the deepest loyalty and devotion.

We offer to Your Majesty our sincere congratulations on the birth of the Son of Her Royal Highness the Princess Elizabeth, and we assure Your Majesty that this auspicious event is hailed with great joy by Your Majesty's loyal subjects in this portion of the British Empire.

The Honorable J. A. Kennedy moved, That this House agree with the Assembly in the Address to His Majesty the King, and that the blank in the Address be filled up by the insertion of the words "Legislative Council and the".

Debate ensued.

Question—put and resolved in the affirmative.

The Address to His Excellency the Governor was read by the Clerk, and is as follows :—

MAY IT PLEASE YOUR EXCELLENCY :

We, the Legislative Assembly of Victoria, in Parliament assembled, respectfully request that Your Excellency will be pleased to communicate, to the Right Honorable the Secretary of State for Commonwealth Relations, the accompanying Address for presentation to His Majesty the King.

The Honorable J. A. Kennedy moved, That this House agree with the Assembly in the Address to His Excellency the Governor, and that the blank in the Address be filled up by the insertion of the words "Legislative Council and the".

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in adopting the Address to His Majesty the King and the Address to His Excellency the Governor and have filled up the blanks therein by the insertion of the words "Legislative Council and the".

5. MELBOURNE AND METROPOLITAN TRAMWAYS (FINANCIAL) BILL.—On the motion (by leave without notice) of the Honorable J. A. Kennedy, leave was given to bring in a Bill to amend Sections Twenty-four and Twenty-six of the *Melbourne and Metropolitan Tramways 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. 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—Amendment of Adult Education Regulations.
 - Country Fire Authority Acts—Regulations relating to the Issue of Debentures.
 - Education Act 1928—Amendment of Regulations—
 - Regulations IV. (H).—Accountancy Certificate.
 - Regulation XXI. (A).—Public Service Scholarships.
 - Essential Services Act 1948—Essential Services (Secret Ballot) Regulations.
 - Gas Regulation Act 1933—Gas Regulation (Emergency Powers) Regulations (No. 62).
 - Land Act 1928—Schedule of country lands proposed to be sold by public auction.
 - Police Regulation Acts—Amendment of Police Regulations.
 - Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations
 - 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.
 - Regulation 48A (3).—Annual amount or range of salary in Classes “A1,” “A” and “A1,” “A,” or “B1” and “A.”
 - Professional Division—
 - Department of Health.
 - Department of Public Works.
 - Departments of Chief Secretary, Treasurer, and Water Supply.
 - Technical and General Division—
 - Department of Health.
 - Department of Treasurer (two papers).
 - Temporary Employees—
 - Department of Chief Secretary.
 - Department of Health.
 - Department of Public Works.
 - Department of Treasurer (three papers).
 - Teaching Service Act 1946—Report of the Teachers Tribunal for the year 1947–48.
 - Town and Country Planning Act 1944—Report of the Town and Country Planning Board for the year 1947–48.
7. BUILDING OPERATIONS (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 transmitted to the Assembly with a Message desiring their concurrence therein.
8. 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
9. MOTOR CAR 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 A. M. Fraser 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.
10. ADJOURNMENT.—The Honorable J. A. Kennedy 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 thirty-three minutes past Ten o'clock, adjourned until Tuesday next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 37.

TUESDAY, 23RD NOVEMBER, 1948.

Question.

*1. The Hon. C. P. GARTSIDE : To ask the Honorable the Commissioner of Public Works—

- (a) What is the number of state mental hospitals in Victoria.
- (b) (i) What are the numbers respectively of carpenters, painters, plumbers, bricklayers, mechanics and upholsterers permanently employed as maintenance staff by the Department of Health and stationed at these institutions; (ii) what are the duties of these employees; and (iii) what was the total amount paid during the financial year 1947-48 in wages to such employees.
- (c) How many of such employees are on the staff at (i) Mont Park; and (ii) Kew.
- (d) Is such maintenance staff employed under the jurisdiction of the Department of Health or the Department of Public Works.
- (e) What were (i) the amounts of the advances sought from the Department of Public Works by the Department of Health during the last three financial years to enable the superintendents of the various institutions to arrange to carry out urgent minor repairs; and (ii) what amounts were granted.
- (f) What are the conditions laid down by the Board of Land and Works for the expenditure by the Department of Health of these advances.
- (g) What were the total amounts actually expended during the past five financial years by the Department of Public Works on mental hospital "maintenance" works carried out under its jurisdiction, including the cost of the supply of building stores for the use of the maintenance staff of the institutions.

Government Business.

ORDERS OF THE DAY :—

1. TREASURY BONDS BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
2. STATUTE LAW REVISION BILL—(from Assembly—Hon. A. G. Warner)—Second reading.
3. MOTOR CAR BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading—*Resumption of debate* (Hon. A. M. Fraser).
- *4. MELBOURNE AND METROPOLITAN TRAMWAYS (FINANCIAL) BILL—(Hon. J. A. Kennedy)—Second reading.
5. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

MEETING OF SELECT COMMITTEE.

Tuesday, 23rd November.

STATUTE LAW REVISION (JOINT)—At half-past Six o'clock.

SESSIONAL COMMITTEES—SESSION 1947-48.

- ELECTIONS AND QUALIFICATIONS.**—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.
- STANDING ORDERS.**—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.
- HOUSE (JOINT).**—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.
- LIBRARY (JOINT).**—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.
- PRINTING.**—(Appointed 9th December, 1947).—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.
- STATUTE LAW REVISION (JOINT).**—(Appointed 24th August, 1948).—The Honorables P. J. Clarey, A. M. Fraser, Sir George Goudie, G. S. McArthur, A. E. McDonald, and D. J. Walters.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 38.

WEDNESDAY, 24TH NOVEMBER, 1948.

Government Business.

NOTICES OF MOTION :—

- *1. The Hon. J. A. KENNEDY : To move, That so much of the Sessional Orders as provides 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 be rescinded, and that for the remainder of the Session Government business shall take precedence of all other business.
- *2. The Hon. J. A. KENNEDY : To move, That so much of the Sessional Orders as provides that the hour of meeting on Thursday in each week shall be half-past Four o'clock be rescinded, and that during the remainder of the Session the hour of meeting on Thursday shall be Two o'clock.
- *3. The Hon. J. A. KENNEDY : To move, That during the remainder of the Session the Council shall meet for the despatch of business on Friday in each week and that Two o'clock shall be the hour of meeting.

ORDERS OF THE DAY :—

- *1. MENTAL HYGIENE AUTHORITY BILL—(from Assembly—Hon. A. G. Warner)—Second reading.
- *2. FORESTS (LAND ACQUISITION) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- *3. WHEAT INDUSTRY STABILIZATION BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
- *4. STATE FORESTS LOAN AND APPLICATION BILL (No. 2)—(from Assembly—Hon. J. H. Lienhop)—Second reading.
5. MOTOR CAR BILL—(from Assembly—Hon. P. T. Byrnes)—To be further considered in Committee.
- *6. WATER SUPPLY LOANS APPLICATION BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading.
7. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

TUESDAY, 30TH NOVEMBER.

Government Business.

ORDER OF THE DAY :—

1. MELBOURNE AND METROPOLITAN TRAMWAYS (FINANCIAL) BILL—(Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

SESSIONAL COMMITTEES—SESSION 1947–48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 24th August, 1948).—The Honorables P. J. Clarey, A. M. Fraser, Sir George Goudie, G. S. McArthur, A. E. McDonald, and D. J. Walters.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 38.

TUESDAY, 23RD NOVEMBER, 1948.

1. The President took the Chair and read the Prayer.
2. MENTAL HYGIENE AUTHORITY 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 Constitution and Functions of a Mental Hygiene Authority, and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honorable A. G. Warner, 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. 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 for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honorable P. T. Byrnes, 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. FORESTS (LAND ACQUISITION) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Section Fifty-five of the ‘Forests Act 1928’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. H. Lienhop, 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. 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 J. H. Lienhop, 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. 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 Flood Protection and River Improvement Works in Country Districts and 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 P. T. Byrnes, 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. HOUSING BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in this Bill.
8. MASTER OF THE SUPREME COURT BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in this Bill.

9. 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—Report of the Council of Adult Education for the year 1947-48.

Explosives Act 1928—Order in Council relating to the classification of Explosives.

Fisheries Acts—Notice of intention to issue Proclamations—

Respecting the taking of school or snapper shark in certain waters.

To alter the conditions relating to registration of fishing boats.

To prohibit the taking of gummy and school or snapper sharks in Swan Bay near Queenscliff.

Land Act 1928—

Certificate of the Chief Secretary relating to the proposed compulsory resumption of land for the purpose of a police station at Bendigo North.

Certificates of the Minister of Public Instruction relating to the proposed compulsory resumption of land for the purposes of schools at Ballarat East, Dandenong and Rainbow (three papers).

Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—

Part I.—Appointments to the Administrative, Professional, and Technical and General Divisions—Regulations 21A and 22A.

Part III.—Salaries, Increments and Allowances—

Administrative Division—Departments of Health and Water Supply.

Professional Division—

Department of Lands and Survey.

Departments of Lands and Survey, and Water Supply.

Departments of Mines, Health and Agriculture.

Department of State Forests.

Technical and General Division—

Department of Law.

Department of Treasurer (two papers).

General and Departments of Chief Secretary, Treasurer, Lands and Survey, Public Works, Agriculture, and Water Supply.

Temporary Employees—

Department of Chief Secretary.

Department of Health (two papers).

Department of Public Works (two papers).

Departments of Public Instruction, Lands and Survey, Mines, Health, Agriculture, and Water Supply.

Workers' Compensation Acts—Amendment of Workers' Compensation Board Regulations (No. 1).

10. TREASURY BONDS 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

11. 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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

12. MOTOR CAR 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 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.

13. ADDRESSES TO HIS MAJESTY KING GEORGE VI. AND HIS EXCELLENCY THE GOVERNOR.—The President announced the receipt of a Message from the Assembly transmitting an Address to His Majesty the King and an Address to His Excellency the Governor adopted this day by the Assembly and desiring the concurrence of the Council therein.

The Address to His Majesty the King was read by the Clerk, and is as follows :—

TO THE KING'S MOST EXCELLENT MAJESTY :

MOST GRACIOUS SOVEREIGN :

We, Your Majesty's most dutiful and loyal subjects, the Legislative Assembly of Victoria, in Parliament assembled, beg to approach Your Majesty, on behalf of the people of Victoria, with expressions of deep regret for your illness.

We offer to Your Majesty our sincerest wishes for a speedy recovery to full health, and earnestly hope that Your visit to this State, which was so eagerly awaited, will not be long delayed.

The Honorable J. A. Kennedy moved, That this House agree with the Assembly in the Address to His Majesty the King, and that the blank in the Address be filled up by the insertion of the words "Legislative Council and the".

Debate ensued.

Question—put and resolved in the affirmative.

The Address to His Excellency the Governor was read by the Clerk, and is as follows :—

MAY IT PLEASE YOUR EXCELLENCY :

We, the Legislative Assembly of Victoria, in Parliament assembled, respectfully request that Your Excellency will be pleased to communicate to the Right Honorable the Secretary of State for Commonwealth Relations the accompanying Address for presentation to His Majesty the King.

The Honorable J. A. Kennedy moved, That this House agree with the Assembly in the Address to His Excellency the Governor, and that the blank in the Address be filled up by the insertion of the words "Legislative Council and the".

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in adopting the Address to His Majesty the King and the Address to His Excellency the Governor and have filled up the blanks therein by the insertion of the words "Legislative Council and the".

14. MELBOURNE AND METROPOLITAN TRAMWAYS (FINANCIAL) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy moved, That this Bill be now read a second time.

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 Tuesday next.

15. ADJOURNMENT.—The Honorable J. A. Kennedy moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

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

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 39.

WEDNESDAY, 24TH NOVEMBER, 1948.

- The President took the Chair and read the Prayer.
- PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—

Geelong Waterworks and Sewerage Act 1928—Balance-sheet of the Geelong Waterworks and Sewerage Trust as at 30th June, 1948.

- ALTERATION OF SESSIONAL ORDERS.—The Honorable J. A. Kennedy moved, That so much of the Sessional Orders as provides 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 be rescinded, and that, for the remainder of the Session, Government business shall take precedence of all other business.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable J. A. Kennedy moved, That so much of the Sessional Orders as provides that the hour of meeting on Thursday in each week shall be half-past Four o'clock be rescinded, and that, during the remainder of the Session, the hour of meeting on Thursdays shall be Two o'clock.

Question—put and resolved in the affirmative.

The Honorable J. A. Kennedy moved, That during the remainder of the Session the Council shall meet for the despatch of business on Friday in each week and that Two o'clock shall be the hour of meeting.

Question—put and resolved in the affirmative.

4. MENTAL HYGIENE AUTHORITY BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable A. G. Warner 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.
5. FORESTS (LAND ACQUISITION) 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
6. MENTAL HYGIENE AUTHORITY 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 A. M. Fraser 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. WHEAT INDUSTRY STABILIZATION BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable P. T. Byrnes moved, That this Bill be now read a second time. The Honorable W. J. Beckett moved, That the debate be now adjourned. Motion—That the debate be now adjourned—by leave, withdrawn. Debate on the main question continued. 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.
8. TREASURY BONDS 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 10, the words “Treasury of Victoria” have been inserted instead of the words “Treasurer of Victoria”, and acquainting the Council that they have agreed that such error be corrected by the insertion of the words “Treasurer of Victoria” instead of the words “Treasury of Victoria” in clause 10, and desiring the concurrence of the Council therein. On the motion of the Honorable J. A. Kennedy, 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.
9. STATE FORESTS 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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
10. 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.
11. 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 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
12. ADJOURNMENT.—The Honorable J. A. Kennedy 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 Ten o'clock, adjourned until Tuesday next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 39.

TUESDAY, 30TH NOVEMBER, 1948.

Questions.

*1. The Hon. G. L. CHANDLER : To ask the Honorable the Commissioner of Public Works—

- (a) Was the site in Ferntree Gully National Park until recently used to exhibit native and other fauna selected by Mr. Lewis, formerly Chief Inspector of Fisheries and Game.
- (b) Were permits issued to Messrs. Leach and Patterson to exhibit native fauna at the Ferntree Gully Sanctuary; if so, (i) were these permits later revoked without notice and the fauna transferred to the Melbourne Zoological Gardens, and (ii) why were the permits revoked.
- (c) Is it a fact that native fauna on being transferred to the Zoological Gardens die quickly.
- (d) Are the ponds used for the various types of water fowl at the Zoological Gardens infested with disease.

*2. The Hon. G. L. CHANDLER : To ask the Honorable the Commissioner of Public Works—

- (a) What are the names of the members of the Zoological Board of Victoria.
- (b) When was each member appointed and for what period was he appointed.
- (c) Are there any vacancies in the membership of the Board at the present time; if so, how many.
- (d) What was the total amount of (i) money received, (ii) money paid, and (iii) Government grants made to the Board during each of the last five financial years.

Government Business.

ORDERS OF THE DAY :—

1. MELBOURNE AND METROPOLITAN TRAMWAYS (FINANCIAL) BILL—(Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
2. MOTOR CAR BILL—(from Assembly—Hon. P. T. Byrnes)—To be further considered in Committee.
3. MENTAL HYGIENE AUTHORITY BILL—(from Assembly—Hon. A. G. Warner)—Second reading—*Resumption of debate* (Hon. A. M. Fraser).
4. WHEAT INDUSTRY STABILIZATION BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
5. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

MEETING OF SELECT COMMITTEE.

Tuesday, 30th November.

STATUTE LAW REVISION (JOINT)—*At half-past Six o'clock.*

* Notifications to which an asterisk (*) is prefixed appear for the first time.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 24th August, 1948).—The Honorables P. J. Clarey, A. M. Fraser, Sir George Goudie, G. S. McArthur, A. E. McDonald, and D. J. Walters.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 40.

WEDNESDAY, 1st DECEMBER, 1948.

Question.

- *1. The Hon. J. A. SWINBURNE : To ask the Honorable the Commissioner of Public Works—
- (a) Are any funds held by the Government for the purposes of establishing (i) an experimental tobacco station in this State, or (ii) for general experimental work in tobacco growing ; if so, what are the amounts thereof.
 - (b) Has the Commonwealth Government made available any money for either of these purposes ; if so, what amounts were made available during the years ended 30th June, 1947, and 30th June, 1948, respectively.
 - (c) What amounts were expended by the Department of Agriculture during the years ended 30th June, 1947, and 30th June, 1948, respectively, on general experimental work in tobacco growing.

Government Business.

ORDERS OF THE DAY :—

- *1. TEACHING SERVICE (AMENDMENT) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
2. MOTOR CAR BILL—(from Assembly—Hon. P. T. Byrnes)—To be further considered in Committee.
3. MENTAL HYGIENE AUTHORITY BILL—(from Assembly—Hon. A. G. Warner)—To be further considered in Committee.
4. WHEAT INDUSTRY STABILIZATION BILL—(from Assembly—Hon. P. T. Byrnes)—Second reading—*Resumption of debate (Hon. W. J. Beckett).*
- *5. TOWN AND COUNTRY PLANNING (METROPOLITAN AREA) BILL—(Hon. J. A. Kennedy)—Second reading.
- *6. ADMINISTRATION AND PROBATE DUTIES BILL (No. 2)—(from Assembly—Hon. A. G. Warner)—Second reading.
- *7. NURSES (REGISTRATION) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- *8. CANCER INSTITUTE BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
- *9. RAILWAYS STANDARDIZATION AGREEMENT BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading.
10. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

MEETING OF SELECT COMMITTEE.

Wednesday, 1st December.

STATUTE LAW REVISION (JOINT)—At half-past Six o'clock.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 24th August, 1948).—The Honorables P. J. Clarey, A. M. Fraser, Sir George Goudie, G. S. McArthur, A. E. McDonald, and D. J. Walters.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER PAST TWO O'CLOCK.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 41.

THURSDAY, 2nd DECEMBER, 1948.

Government Business.

ORDERS OF THE DAY :—

1. MOTOR CAR BILL—(from Assembly—Hon. P. T. Byrnes)—To be further considered in Committee.
 2. MENTAL HYGIENE AUTHORITY BILL—(from Assembly—Hon. A. G. Warner)—To be further considered in Committee.
 3. NURSES (REGISTRATION) BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
 4. CANCER INSTITUTE BILL—(from Assembly—Hon. J. H. Lienhop)—Second reading.
 5. SHEARERS' HUT ACCOMMODATION BILL—(Hon. J. H. Lienhop)—Second reading.
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TUESDAY, 7th DECEMBER.

Government Business.

ORDERS OF THE DAY :—

1. TOWN AND COUNTRY PLANNING (METROPOLITAN AREA) BILL—(Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
2. RAILWAYS STANDARDIZATION AGREEMENT BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

MEETING OF SELECT COMMITTEE.

Tuesday, 7th December.

STATUTE LAW REVISION (JOINT)—*At half-past Six o'clock.*

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 24th August, 1948).—The Honorables P. J. Clarey, A. M. Fraser, Sir George Goudie, G. S. McArthur, A. E. McDonald, and D. J. Walters.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 40.

TUESDAY, 30TH NOVEMBER, 1948.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable J. A. Kennedy 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. :—
 - Land Tax Act.*
 - Housing Act.*
 - Master of the Supreme Court Act.*
 - Treasury Bonds Act.*
 - Statute Law Revision Act.*
 - Forests (Land Acquisition) Act.*
 - State Forests Loan and Application Act.*
 - Water Supply Loans Application Act.*
3. RAILWAYS STANDARDIZATION AGREEMENT BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to authorize and ratify the Execution by or on behalf of the State of an Agreement between the Commonwealth and the States of New South Wales, Victoria and South Australia in relation to the Standardization of certain Railways, and for other purposes* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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. TOWN AND COUNTRY PLANNING (METROPOLITAN AREA) BILL.—On the motion (by leave without notice) of the Honorable J. A. Kennedy, leave was given to bring in a Bill to make Provision for the Preparation of a Planning Scheme under the *Town and Country Planning Act 1944* in respect of the Metropolitan Area, 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.
5. PAPERS.—The Honorable J. A. Kennedy presented, by command of His Excellency the Governor—
 - Police—Report of the Chief Commissioner of Police for the year 1947.

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 :—

 - Geelong Harbor Trust Acts—Accounts and Statement of Receipts and Expenditure for the year 1947.
 - Marketing of Primary Products Act 1935—
 - Proclamation declaring that Potatoes shall become the property of the Potato Marketing Board.
 - Regulations—
 - Onion Marketing Board—Thirty-seventh period of time for computation of or accounting for the net proceeds of the sale of onions.
 - Potato Marketing Board—Delivery of potatoes.

Police Regulation Acts—Amendment of the Police Regulations.

Teaching Service Act 1946—Amendment of Regulations—

Teaching Service (Classification, Salaries and Allowances) Regulations.

Teaching Service (Teachers' Tribunal) Regulations (three papers).

Victorian Inland Meat Authority Act 1942—Report of the Victorian Inland Meat Authority for the year 1947-48.

6. MELBOURNE AND METROPOLITAN TRAMWAYS (FINANCIAL) 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.

7. TEACHING SERVICE (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend Sub-section (1) of Section Sixty-one of the 'Teaching Service Act 1946'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable J. H. Lienhop, 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. 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.

9. MENTAL HYGIENE AUTHORITY 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.

10. CANCER INSTITUTE BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act relating to the Establishment and Management of a Cancer Institute for the purposes of Research into and Treatment of Cancer and Allied Conditions, and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable J. H. Lienhop, 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. NURSES (REGISTRATION) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to re-enact Section Fourteen of the 'Nurses Act 1928'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable J. H. Lienhop, 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. 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 A. G. Warner, 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. COUNTRY ROADS (WORKS AND EVIDENCE) BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.

14. FRIENDLY SOCIETIES (WAR SERVICE) REPEAL BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.

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

No. 41.

WEDNESDAY, 1ST DECEMBER, 1948.

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 :—
 - Cemeteries Act 1930—Certificate of the Minister of Health in relation to the purchase or taking of certain lands for the purposes of the Williamstown General Cemetery.
 - Hospitals and Charities Act 1948—Certificate of the Minister of Health in relation to the acquisition of lands proposed to be resumed for the purposes of the Women's Hospital.
3. TEACHING SERVICE (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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
4. 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.
5. WHEAT INDUSTRY STABILIZATION 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
6. TOWN AND COUNTRY PLANNING (METROPOLITAN AREA) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy 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 Tuesday next.
7. 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
8. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 7 and 8, be postponed until the next day of meeting.
9. RAILWAYS STANDARDIZATION AGREEMENT BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy 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 Tuesday next.
10. ADJOURNMENT.—The Honorable J. A. Kennedy moved, That the House do now adjourn.
 - Debate ensued.
 - Question—put and resolved in the affirmative.

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

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 42.

THURSDAY, 2ND DECEMBER, 1948.

1. The President took the Chair and read the Prayer.
 2. **CRIMES BILL.**—The Honorable A. E. McDonald brought up a Report from the Statute Law Revision Committee on this Bill.
Ordered to lie on the Table and be printed together with the Minutes of Evidence.
 3. **PAPERS.**—The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk :—
 - Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—
 - Part III.—Salaries, Increments and Allowances—
 - Professional Division—
 - Department of Health.
 - Department of Lands and Survey.
 - Department of Public Works.
 - Departments of Law, and Lands and Survey.
 - Temporary Employees—Department of Health.
 - Part V.—Travelling Expenses—Regulation 85 (14).
 4. **ADJOURNMENT.**—The Honorable J. A. Kennedy moved, by leave, That the Council, at its rising, adjourn until Tuesday next.
Debate ensued.
Question—put and resolved in the affirmative.
- And then the Council, at thirty-three minutes past Two o'clock, adjourned until Tuesday next.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 42.

TUESDAY, 7TH DECEMBER, 1948.

Government Business.

ORDERS OF THE DAY :—

1. NURSES (REGISTRATION) BILL—(*from Assembly*)—Second reading.
2. CANCER INSTITUTE BILL—(*from Assembly*)—Second reading.
3. MENTAL HYGIENE AUTHORITY BILL—(*from Assembly*—Hon. A. G. Warner)—To be further considered in Committee.
4. MOTOR CAR BILL—(*from Assembly*)—To be further considered in Committee.
5. TOWN AND COUNTRY PLANNING (METROPOLITAN AREA) BILL—(Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
6. RAILWAYS STANDARDIZATION AGREEMENT BILL—(*from Assembly*—Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
7. SHEARERS' HUT ACCOMMODATION BILL—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

MEETING OF SELECT COMMITTEE.

Tuesday, 7th December.

STATUTE LAW REVISION (JOINT)—*At half-past Six o'clock.*

SESSIONAL COMMITTEES—SESSION 1947-48.

- ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.
- STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.
- HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.
- LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.
- PRINTING.—(Appointed 9th December, 1947).—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.
- STATUTE LAW REVISION (JOINT).—(Appointed 24th August, 1948).—The Honorables P. J. Clarey, A. M. Fraser, Sir George Goudie, G. S. McArthur, A. E. McDonald, and D. J. Walters.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER TO FIVE O'CLOCK.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 43.

WEDNESDAY, 8TH DECEMBER, 1948.

Government Business.

ORDERS OF THE DAY :—

1. RAILWAYS STANDARDIZATION AGREEMENT BILL—(from Assembly—Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
2. TOWN AND COUNTRY PLANNING (METROPOLITAN AREA) BILL—(Hon. J. A. Kennedy)—Second reading—*Resumption of debate* (Hon. W. J. Beckett).
3. MOTOR CAR BILL—(from Assembly—Hon. A. E. McDonald)—To be further considered in Committee.
4. MENTAL HYGIENE AUTHORITY BILL—(from Assembly—Hon. A. G. Warner)—To be further considered in Committee.
5. SHEARERS' HUT ACCOMMODATION BILL—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

MEETING OF SELECT COMMITTEE.

Tuesday, 14th December.

STATUTE LAW REVISION (JOINT)—*At half-past Six o'clock.*

SESSIONAL COMMITTEES—SESSION 1947-48.

ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.

STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser‡, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.

HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.

LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.

PRINTING.—(Appointed 9th December, 1947).—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.

STATUTE LAW REVISION (JOINT).—(Appointed 24th August, 1948).—The Honorables P. J. Clarey, A. M. Fraser, Sir George Goudie, G. S. McArthur, A. E. McDonald, and D. J. Walters.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

MR. PRESIDENT TAKES THE CHAIR AT A QUARTER PAST TWO O'CLOCK.

LEGISLATIVE COUNCIL

Notices of Motion and Orders of the Day.

No. 44.

THURSDAY, 9TH DECEMBER, 1948.

Government Business.

ORDERS OF THE DAY :—

- *1. PARLIAMENTARY SALARIES AND ALLOWANCES BILL (No. 2)—(*from Assembly—Hon. J. A. Kennedy*)—Second reading.
- *2. PRICES REGULATION (AMENDMENT) BILL—(*from Assembly—Hon. A. G. Warner*)—Second reading—*Resumption of debate (Hon. P. J. Kennelly).*
- *3. COAL (OVERSEAS PURCHASE) LOAN AND APPLICATION BILL—(*from Assembly—Hon. J. A. Kennedy*)—Second reading—*Resumption of debate (Hon. W. J. Beckett).*
4. TOWN AND COUNTRY PLANNING (METROPOLITAN AREA) BILL—(*Hon. J. A. Kennedy*)—Second reading—*Resumption of debate (Hon. W. J. Beckett).*
5. MOTOR CAR BILL—(*from Assembly—Hon. A. E. McDonald*)—To be further considered in Committee.
6. MENTAL HYGIENE AUTHORITY BILL—(*from Assembly—Hon. A. G. Warner*)—To be further considered in Committee.
7. SHEARERS' HUT ACCOMMODATION BILL—Second reading.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

CLIFDEN EAGER,
President.

* *Notifications to which an asterisk (*) is prefixed appear for the first time.*

MEETING OF SELECT COMMITTEE.

Tuesday, 14th December.

STATUTE LAW REVISION (JOINT)—*At half-past Six o'clock.*

SESSIONAL COMMITTEES—SESSION 1947-48.

- ELECTIONS AND QUALIFICATIONS.—(Appointed by Mr. President's Warrant, 2nd December, 1947).—The Honorables W. J. Beckett, G. L. Chandler, Sir George Goudie, P. J. Kennelly†, G. S. McArthur, A. E. McDonald, and A. J. Pittard.
- STANDING ORDERS.—(Appointed 9th December, 1947).—The Honorables the President, Sir William Angliss, W. J. Beckett, Sir Frank Clarke, A. M. Fraser†, C. P. Gartside‡, Sir George Goudie, T. Harvey, P. P. Inchbold, and J. H. Lienhop.
- HOUSE (JOINT).—(Appointed 9th December, 1947).—The Honorables the President (*ex officio*), Sir William Angliss, P. T. Byrnes, Sir Frank Clarke, P. J. Kennelly, and G. J. Tuckett.
- LIBRARY (JOINT).—(Appointed 9th December, 1947).—The Honorables the President, P. J. Clarey, P. L. Coleman, J. A. Kennedy, and R. C. Rankin.
- PRINTING.—(Appointed 9th December, 1947).—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.
- STATUTE LAW REVISION (JOINT).—(Appointed 24th August, 1948).—The Honorables P. J. Clarey, A. M. Fraser, Sir George Goudie, G. S. McArthur, A. E. McDonald, and D. J. Walters.

† Appointed 4th May, 1948, vice Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, vice Hon. W. H. Edgar, deceased.

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 43.

TUESDAY, 7TH DECEMBER, 1948.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable J. A. Kennedy 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 (Works and Evidence) Act.*
 - Friendly Societies (War Service) Repeal Act.*
 - Teaching Service (Amendment) Act.*
 - Wheat Industry Stabilization Act.*
 - Administration and Probate Duties Act.*
3. PUBLIC WORKS COMMITTEE.—The Honorable J. A. Kennedy moved, by leave, That the Honorable Hugh Vernon MacLeod be appointed a Member of the Public Works Committee.
Debate ensued.
Question—put and resolved in the affirmative.
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—Part IX.—
 - Statement of appointments in the Department of the Legislative Council and Legislative Assembly House Committee.
 - Statements of persons temporarily employed in the Departments of the Legislative Council, the Legislative Assembly, and the Legislative Council and Legislative Assembly House Committee (three papers).
 - Gas Regulation Act 1933—Gas Regulation (Emergency Powers) Regulations (No. 63).
 - Motor Car (Third-Party Insurance) Act 1939—Statistical Returns by Authorized Insurers for the year 1947–48.
 - Teaching Service Act 1946—Amendment of Teaching Service (Teachers' Tribunal) Regulations.
5. NURSES (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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
6. CANCER INSTITUTE 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
7. ADJOURNMENT.—The Honorable J. A. Kennedy moved, That the House do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.

And then the Council, at fifty-seven minutes past Eight o'clock, adjourned until to-morrow.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 44.

WEDNESDAY, 8TH DECEMBER, 1948.

1. The President took the Chair and read the Prayer.
2. PUBLIC WORKS LOAN AND APPLICATION (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 ‘ Public Works Loan and Application Act 1946 ’* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable A. G. Warner, 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. 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 J. A. Kennedy, 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. PARLIAMENTARY SALARIES AND ALLOWANCES BILL (No. 2).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to make Provision with respect to certain Parliamentary Salaries and Allowances* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. A. Kennedy, 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. PRICES REGULATION (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend the ‘ Prices Regulation Act 1948 ’* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable A. G. Warner, 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. COAL (OVERSEAS PURCHASE) 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 towards the Purchase and Delivery of Coal from Overseas 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 J. A. Kennedy, 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. ALPHINGTON TO EAST PRESTON RAILWAY CONSTRUCTION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to authorize the Construction of a Line of Railway from Alphington to East Preston* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable A. E. McDonald, 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. MELBOURNE AND METROPOLITAN TRAMWAYS (FINANCIAL) BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.
9. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
State Development Act 1941—Report of the State Development Committee on the Maffra Sugar Factory.
10. RAILWAYS STANDARDIZATION 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

11. PUBLIC WORKS LOAN AND APPLICATION (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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

12. ALPHINGTON TO EAST PRESTON RAILWAY 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

13. 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

14. PRICES REGULATION (AMENDMENT) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable A. G. Warner moved, That this Bill be now read a second time.

Debate ensued.

The Honorable P. J. Kennelly 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.

15. COAL (OVERSEAS PURCHASE) LOAN AND APPLICATION BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. A. Kennedy 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 the next day of meeting.

16. ADJOURNMENT.—The Honorable J. A. Kennedy 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 to-morrow.

HUGH B. JAMIESON,
Clerk of the Legislative Council.

No. 45.

THURSDAY, 9TH DECEMBER, 1948.

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*" and desiring the concurrence of the Council therein.

On the motion of the Honorable A. E. McDonald, 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 :—

Free Library Service Board Act 1946—Amendment of the Library Training School Regulations.

Public Service Act 1946—Amendment of Public Service (Public Service Board) Regulations—Part III.—Salaries, Increments and Allowances—

Professional Division—

Department of Lands and Survey.

Department of Water Supply.

Departments of Premier, Chief Secretary, Treasurer, Law, Lands and Survey, and Mines.

Technical and General Division—

Department of Health.

Departments of Chief Secretary and Law.

Temporary Employees—Department of Health.

Railways Act 1928—Report of the Victorian Railways Commissioners for the quarter ended 30th June, 1948.

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. PRICES 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 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. PARLIAMENTARY SALARIES AND ALLOWANCES 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

7. COAL (OVERSEAS PURCHASE) LOAN AND APPLICATION 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

8. MOE TO YALLOURN RAILWAY CONSTRUCTION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to authorize the Construction of a Line of Railway from Moe to Yallourn*" and desiring the concurrence of the Council therein.

On the motion of the Honorable A. E. McDonald, 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. HIDE AND LEATHER INDUSTRIES BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act relating to the Hide and Leather Industries and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable A. G. Warner, 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. FERN TREE GULLY AND GEMBROOK RAILWAY (RECONSTRUCTION) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to authorize the Conversion to wider Gauge and the Electrification of the Fern Tree Gully and Gembrook Railway and the Construction of Deviations from the Line of such Railway, and for purposes connected therewith*" and desiring the concurrence of the Council therein.

On the motion of the Honorable A. E. McDonald, 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. RAILWAY 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 Railway Purposes and to Sanction the Issue and Application of the Money so raised and of other 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 C. P. Gartside, 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. 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 A. G. Warner, 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. 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 a further Agreement between the Commonwealth of Australia and the State of Victoria relating to Hospital Benefits, to amend consequentially the ‘Hospital Benefits Act 1945’ and the ‘Hospitals and Charities Act 1948’, and for other purposes* ” and desiring the concurrence of the Council therein.
- On the motion of the Honorable C. P. Gartside, 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.
14. POLICE REGULATION (AMENDMENT) BILL (No. 2).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act relating to Pensions of Members of the Police Force and their Widows and to amend the Police Regulation Acts, and for other purposes* ” and desiring the concurrence of the Council therein.
- On the motion of the Honorable A. E. McDonald, 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.
15. BUILDING OPERATIONS (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.
16. LAND (LEASES) BILL.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.
17. MOE TO YALLOURN RAILWAY 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
18. HIDE AND LEATHER INDUSTRIES 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 P. 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
19. ORDER OF THE COUNCIL RESCINDED.—The Honorable A. E. McDonald moved, by leave, That the Order of the Council appointing the next day of meeting for the second reading of the Revocation and Excision of Crown Reservations Bill be rescinded.
- Question—put and resolved in the affirmative.
20. REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL.—The Honorable A. E. McDonald moved, by leave, That the second reading of this Bill be made an Order of the Day for later this day.
- Question—put and resolved in the affirmative.
- On the motion of the Honorable A. E. McDonald, and after debate, the Bill was read a second time and committed to a Committee of the whole.
- House in Committee.
- The Deputy-President resumed the Chair; and the Honorable P. 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

21. **FERN TREE GULLY AND GEMBROOK RAILWAY (RECONSTRUCTION) 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
22. **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 1947.
Fisheries Acts—Notice of Intention to issue a Proclamation to prohibit the use of trammels, trawls, and/or Danish seine nets in certain waters.
Free Library Service Board Act 1946—Report of the Free Library Service Board for the year 1947–48.
Land Act 1928—Report for the year 1947–48.
Public Library National Gallery and Museums Act 1944—Reports, with Statements of Income and Expenditure, for the year 1947–48 of the—
Trustees of the Public Library.
Trustees of the National Gallery.
Trustees of the National Museum and Museum of Applied Science.
Building Trustees of the Public Library, National Gallery and Museums.
State Electricity Commission Act 1928—Report of the State Electricity Commission for the year 1947–48.
23. **RAILWAY 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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
24. **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 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.
25. **HOSPITAL BENEFITS 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
26. **POLICE REGULATION (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 the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.
27. **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-nine 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 J. A. Kennedy, 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.

And the Council having continued to sit until after Twelve of the clock—

FRIDAY, 10TH DECEMBER, 1948.

On the motion of the Honorable J. A. Kennedy, and after debate, the Bill 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.

28. RAILWAYS (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the Railways Acts and Part II. of the ‘Coal Mines Regulation Act 1928’, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. A. Kennedy, 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.

29. FORESTRY PULP AND PAPER COMPANY’S AFFORESTATION CONTRACTS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to make provision for Facilitating the Realization of certain Forestry Lands and Plantations and the Produce thereof and for matters incidental thereto, and for other purposes*” and desiring the concurrence of the Council therein.

Bill ruled to be a Private Bill.

The Honorable A. G. Warner 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. G. Warner, 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 to be read a second time on the next day of meeting.

30. RAILWAYS (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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same without amendment.

31. ADJOURNMENT.—The Honorable J. A. Kennedy 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 J. A. Kennedy 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 Two 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.

HUGH B. JAMIESON,

Clerk of the Legislative Council.

SESSION 1947-48.

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 Acts of the present Session, presented to him by the Clerk of the Parliaments, viz :—

Nurses (Registration) Act 1948.
Cancer Institute Act 1948.

The Governor's Office,
Melbourne, 13th December, 1948.

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 :—

Melbourne and Metropolitan Tramways (Financial) Act 1948.
Railways Standardization Agreement Act 1948.
Public Works Loan and Application (Amendment) Act 1948.
Alphington to East Preston Railway Construction Act 1948.
Public Works Loan and Application Act 1948.
Building Operations (Amendment) Act 1948.
Prices Regulation (Amendment) Act 1948.
Parliamentary Salaries and Allowances Act 1948.
Land (Leases) Act 1948.
Coal (Overseas Purchase) Loan and Application Act 1948.
Moe to Yallourn Railway Construction Act 1948.
Hide and Leather Industries Act 1948.
Revocation and Excision of Crown Reservations Act 1948.
Ferntree Gully and Gembrook Railway (Reconstruction) Act 1948.
Railway Loan and Application Act 1948.
Co-operative Housing Societies Act 1948.
Hospital Benefits Act 1948.
Police Regulation (Amendment) Act 1948.
Railways (Amendment) Act 1948.

The Governor's Office,
Melbourne, 21st December, 1948.

On the 21st December, 1948, His Excellency the Governor gave the Royal Assent to the following Act, presented by Mr. Speaker :—

Appropriation Act 1948.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This not only helps in tracking expenses but also ensures compliance with tax regulations. The document further outlines the procedures for handling discrepancies and the role of the accounting department in reconciling accounts.

Appendix A

This section provides a detailed breakdown of the financial data presented in the main report. It includes a table of monthly expenditures and a summary of the annual budget. The data shows a consistent trend in spending, with a slight increase in the latter half of the year. The budget remains within the allocated limits, demonstrating effective financial management.

QUESTIONS ASKED BY HONORABLE MEMBERS, AND REPLIES THERETO.

Name of Member and Subject-matter.	Number of Notice-Paper. (Question.)	Page in Hansard (Reply.)
CHANDLER, Hon. G. L.—		
Ferntree Gully Sanctuary—Zoological Gardens	39	3844-5
Lysterfield Water Catchment Area	5	452
Railway Land leased at Belgrave and Ferntree Gully	9	763
Zoological Board of Victoria	39	3845
COLEMAN, Hon. P. L.—		
Black Coal—		
Allocation for Manufacture of Building Materials—Supplies from New South Wales	14	1187
Shipments diverted to Gas Companies	14	1187
Supplies from New South Wales	11	942
Brown Coal—Production in Victoria	11	943
Building Materials—		
Cement—Distribution	12	996
Galvanized Products—Allocation to Victoria	12	997
Production and Importation	12	997
Production in Victoria	14	1188
EDGAR, Hon. W. H.—		
Royal Agricultural Showgrounds—Night Trotting	1, 3	106, 254
FRASER, Hon. A. M.—		
Cement—Importation and Distribution	12	996
Housing—Accommodation for Evicted Persons	13	1086
Housing, Building, and Rents—Administration	11	851
Mont Park Railway Siding	13	1086
Parliamentary Salaries—Records of Inquiry	24	2106
Private Bus Operators—Increase in Fares	17	1562
Racecourses—		
Flemington—Tenure of Land	15	1318
Moonee Valley—Tenure of Land—Club's Balance-sheets	24	2105
GARTSIDE, Hon. C. P.—		
Mental Hospitals—Maintenance Staff and Funds	37	3616
HARVEY, Hon. T.—		
Cattle Breeding Acts—Enforcement	16	1449
Dairy Supervision and Stock Inspection	18	1633-4
Maffra Beet Sugar Factory	2	175
Soldier Settlement—Heifers and Bulls purchased	16	1449
KENNELLY, Hon. P. J.—		
Legal Profession—Practising Certificates	17	1564
KITTSOON, Hon. J. F.—		
Police Force—Theoretical Examinations	10	841
MACAULAY, Hon. W.—		
Rivers and Streams Fund	16	1449
MACLEOD, Hon. H. V.—		
Aboriginal Stations—Condah, Framlingham, and Lake Tyers	17	1562-3
SWINBURNE, Hon. I. A.—		
Bowser to Bright Railway Line	15	1318
Leasing of Unused Roads	20	1837
Sheep Transport—Permits—Convictions	12	995
Tobacco Growing—Experimental Station	40	3904
THOMAS, Hon. F. M.—		
Housing—Eviction Orders Issued	28	2488

MEMORANDUM FOR THE RECORD

DATE: 10/10/2000

TO: SAC, NEW YORK (100-100000)

FROM: SA [Name], NEW YORK (100-100000)

SUBJECT: [Name], [Address], [City], [State], [Zip]

[Detailed description of the subject's activities and the information provided by the informant.]

[Additional details regarding the subject's background and the informant's observations.]

[Further information about the subject's contacts and movements.]

[Summary of the informant's report.]

[Concluding remarks and recommendations.]

[Reference to any other files or reports.]

[Final notes and signature line.]

[Distribution list and routing information.]

[Administrative markings and dates.]

[Additional administrative information.]

[Final administrative notes.]

[Closing remarks.]

[Final signature and date.]

[1539]



VICTORIA GOVERNMENT GAZETTE.

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[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 224]

FRIDAY, MARCH 4.

[1949

PROROGUING THE PARLIAMENT OF VICTORIA.

PROCLAMATION

By His Excellency the Lieutenant-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 Lieutenant-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 twenty-ninth day of March, 1949.

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

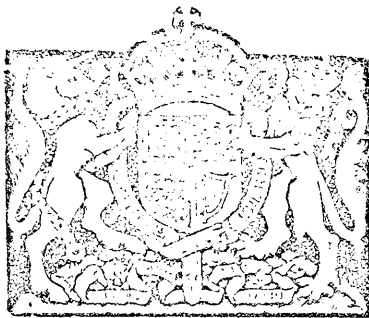
(L.S.)

E. F. HERRING.

By His Excellency's Command,

T. T. HOLLWAY,
Premier.

GOD SAVE THE KING!



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.

[1889]

FRIDAY, MARCH 4.

PROLOGUE TO THE PARLIAMENT OF VICTORIA.

PROCLAMATION

His Excellency the Lieutenant-Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, do hereby

prolonge the said Parliament of Victoria until Tuesday, the twenty-ninth day of March, 1889. 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

under my Hand and the Seal of the State of Victoria at Melbourne, this fourth day of March, in the year of our Lord One thousand nine hundred and forty-nine, and in the thirtieth year of the reign of His Majesty King George VI.

E. F. HERRING

(L.S.)

By His Excellency's Command,

T. T. HOLLOWAY,

Premier.

GOD SAVE THE KING!

SELECT COMMITTEES

APPOINTED DURING THE SESSION 1947-48.

No. 1.—ELECTIONS AND QUALIFICATIONS.

Appointed (by President's Warrant) 2nd December, 1947.

The Hon. W. J. Beckett	The Hon. G. S. McArthur
G. L. Chandler	A. E. McDonald
Sir George Goudie	A. J. Pittard.
P. J. Kennelly†	

No. 2.—STANDING ORDERS.

Appointed 9th December, 1947.

The Hon. the President	The Hon. C. P. Gartside‡
Sir William Angliss	Sir George Goudie
W. J. Beckett	T. Harvey
Sir Frank Clarke	P. P. Inchbold
A. M. Fraser†	J. H. Lienhop.

No. 3.—HOUSE (JOINT).

Appointed 9th December, 1947, 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	G. J. Tuckett.

No. 4.—LIBRARY (JOINT).

Appointed 9th December, 1947.

The Hon. the President	The Hon. J. A. Kennedy
P. J. Clarey	R. C. Rankin.
P. L. Coleman	

† Appointed 4th May, 1948, *vice* Hon. D. L. McNamara, deceased.

‡ Appointed 22nd June, 1948, *vice* Hon. W. H. Edgar, deceased.

SELECT COMMITTEES—*continued.*

No. 5.—PRINTING.

Appointed 9th December, 1947.

The Hon. the President	The Hon. Colonel G. V. Lansell
P. T. Byrnes	W. MacAulay
G. L. Chandler	L. H. McBrien
C. E. Isaac	A. J. Pittard
P. Jones	R. C. Rankin.

No. 6.—STATUTE LAW REVISION (JOINT).

Appointed 9th December, 1947.

The Hon. W. H. Edgar	The Hon. J. A. Kennedy
A. M. Fraser	G. S. McArthur
Sir George Goudie	A. E. McDonald.

No. 7.—STATUTE LAW REVISION.

Appointed 24th August, 1948.

(See Act No. 5285, Sections 2 and 11.)

The Hon. P. J. Clarey	The Hon. G. S. McArthur
A. M. Fraser	A. E. McDonald
Sir George Goudie	D. J. Walters.

VICTORIA.

 LEGISLATIVE COUNCIL.

 SESSION 1947-48.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

 No. 1.

Extracted from the Minutes.

FRIDAY MORNING, 16TH JANUARY, 1948.

No. 1.—ESSENTIAL SERVICES BILL.—Clause 2—

2. In this Act unless inconsistent with the context or subject-matter—

“Essential service” means any of the following services, namely—

- (a) Transport;
- (b) Fuel;
- (c) Light;
- (d) Power;
- (e) Water;
- (f) Sewerage;
- (g) Any service specified from time to time by Order of the Governor in Council published in the *Government Gazette*—

provided to the public by The Victorian Railways Commissioners, the Melbourne and Metropolitan Tramways Board, the State Electricity Commission of Victoria, the State Rivers and Water Supply Commission, the Melbourne and Metropolitan Board of Works, the Geelong Waterworks and Sewerage Trust, any waterworks trust or local governing body under the Water Acts, any sewerage authority under the Sewerage Districts Acts, any undertaker under the *Gas Regulation Act 1933* or any other person or body specified (whether generally or specially) by Order in Council published in the *Government Gazette* in relation to such service; and includes any service provided operated controlled regulated or directed by the Minister under this Act during a period of emergency.

“Minister” means the Minister (including the Premier of Victoria) for the time being designated by the Premier of Victoria as the Minister for any purpose under this Act.

“Period of emergency” means the time during which any proclamation of emergency made under this Act in relation to any essential service is in force.

—(Hon. J. A. Kennedy.)

Question—That clause 2 stand part of the Bill—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 20.

The Hon. Sir Frank Beaurepaire,
P. T. Byrnes,
G. L. Chandler (*Teller*),
Sir Frank Clarke,
Sir George Goudie,
T. Harvey,
C. E. Isaac (*Teller*),
J. A. Kennedy,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
A. E. McDonald,
H. V. MacLeod,
A. J. Pittard,
R. C. Rankin,
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters,
A. G. Warner.

Noes, 5.

The Hon. P. J. Clarey,
P. L. Coleman,
A. M. Fraser (*Teller*),
Paul Jones (*Teller*),
P. J. Kennelly.

And so it was resolved in the affirmative.

No. 2.—ESSENTIAL SERVICES BILL.—Clause 3—

3. (1) Where at any time it appears to the Governor in Council that any action has been taken or is immediately threatened by any persons or body of persons whereby any essential service is or is likely to be interrupted or dislocated the Governor in Council may by proclamation published in the *Government Gazette* (in this Act referred to as a proclamation of emergency) declare that a state of emergency exists in relation to that service.

(2) Any such proclamation in relation to any essential service may be limited therein as to time place and circumstance.

(3) No such proclamation shall be in force for more than one month, without prejudice to the issue of another proclamation of emergency before at or after the end of that period.

(4) Any such proclamation may be revoked—

(a) by a proclamation of the Governor in Council published in the *Government Gazette*; or
(b) by a resolution passed by both Houses of Parliament.

(5) If—

(a) at the time of the publication in the *Government Gazette* of any proclamation of emergency Parliament is not sitting; and

(b) a petition signed by not less than twenty members of the Legislative Assembly or by not less than thirty members of Parliament all or any of whom are members of the Legislative Council objecting to such proclamation and requesting that Parliament should be summoned is addressed to the Speaker of the Legislative Assembly or the President of the Legislative Council—

Parliament shall be summoned to meet as soon as practicable thereafter.

—(*Hon. J. A. Kennedy.*)

Question—That clause 3 stand part of the Bill—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 20.

The Hon. Sir Frank Beaurepaire,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
Sir George Goudie,
T. Harvey,
C. E. Isaac,
J. A. Kennedy,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay (*Teller*),
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, 5.

The Hon. P. J. Clarey,
P. L. Coleman (*Teller*),
A. M. Fraser,
Paul Jones,
P. J. Kennelly (*Teller*).

And so it was resolved in the affirmative.

No. 3.—ESSENTIAL SERVICES BILL.—Clause 4 (*as amended*)—

4. (1) The Minister may provide operate control regulate and direct any essential service (whether by way of continuation or modification of, or substitution for, any essential service theretofore provided) during a period of emergency.

(2) The Minister may employ at not less than award rates such persons in such numbers and upon such terms as appear to him to be necessary for the carrying into effect of the powers referred to in the last preceding sub-section.

(3) Without limiting the generality of the foregoing provisions of this section the Minister may—

- (a) direct what services shall be maintained and upon what terms and conditions they shall operate ;
- (b) direct persons and bodies to operate and maintain services to the extent and upon the terms specified in the direction ;
- (c) direct at what times and places and upon what terms and conditions and in what manner services may be used or availed of ;
- (d) prohibit the operation or use of services except, if so specified in the prohibition, with the consent of the Minister ;
- (e) requisition the use of property of any kind which is used or may be used for or in connexion with the operation or maintenance of any essential service ;
- (f) provide for or control, by direction prohibition or requisition, the operation use disposal distribution storage repair upkeep and maintenance of any property or commodity used or which may be used for or in connexion with any essential service ;
- (g) provide, by direction prohibition or requisition, for any matter or thing incidental to the carrying into effect of the powers referred to in this section.

—(*Hon. J. A. Kennedy.*)

Question—That clause 4 as amended stand part of the Bill—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 17.

The Hon. P. T. Byrnes,
G. L. Chandler,
Sir George Goudie,
T. Harvey (*Teller*),
C. E. Isaac,
J. A. Kennedy,
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, 5.

The Hon. P. J. Clarey,
P. L. Coleman,
A. M. Fraser (*Teller*),
Paul Jones (*Teller*),
P. J. Kennelly.

And so it was resolved in the affirmative.

No. 4.—ESSENTIAL SERVICES BILL.—Clause 9—

9. During any period of emergency the Governor in Council may by Order published in the *Government Gazette* prohibit the opening of places of public amusement or entertainment specified therein during the hours and within the areas specified therein and may in like manner revoke or amend any such Order.

—(*Hon. J. A. Kennedy.*)

Question—That clause 9 stand part of the Bill—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 18.

The Hon. P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
Sir George Goudie,
T. Harvey,
C. E. Isaac,
J. A. Kennedy,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
A. E. McDonald,
H. V. MacLeod (*Teller*),
A. J. Pittard,
I. A. Swinburne (*Teller*),
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*),
P. J. Kennelly.

And so it was resolved in the affirmative.

No. 5.—ESSENTIAL SERVICES BILL.—Clause 10—

10. (1) If a strike or similar interruption occurs in any essential service, unless at a secret ballot held by the Chief Electoral Officer before the strike or interruption commences and in accordance with the regulations under this section a majority of persons entitled to vote is declared to have voted in favour of such strike or interruption, every person who and the trustees of any trade union which or any officer of which instigates or takes part in such strike or interruption shall be liable—

(a) in the case of an officer or the trustees of a trade union to a penalty of not more than One thousand pounds ;

(b) in the case of any other person to a penalty of not more than Fifty pounds.

(2) (a) The Governor in Council may make regulations for or with respect to—

(i) the taking of secret ballots for the purposes of this and the next succeeding section, including the preparation of rolls of persons entitled to vote thereat, the preparation and distribution of ballot papers, the method of voting, the conduct of the ballot, the counting of votes and the declaration of the result ; and

(ii) any other matter necessary or expedient to be prescribed for the purposes of this or the next succeeding section.

(b) All such regulations shall be published in the *Government Gazette* and shall be laid before both Houses of Parliament within fourteen days after such publication 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 thereof shall be posted to each member of Parliament.

(3) Sub-section (1) of this section shall come into operation on a day to be fixed by Order of the Governor in Council published in the *Government Gazette* which day shall be subsequent to the date of the first publication of regulations made under this section.

—(Hon. J. A. Kennedy.)

Question—That clause 10 stand part of the Bill—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 20.

The Hon. Sir Frank Beaurepaire,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
Sir George Goudie,
T. Harvey,
C. E. Isaac,
J. A. Kennedy,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
A. E. McDonald,
H. V. MacLeod,
A. J. Pittard,
R. C. Rankin (*Teller*),
I. A. Swinburne,
G. J. Tuckett (*Teller*),
D. J. Walters,
A. G. Warner.

Noes, 5.

The Hon. P. J. Clarey,
P. L. Coleman,
A. M. Fraser (*Teller*),
Paul Jones,
P. J. Kennelly (*Teller*).

And so it was resolved in the affirmative.

No. 6.—ESSENTIAL SERVICES BILL.—Clause 11—

11. (1) Where a strike or similar interruption in any essential service has occurred whether before or after the commencement of this Act but before the commencement of sub-section (1) of the last preceding section and continues after the commencement of the said sub-section (1) the Governor in Council may direct a secret ballot to be held by the Chief Electoral Officer in accordance with the regulations made under the last preceding section.

(2) Unless at such ballot a majority of persons entitled to vote is declared to have voted in favour of the continuation of such strike or interruption, every person who and the trustees of any trade union which or any officer of which after the declaration of the result of the ballot continues to take part in or instigates the continuation of such strike or interruption shall be liable—

(a) in the case of an officer or the trustees of a trade union to a penalty of not more than One thousand pounds;

(b) in the case of any other person to a penalty of not more than Fifty pounds.

—(*Hon. J. A. Kennedy.*)

Question—That clause 11 stand part of the Bill—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 20.

The Hon. Sir Frank Beaurepaire,
P. T. Byrnes,
G. L. Chandler (*Teller*),
Sir Frank Clarke,
Sir George Goudie,
T. Harvey,
C. E. Isaac,
J. A. Kennedy,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay,
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, 5.

The Hon. P. J. Clarey,
P. L. Coleman (*Teller*),
A. M. Fraser,
Paul Jones (*Teller*),
P. J. Kennelly.

And so it was resolved in the affirmative.

No. 7.—ESSENTIAL SERVICES BILL.—Clause 13—

13. Any person who, during any period of emergency, by force threats intimidation or offensive action of any kind (against whomsoever directed) interferes with molests or annoys any other person in the course of or in relation to the performance by such other person of any duty in respect of any essential service shall be guilty of an offence against this Act.

—(*Hon. J. A. Kennedy.*)

Question—That clause 13 stand part of the Bill—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 20.

The Hon. Sir Frank Beaurepaire,
P. T. Byrnes,
G. L. Chandler,
Sir Frank Clarke,
Sir George Goudie,
T. Harvey,
C. E. Isaac (*Teller*),
J. A. Kennedy,
Col. G. V. Lansell,
J. H. Lienhop,
G. S. McArthur,
W. MacAulay (*Teller*),
A. E. McDonald,
H. V. MacLeod,
A. J. Pittard,
R. C. Rankin,
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters,
A. G. Warner.

Noes, 5.

The Hon. P. J. Clarey,
P. L. Coleman,
A. M. Fraser (*Teller*),
Paul Jones,
P. J. Kennelly (*Teller*).

And so it was resolved in the affirmative.

No. 8.—ESSENTIAL SERVICES BILL.—

Question—That the Chairman report the Bill to the Council with amendments—put.

Committee divided—the Hon. P. P. Inchbold in the Chair.

Ayes, 20.

The Hon. Sir Frank Beaurepaire,
 P. T. Byrnes,
 G. L. Chandler,
 Sir Frank Clarke,
 Sir George Goudie,
 T. Harvey,
 C. E. Isaac,
 J. A. Kennedy,
 Col. G. V. Lansell (*Teller*),
 J. H. Lienhop,
 G. S. McArthur,
 W. MacAulay,
 A. E. McDonald,
 H. V. MacLeod,
 A. J. Pittard,
 R. C. Rankin,
 I. A. Swinburne (*Teller*),
 G. J. Tuckett,
 D. J. Walters,
 A. G. Warner.

Noes, 5.

The Hon. P. J. Clarey,
 P. L. Coleman (*Teller*),
 A. M. Fraser,
 Paul Jones (*Teller*),
 P. J. Kennelly.

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1947-48.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 2.

Extracted from the Minutes.

THURSDAY, 6TH MAY, 1948.

No. 1.—LANDLORD AND TENANT BILL.—Clause 1—

1. (1) This Act may be cited as the *Landlord and Tenant Act 1948* and shall be read and construed as one with the *Landlord and Tenant Act 1928* (hereinafter called the Principal Act) and any Act amending the same all of which Acts and this Act may be cited together as the Landlord and Tenant Acts.

(2) (a) Parts I., 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*.

(b) The remainder of this Act shall come into operation on the passing thereof.

* * * * *

—(Hon. J. A. Kennedy.)

Amendment proposed—That the words “which day shall not be before the date on which the Commonwealth National Security (Landlord and Tenant) Regulations cease to operate in Victoria” be inserted after the word “*Gazette*”.

—(Hon. A. M. Fraser.)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. P. P. Inchbold in the Chair.

Ayes, 6.

- The Hon. P. J. Clarey,
- P. L. Coleman (*Teller*),
- A. M. Fraser,
- Paul Jones,
- P. J. Kennelly,
- F. M. Thomas (*Teller*).

Noes, 14.

- The Hon. Sir William Angliss,
- G. L. Chandler (*Teller*),
- C. P. Gartside,
- Sir George Goudie,
- T. Harvey,
- C. E. Isaac,
- J. A. Kennedy,
- J. F. Kittson,
- J. H. Lienhop,
- W. MacAulay,
- A. E. McDonald,
- I. A. Swinburne (*Teller*),
- D. J. Walters,
- A. G. Warner.

And so it passed in the negative.

FRIDAY MORNING, 7TH MAY, 1948.

No. 2.—LANDLORD AND TENANT BILL.—Clause 15—

15. After inspection is made as aforesaid of any premises to which this Act applies and after making such inquiries and obtaining such reports as the Controller considers necessary, the Controller shall provisionally determine the fair rent of the premises.

—(Hon. J. A. Kennedy.)

Question—That clause 15 stand part of the Bill—put.

Committee divided—The Hon. P. P. Inchbold in the Chair.

Ayes, 14.

The Hon. Sir William Angliss,
G. L. Chandler,
Sir George Goudie,
T. Harvey,
C. E. Isaac (*Teller*),
J. A. Kennedy,
J. F. Kittson,
J. H. Lienhop,
W. MacAulay (*Teller*),
A. E. McDonald,
H. V. MacLeod,
I. A. Swinburne,
D. J. Walters,
A. G. Warner.

Noes, 6.

The Hon. P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
Paul Jones (*Teller*),
P. J. Kennelly (*Teller*),
F. M. Thomas.

And so it was resolved in the affirmative.

No. 3.—LANDLORD AND TENANT BILL.—Clause 24—

24. Where any sum has been paid on account of any rent, being a sum which by virtue of this Part would have been irrecoverable by the lessor, the sum so paid shall be recoverable in any court of competent jurisdiction as a debt from the lessor who received the payment by the lessee by whom it was paid, and may, without prejudice to any other method of recovery, be deducted by that lessee from any rent payable by him to such lessor within six months after the date of the payment.

—(Hon. J. A. Kennedy.)

Amendment proposed—That the following new sub-clause be added to the clause:—

- “(2) (a) Upon conviction of any person for any offence arising under this Part the court may, in addition to any penalty, order that any amount which has been received by or paid to that person in contravention of this Part be refunded to the person by whom the payment was made, and the like proceedings may be taken upon the order as if the order had been a judgment of the court in favour of the last-mentioned person.
- (b) Where a court proposes to make an order under this sub-section against a convicted person, the court may hear evidence tending to show that the contravention of which the person has been convicted was part of a course of conduct in contravention of this Part, and evidence to the contrary, and may, if it sees fit, include in the order any amounts which appear to the court to have been received by or paid to the person in contravention of this Part as part of that course of conduct.
- (c) Without prejudice to the operation of paragraph (a) of this sub-section, where a court has made an order under this sub-section, a certificate under the hand of the clerk or other appropriate officer of the court, specifying the amount ordered to be refunded and the person by whom and the person to whom the amount is payable, may be filed in any court having civil jurisdiction, to the extent of that amount, and shall thereupon be enforceable in all respects as a final judgment of that court.
- (d) So much only of the amount ordered to be refunded as has not already been refunded or recovered may be recovered by either of the methods specified in this sub-section.”

—(Hon. A. M. Fraser.)

Question—That the new sub-clause proposed to be added be so added—put.

Committee divided—The Hon. P. P. Inchbold in the Chair.

Ayes, 6.

The Hon. P. J. Clarey,
P. L. Coleman,
A. M. Fraser (*Teller*),
Paul Jones (*Teller*),
P. J. Kennelly,
F. M. Thomas.

Noes, 14.

The Hon. Sir William Angliss,
G. L. Chandler,
Sir George Goudie,
T. Harvey,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson (*Teller*),
J. H. Lienhop,
W. MacAulay,
A. E. McDonald,
H. V. MacLeod,
I. A. Swinburne,
D. J. Walters (*Teller*),
A. G. Warner.

And so it passed in the negative.

No. 4.—LANDLORD AND TENANT BILL.—Clause 30—

30. (1) Any lessor of any prescribed premises who fails, by himself or his agent, to keep or cause to be kept a record showing the rent received in respect of those premises shall be guilty of an offence against this Act.

(2) Any lessor of any prescribed premises or any agent of any such lessor who wilfully makes or wilfully allows to be retained, in any record showing the rent of those premises, any entry which is false in a material particular shall be guilty of an offence against this Act.

—(Hon. J. A. Kennedy.)

Amendment proposed—That the following new sub-clause be added to the clause :—

“(3) The person receiving any payment of rent of any prescribed premises (or of any prescribed premises together with goods) shall, at the time of receiving the payment give or cause to be given, to the person making the payment, a receipt for the payment, specifying the date of the payment, the amount paid, the period in respect of which the payment is made and the premises in respect of which the payment is made.”

—(Hon. A. M. Fraser.)

Question—That the new sub-clause proposed to be added be so added—put.

Committee divided—The Hon. P. P. Inchbold in the Chair.

Ayes, 6.

The Hon. P. J. Clarey,
P. L. Coleman (*Teller*),
A. M. Fraser,
Paul Jones,
P. J. Kennelly,
F. M. Thomas (*Teller*).

Noes, 14.

The Hon. Sir William Angliss,
G. L. Chandler,
Sir George Goudie,
T. Harvey,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson,
J. H. Lienhop,
W. MacAulay,
A. E. McDonald (*Teller*),
H. V. MacLeod (*Teller*),
I. A. Swinburne,
D. J. Walters,
A. G. Warner.

And so it passed in the negative.

No. 5.—LANDLORD AND TENANT BILL.—Clause 31—

Motion made and question put—That the Chairman do report progress and ask leave to sit again.

—(Hon. P. J. Clarey.)

Committee divided—The Hon. P. P. Inchbold in the Chair.

Ayes, 6.

The Hon. P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
Paul Jones (*Teller*),
P. J. Kennelly (*Teller*),
F. M. Thomas.

Noes, 14.

The Hon. Sir William Angliss,
G. L. Chandler,
Sir George Goudie,
T. Harvey,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson,
J. H. Lienhop,
W. MacAulay,
A. E. McDonald,
H. V. MacLeod,
I. A. Swinburne (*Teller*),
D. J. Walters (*Teller*),
A. G. Warner.

And so it passed in the negative.

No. 6.—LANDLORD AND TENANT BILL.—Clause 68—

68. (1) Any person who contravenes or fails to comply with any provision of this Act shall be guilty of an offence against this Act.

(2) Any person who is guilty of an offence against this Act shall be liable to a penalty of not more than Fifty pounds or to imprisonment for a term of not more than six months.

—(Hon. J. A. Kennedy.)

Amendment proposed—That the words “in the case of summary proceedings or, if the case is prosecuted by indictment, to a penalty of not more than One hundred pounds or to imprisonment for a term of not more than twelve months” be inserted after the word “months”.

—(Hon. A. M. Fraser.)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. P. P. Inchbold in the Chair.

Ayes, 6.

The Hon. P. J. Clarey,
P. L. Coleman,
A. M. Fraser (*Teller*),
Paul Jones,
P. J. Kennelly,
F. M. Thomas (*Teller*).

Noes, 14.

The Hon. Sir William Angliss,
G. L. Chandler,
Sir George Goudie,
T. Harvey (*Teller*),
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson (*Teller*),
J. H. Lienhop,
W. MacAulay,
A. E. McDonald,
H. V. MacLeod,
I. A. Swinburne,
D. J. Walters,
A. G. Warner.

And so it passed in the negative.

NO. 7.—LANDLORD AND TENANT BILL.—Clause 72—

72. (1) The provisions of Part III. of this Act relating to the termination of tenancies, the recovery of the possession of premises and the ejection of lessees from premises, and any provisions incidental to those provisions, shall extend to all premises of which a protected person is the lessee, whether prescribed premises within the meaning of this Act or not, but not including—

(a) premises licensed for the sale of spirituous or fermented liquors; or

* * * * *

(5) Notwithstanding the provisions of Part III. of this Act, an order shall not be made for the recovery of possession of any premises (not being premises in respect of which a certificate is in force under section sixty) from a protected person, or for the ejection from any premises (not being premises in respect of which such a certificate is in force) of a lessee (being a protected person), on the ground specified in paragraphs (g) or (i) of sub-section (5) of section thirty-seven unless the court making the order is satisfied—

(a) that reasonably suitable alternative accommodation (in this regulation referred to as “the alternative accommodation”) is, or has been since the date upon which notice to quit was given, available for the occupation of the protected person in lieu of the premises in respect of which the order is sought (in this section referred to as “the premises at present occupied”); or

* * * * *

—(*Hon. J. A. Kennedy.*)

Amendment proposed—That the word “regulation” be omitted with the view of inserting in place thereof the word “section”.

—(*Hon. P. J. Kennelly.*)

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, 14.

The Hon. Sir William Angliss,
G. L. Chandler (*Teller*),
Sir George Goudie,
T. Harvey,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson,
J. H. Lienhop,
W. MacAulay,
A. E. McDonald (*Teller*),
H. V. MacLeod,
I. A. Swinburne,
D. J. Walters,
A. G. Warner.

Noes, 6.

The Hon. P. J. Clarey,
P. L. Coleman (*Teller*),
A. M. Fraser (*Teller*),
Paul Jones,
P. J. Kennelly,
F. M. Thomas.

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1947-48.

WEEKLY REPORT OF DIVISIONS IN COMMITTEE OF THE WHOLE COUNCIL.

No. 3.

Extracted from the Minutes.

THURSDAY, 29TH JULY, 1948.

No. 1.—POLICE OFFENCES (RACE-MEETINGS) BILL.—Clause 2—

2. (1) For section one hundred and fifty-one of the Principal Act as amended by any Act there shall be substituted the following section:—

“ 151. (1) No race-meeting shall be held except on a race-course which is licensed under this Act for horse races or for trotting races and except between the hours of ten o'clock before noon and seven o'clock in the evening :

* * * * *

(13) (a) Notwithstanding anything in this Act the Chief Secretary may permit the owners or trustees of any race-course within thirty miles of the General Post Office, Melbourne, to hold race-meetings on such race-course, in excess of the statutory number, for any charitable or benevolent purpose, but not exceeding three in the whole for all such race-courses in any one year.

* * * * *

(15) Except in the case of two race-meetings in any year for horse races held on the Werribee race-course and 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. J. H. Lienhop.)

Amendment proposed—That the words “ but not exceeding three in the whole for all such race-courses in any one year ” in sub-section (13) of substituted section one hundred and fifty-one be omitted.

—(Hon. Paul Jones.)

Question—That the words proposed to be omitted stand part of the clause—put.
Committee divided—The Hon. G. J. Tuckett in the Chair.

Ayes, 16.

The Hon. Sir William Angliss,
P. T. Byrnes,
Sir Frank Clarke,
C. P. Gartside,
T. Harvey (*Teller*),
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson,
J. H. Lienhop,
L. H. McBrien (*Teller*),
A. E. McDonald,
H. V. MacLeod,
R. C. Rankin,
I. A. Swinburne,
D. J. Walters,
A. G. Warner.

Noes, 5.

The Hon. P. J. Clarey,
P. L. Coleman (*Teller*),
A. M. Fraser,
Paul Jones,
F. M. Thomas (*Teller*).

And so it was resolved in the affirmative.

No. 2.—POLICE OFFENCES (RACE-MEETINGS) BILL.—Clause 2—

[For this clause, see Division No. 1 above.]

—(*Hon. J. H. Lienhop.*)

Amendment proposed—That the word “two” in sub-section (15) of substituted section one hundred and fifty-one 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. G. J. Tuckett in the Chair.

Ayes, 11.

The Hon. P. T. Byrnes,
Sir Frank Clarke,
C. P. Gartside,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson,
J. H. Lienhop,
A. E. McDonald (*Teller*),
I. A. Swinburne,
D. J. Walters (*Teller*),
A. G. Warner.

Noes, 10.

The Hon. Sir William Angliss,
P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
T. Harvey,
Paul Jones (*Teller*),
L. H. McBrien,
H. V. MacLeod (*Teller*),
R. C. Rankin,
F. M. Thomas.

And so it was resolved in the affirmative.

No. 3.—POLICE OFFENCES (RACE-MEETINGS) BILL.—Clause 2—

[For this clause, see Division No. 1 above.]

—(*Hon. J. H. Lienhop.*)

Amendment proposed—That the words “(other than the last Thursday in September or any day substituted therefor as a public holiday)” be inserted after the word “day” in paragraph (b) of sub-section (15) of substituted section one hundred and fifty-one.

—(*Hon. T. Harvey.*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. G. J. Tuckett in the Chair.

Ayes, 6.

The Hon. C. P. Gartside (*Teller*),
T. Harvey,
C. E. Isaac (*Teller*),
J. F. Kittson,
L. H. McBrien,
R. C. Rankin.

Noes, 11.

The Hon. P. T. Byrnes,
P. L. Coleman,
Paul Jones (*Teller*),
J. A. Kennedy,
J. H. Lienhop,
A. E. McDonald,
H. V. MacLeod,
I. A. Swinburne (*Teller*),
F. M. Thomas,
D. J. Walters,
A. G. Warner.

And so it passed in the negative.

FRIDAY MORNING, 30TH JULY, 1948.

No. 4.—POLICE OFFENCES (RACE-MEETINGS) BILL.—Clause 4—

4. The *Police Offences (Race-meetings) Act 1929* is hereby amended as follows:—

* * * * *

(c) For the First Schedule as amended by any Act there shall be substituted the following Schedule:—

SCHEDULE.

Race-course.	Maximum Number of Race-meetings for Horse Races to be Allowed by a Licence in any One Year.
Flemington.. .. .	17
Caulfield	15
Moonee Valley	14
Sandown	14
Werribee	3
Cranbourne	3
<p>On a race-course or race-courses (whether or not included in the race-courses specified above) subject to the consent of the owners or trustees of the course and the approval of the Chief Secretary—</p> <p>For horse races conducted by one or more of the Findon Harriers' Hunt Club, Melbourne Hunt Club, Oaklands Hunt Club, and Lilydale Hunt Club authorized for the purpose by the Chief Secretary for the benefit of such of the said hunt clubs as the Chief Secretary determines ..</p>	
	2

—(Hon. J. H. Lienhop.)

Amendment proposed—That the figure “3” opposite to the reference to “Werribee” be omitted with the view of inserting in place thereof the figure “4”.

—(Hon. A. M. Fraser.)

Question—That the figure proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. J. Tuckett in the Chair.

Ayes, 10.

The Hon. P. T. Byrnes,
C. P. Gartside,
C. E. Isaac,
J. A. Kennedy,
J. F. Kittson (*Teller*),
J. H. Lienhop,
A. E. McDonald,
I. A. Swinburne (*Teller*),
D. J. Walters,
A. G. Warner.

Noes, 9.

The Hon. P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
T. Harvey,
Paul Jones (*Teller*),
P. J. Kennelly (*Teller*),
H. V. MacLeod,
R. C. Rankin,
F. M. Thomas.

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1947-48.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.

No. 4.

Extracted from the Minutes.

TUESDAY, 17TH AUGUST, 1948.

No. 1.—HEALTH (HOSPITALS) BILL.—Proposed new clause A—

A. At the end of section one hundred and sixty-three of the Principal Act there shall be inserted the following sub-section :—

- “(4) (a) The Hospitals and Charities Commission may grant an exemption from the operation of the provisions of this Division in respect of any hospital if it is satisfied that such hospital is being or will be carried on in accordance with the practice and principles of the body known as the Church of Christ Scientist.
- (b) It shall be a condition of any such exemption that the hospital shall adopt and use the name of ‘Christian Science House’.
- (c) Any such exemption may at any time be withdrawn by the Hospitals and Charities Commission if it is of opinion that the hospital in respect of which the exemption has been granted is no longer carried on in accordance with the practice and principles referred to in paragraph (a) of this sub-section.”

—(Hon. W. J. Beckett.)

Motion made and question put—That new clause A be added to the Bill.

Committee divided—The Hon. A. J. Pittard in the Chair.

Ayes, 7.

The Hon. W. J. Beckett,
P. J. Clarey,
Sir Frank Clarke (*Teller*),
C. P. Gartside,
L. H. McBrien (*Teller*),
H. V. MacLeod,
F. M. Thomas.

Noes, 16.

The Hon. P. T. Byrnes,
E. P. Cameron (*Teller*),
Sir George Goudie,
T. Harvey,
C. E. Isaac,
Paul Jones,
J. A. Kennedy,
J. F. Kittson,
G. S. McArthur,
W. MacAulay,
A. E. McDonald,
R. C. Rankin (*Teller*),
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters,
A. G. Warner.

And so it passed in the negative.

THURSDAY MORNING, 19TH AUGUST, 1948.

No. 2.—PARLIAMENTARY SALARIES AND ALLOWANCES BILL.—Clause 2—

2. Section fourteen of the Principal Act is hereby amended as follows:—

- (a) In sub-section (1) the expression “other than this section and except in the cases mentioned in sub-section (2) of this section” is hereby repealed;
- (b) In sub-section (2) after the words “Nothing in” there shall be inserted the words “the foregoing provisions of”;
- (c) At the end of the said section there shall be inserted the following sub-section:—

“(3) Out of the consolidated revenue (which is hereby appropriated accordingly) there shall be paid—

- (a) to the President of the Council, a salary at the rate of One thousand three hundred pounds per annum and an entertainment allowance at the rate of One hundred and fifty pounds per annum;
- (b) to the Speaker of the Assembly, a salary at the rate of One thousand five hundred pounds per annum and an entertainment allowance at the rate of One hundred and fifty pounds per annum;
- (c) to the Chairman of Committees of the Council, a salary at the rate of One thousand pounds per annum;
- (d) to the Chairman of Committees of the Assembly, a salary at the rate of One thousand three hundred pounds per annum; and
- (e) (if the President or Speaker or a Chairman of Committees was elected for a country electoral province of the Council or a country or urban electoral district of the Assembly) to such President Speaker or Chairman, an additional allowance at the rate of One hundred pounds per annum.”

—(Hon. J. A. Kennedy.)

Motion made and question put—That it be a suggestion to the Assembly that they make the following amendment in the Bill, viz:—

Clause 2, omit this clause.

—(Hon. P. J. Clarey.)

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,
L. H. McBrien (*Teller*),
F. M. Thomas.

Noes, 23.

The Hon. Sir William Angliss,
P. T. Byrnes,
E. P. Cameron (*Teller*),
G. L. Chandler,
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,
A. E. McDonald,
H. V. MacLeod,
A. J. Pittard,
R. C. Rankin,
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters (*Teller*),
A. G. Warner.

And so it passed in the negative.

No. 3.—PARLIAMENTARY SALARIES AND ALLOWANCES BILL.—Clause 5—

5. (1) In section sixty of the Principal Act as amended by any Act—

- (a) in sub-section (1) for the words “Three hundred and fifty pounds per annum.” there shall be substituted the expression “Seven hundred and fifty pounds per annum and (if the member was elected for a country electoral province of the Council) further such reimbursement in the form of an allowance at the rate of One hundred pounds per annum”;
- (b) in sub-section (2) for the words “to every member from the first day of January One thousand nine hundred and twenty-three” there shall be substituted the expression “(which is hereby appropriated accordingly) to every member from the day of the commencement of the *Parliamentary Salaries and Allowances Act 1948.*”

- (2) In section one hundred and forty-one of the Principal Act—
- (a) in sub-section (1) for the words "Six hundred and fifty pounds per annum" there shall be substituted the expression "One thousand and fifty pounds per annum and (if the member was elected for a country or urban district of the Assembly) further such reimbursement in the form of an allowance at the rate of One hundred pounds per annum";
- (b) in sub-section (2)—
- (i) after the words "consolidated revenue" there shall be inserted the expression "(which is hereby appropriated accordingly) to every member from the day of the commencement of the *Parliamentary Salaries and Allowances Act 1948* or";
- (ii) after the words "his seat" there shall be inserted the expression "(whichever is the later day)."

—(*Hon. J. A. Kennedy.*)

Motion made and question put—That it be a suggestion to the Assembly that they make the following amendment in the Bill, viz :—

Clause 5, omit this clause.

—(*Hon. P. J. Clarey.*)

Committee divided—The Hon. P. P. Inchbold in the Chair.

Ayes, 6.

The Hon. P. J. Clarey,
P. L. Coleman,
A. M. Fraser,
Paul Jones (*Teller*),
L. H. McBrien,
F. M. Thomas (*Teller*).

Noes, 24.

The Hon. Sir William Angliss,
W. J. Beckett,
P. T. Byrnes,
E. P. Cameron,
G. L. Chandler,
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 (*Teller*),
A. E. McDonald,
H. V. MacLeod (*Teller*),
A. J. Pittard,
R. C. Rankin,
I. A. Swinburne,
G. J. Tuckett,
D. J. Walters,
A. G. Warner.

And so it passed in the negative.

1947-48

VICTORIA.

REPORT

FROM THE

STATUTE LAW REVISION COMMITTEE

ON THE

CRIMES BILL

TOGETHER WITH

MINUTES OF EVIDENCE.

Ordered by the Legislative Council to be printed, 2nd December, 1948

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EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS
OF THE LEGISLATIVE COUNCIL.

TUESDAY, 24TH AUGUST, 1948.

15. STATUTE LAW REVISION COMMITTEE.—The Honorable J. A. Kennedy moved, by leave, That the following Members of this House be appointed members of the Statute Law Revision Committee, viz. :—The Honorables P. J. Clarey, A. M. Fraser, Sir George Goudie, G. S. McArthur, A. E. McDonald, and D. J. Walters.

Question—put and resolved in the affirmative.

EXTRACTED FROM THE VOTES AND PROCEEDINGS OF
THE LEGISLATIVE ASSEMBLY.

TUESDAY, 10TH AUGUST, 1948.

13. STATUTE LAW REVISION COMMITTEE.—Motion made, by leave, and question—That the following Members be appointed members of the Statute Law Revision Committee :—Mr. Bailey, Mr. Cain, Lieutenant-Colonel Leggatt, Mr. Merrifield, Mr. Schilling, and the Mover (*Mr. Oldham*)—put and agreed to.

TUESDAY, 24TH AUGUST, 1948.

9. STATUTE LAW REVISION COMMITTEE.—Motion made, by leave, and question—That Mr. Cain be discharged from attendance on the Statute Law Revision Committee and that Mr. Barry be appointed in his stead (*Mr. Oldham*)—put and agreed to.

REPORT

THE STATUTE LAW REVISION COMMITTEE appointed pursuant to the provisions of the *Statute Law Revision Committee Act 1948*, have the honour to report as follows :—

1. The Committee have considered the Crimes Bill—a Bill to amend the Law relating to Crimes and Criminal Offenders—which was initiated and read a first time in the Legislative Assembly on the 28th April, 1948, and which, together with the Explanatory Memorandum, was circulated to all Members of Parliament when the second reading was moved on the 6th May, 1948.

2. This Bill was prepared by a special sub-committee set up by the Chief Justice's Committee on Law Reform. The sub-committee was specially chosen so that all points of view might be adequately put, and consisted of Judge Book, who acted as Chairman, the Senior Crown Prosecutor, Mr. W. S. Sproule, K.C., the Secretary to the Law Department, Mr. C. F. Knight, the Crown Solicitor, Mr. F. G. Menzies, Mr. J. M. Cullity, who has had great experience in defending accused persons, and Mr. J. J. Lynch, Assistant Parliamentary Draftsman. Only those amendments upon which the sub-committee was absolutely unanimous have been included in the Bill. The Bill was drafted by Mr. Lynch, who also prepared the explanatory memorandum in which he fully set out the purpose and effect of each proposed amendment. The Chief Justice's Committee on Law Reform felt that these amendments were long overdue, and recommended the Bill to the Attorney-General for submission to Parliament.

3. The Committee were assisted in their consideration of the Bill by His Honor, Judge Book, who appeared before the Committee and gave the reasons for the amendments submitted by the sub-committee, and stated the full purpose and effect of those amendments. Mr. C. McLean, Chief Metropolitan Stipendiary Magistrate, also came before the Committee and gave members the benefit of his views on certain of the proposals in the Bill and, in particular, Clause 8. Mr. J. Akeroyd, former Inspector-General of Penal Establishments, and Dr. R. Tennyson Allan, the Government Medical Officer, also appeared before the Committee and stated their views concerning corporal punishment in the form of whippings. Mr. Lynch assisted the Committee in drafting amendments which were considered necessary.

4. After giving consideration to the question of corporal punishment the Committee found that they were divided in opinion as to the advisability of retaining in the Crimes Act the provision giving the Court power to direct, in addition to the term of imprisonment awarded, that the offender be whipped. The opinions expressed are as follows :—

- (a) Those members of the Committee who considered that the punishment of whipping should be retained in the Act were impressed by the evidence given before the Committee by Judge Book, Mr. J. Akeroyd, and Dr. R. Tennyson Allan, each of whom was emphatic in his opinion that whipping should be retained. Evidence was given that in no case that could be remembered did a whipping have any physical or mental ill-effects; and that not only was the penalty a deterrent out of all proportion to the actual punishment inflicted, but in a big majority of cases it was a very effective corrective to the individual himself. The safeguards provided with respect to the sentence of whipping are more than adequate. No whipping is inflicted until a doctor certifies that the prisoner is physically fit to undergo it, and that in his opinion it will have no mental or psychological ill-effects. Further the Executive Council have power to remit the whipping and in very many cases have done so. In these circumstances it was felt by these members of the Committee that it was essential that the punishment of whipping should be retained.

- (b) Other members of the Committee hold the view that whipping, whether by the cat-o-nine tails or the birch (and the evidence was that there is little difference between the two), should be abolished. The use of irons, the pillory, and like forms of punishment have long fallen into desuetude because that type of punishment is demoralizing and degrading not only to the victim but to the community which inflicts it. This applies also to whipping. Appropriate punishment and correction may be achieved by imprisonment.

In England and America in recent years the efficacy and necessity for this type of punishment has been carefully considered by Boards and Commissions appointed for that purpose and the findings have been in opposition to the use of such physical punishment.

If whipping is to be retained it should be limited to cases where "in the opinion of the Court the commission of the offence was attended with or accompanied by cruelty or great personal violence". (Section 510 (2) of the *Crimes Act* 1928.)

5. The Committee considered the provisions of Clause 8 in relation to the extension of the offences which can be dealt with under Section 74 of the Principal Act and there was a difference of opinion as to whether or not such jurisdiction should be limited to courts consisting of a Stipendiary Magistrate sitting alone.

6. Subject to the foregoing the Committee unanimously approve of the amendments to the Principal Act contained in the Bill and are satisfied that, if passed into law, the Bill will prove to be in the best interests of the community generally.

7. The Committee, in addition to the amendments to the Crimes Act proposed by the Bill, also gave consideration to certain other desirable amendments to that Act and the Justices Act. One of these amendments relates to the taking of depositions in cases which are ultimately dealt with by Courts of Petty Sessions, and proposes an alteration to Section 73 which will make it necessary for the Court and the defendant to determine before the taking of evidence whether the case should be dealt with by the Justices or the defendant should be committed for trial. It was shown that, apart from being a very onerous task, the taking of depositions is probably one of the greatest causes of loss of time and crowding of the lists of such Courts. It was also pointed out that depositions are not taken in Commonwealth cases and the practice has always worked satisfactorily.

The Committee are of opinion that it would be beneficial to all concerned to dispense with depositions in cases which are ultimately dealt with by Courts of Petty Sessions and accordingly approve of the following amendment to the Bill:—

Clause 8, page 10, line 5, insert the following new sub-section to follow sub-section (1):—

“() For section seventy-three of the Principal Act there shall be substituted the following section—

‘ 73. Where the justices before whom any person is charged as aforesaid propose, either—

(a) on the application of the prosecutor before the hearing of any evidence (other than such evidence (if any) of the amount or value of any chattel money valuable security property debt or liability involved as the justices think fit); or

(b) on the application of the prosecutor or the person charged or on the justices' own motion at any time during or immediately after the hearing of the evidence for the prosecution—

to dispose of the case summarily under the foregoing provisions one of such justices shall state to such person the substance of the charge against him and shall then say to him these words or words to the like effect—

“ Do you consent that the charge against you shall be tried by us or do you desire that it shall be sent for trial by a jury ”—
and if the person charged consents to the charge being summarily tried and determined as aforesaid he shall then be asked how he pleads to the charge and then the justices shall proceed to deal with the case summarily ’”.

8. Section 511 of the Principal Act provides that in the case of the conviction of a male for felony attended with violence the Court may in the sentence direct that he be kept in irons for any portion not exceeding the first three years of his imprisonment. This section has not been put into operation for very many years and it may now be considered obsolete. The Committee therefore recommend its omission from the Act and consequently approve of the following amendment to the Bill :—

Insert the following new clause to follow clause 9 :—

“AA. Section five hundred and eleven of the Principal Act is hereby repealed.”

9. In Courts of Petty Sessions there are many cases in which the Court is loth to record a conviction yet feels that some restraint should be placed upon the person charged in his own interests. This is achieved in the higher courts by releasing the prisoner on his entering into a recognisance to come up for sentence if called upon. The Committee feel that a somewhat similar power should be given to the lower courts and therefore approve the inclusion in this Bill of the following amendment to section 89 of the *Justices Act 1928* :—

Insert the following new clause to follow clause 11 :—

“BB. (1) At the end of section eighty-nine of the *Justices Act 1928* there shall be inserted the following sub-section :—

- ‘(6) (a) Where during the hearing of an information for an offence it appears to the justices to be expedient to do so, it shall be lawful for the justices to adjourn the further hearing to a date to be fixed not being more than six months thereafter and allow the person charged to go at large upon his entering into a recognisance for a reasonable amount and with or without surety or sureties at the discretion of the said justices conditioned for his appearance at the time and place so appointed and for his good behaviour in the meantime.
- (b) If at the time and place to which the further hearing is so adjourned the person charged appears personally and the justices then present are satisfied that he has observed the conditions of the recognisance to be of good behaviour they shall dismiss him without proceeding further with the hearing or determination of the information; but in any other event the hearing shall be continued in the same manner in all respects as if it had been adjourned pursuant to sub-section (2) of this section.
- (c) Where before the day to which the hearing was adjourned as aforesaid it is made to appear to a justice by information on oath that any person who had been released upon a recognisance as aforesaid has failed to observe the condition of the recognisance to be of good behaviour that justice may issue a summons under his hand requiring the said person to attend before a court of petty sessions to be dealt with as hereinafter provided or may issue a warrant under his hand to apprehend such person and bring him before a court of petty sessions to be so dealt with. The provisions of section twenty-three of this Act shall apply to every such summons.
- (d) The court of petty sessions before which any such person is so summoned or brought may upon being satisfied by evidence that he has failed to observe the conditions of his recognisance to be of good behaviour adjudge him to be guilty of misbehaviour for which such recognisance shall be forfeited and may, where necessary, direct that he be committed to gaol to await the determination of the hearing which was so adjourned as aforesaid and any justice sitting in any court may sign any warrant that may be necessary for that purpose’.”

10. The Committee recommend that the amendments set out in paragraphs 7, 8, and 9 above be made in the Bill, and that the Bill as so amended be passed into law during the present Session.

Committee Room,
23rd November, 1948.

MINUTES OF EVIDENCE

WEDNESDAY, 29TH SEPTEMBER, 1948.

Members Present:

Mr. Oldham in the Chair;

Council.

Assembly.

The Hon. A. M. Fraser,
The Hon. Sir George Goudie.

Mr. Bailey,
Mr. Merrifield.

His Honour Judge Book was in attendance.

The Chairman.—The Statute Law Revision Committee has invited Your Honour to attend this meeting to enable it to seek advice from you as chairman of the special sub-committee of the Chief Justice's Law Reform Committee that put forward certain recommendations for amendment of the Crimes Act. These recommendations have been included in the Crimes Bill which is now before Parliament. The Statute Law Revision Committee has considered the amendments and it desires to obtain Your Honour's advice on certain matters so as to ascertain more precisely what was in the minds of the members of the sub-committee when they recommended the amendments.

The first question concerns paragraph (c) of sub-clause (2) of clause 2 of the amending Bill. That paragraph amends section 510 of the Crimes Act 1928 and relates to cases in which whippings may be ordered by the court. I think the general view of this Committee is that, unless there is some very compelling argument for the retention of whipping, it should be dropped. Possibly the Committee will take the view that birching should be retained as a punishment. At a later stage, we propose to ask Mr. Whatmore, the Inspector-General of Penal Establishments, and Mr. Akeroyd, the former Inspector-General, to let us have their views on the matter.

Judge Book.—I desire to make it clear to the members of the Committee that the amending Bill contains amendments that were arrived at unanimously by the sub-committee which represented both points of view—that of the Crown and of the accused. It is safe to say that all the members of that sub-committee would have liked further changes to be made in the Crimes Act, but they thought it wise to confine their recommendations to those amendments upon which all the members were in agreement, and to leave other more controversial matters to be thrashed out by other people having other responsibilities.

The paragraph in clause 2 to which the Chairman referred is really incidental to the proposed amendment providing for the abolition of capital punishment for offences other than murder and treason. Section 510 of the Crimes Act 1928 deals with whippings and is really in two parts. First, it provides that the court may order a whipping in any case where the commission of the crime is accompanied by cruelty or great personal violence; that is quite independent of the particular crime itself. In addition, there is power in section 510 for the court to order whippings in certain specified crimes which include crimes such as carnal knowledge with a girl under sixteen years, incest, and indecent assault. I mention those offences only for the reason that some crimes may not be accompanied by cruelty or great personal violence.

Section 560 of the Crimes Act provides that where sentence of death has been passed and the Executive thinks fit to relieve the prisoner—sentence of death not then being carried out—the Executive has the power to order a whipping. If that were not so, it would mean that those offences, which hitherto have

been capital offences and which, under this new Bill will become punishable only with imprisonment for not more than twenty years—instead of becoming punishable by death—will still be more serious offences than some of those which under section 510 are punishable by whippings. Of course, the reason why those offences are not set forth in section 510 is that when a person is sentenced to death naturally a whipping is not ordered also. But where the sentence of death is not carried out, section 560 gives to the Executive the power to order a whipping, in addition to imposing a certain sentence of imprisonment.

All that has been done in paragraph (c) is to transfer the power already exercisable by the Executive to the court. On the general question as to whether whippings should be administered in any type of case, there was some discussion by members of our sub-committee, but different views prevailed.

By Mr. Bailey.—In which section of the Crimes Act is "whipping" defined?

Judge Book.—The definition is contained in subsection (3) of section 510, which provides that the number of strokes to be given at whippings shall not exceed 50. In passing sentence the court shall also specify the number of strokes to be inflicted, and the instrument to be used for the whipping. The subsection also provides that before the whipping is carried out the surgeon or medical officer of the gaol must examine the prisoner and, if he is of the opinion that the prisoner is not at any time able to bear the whole or any part of the said punishment, such punishment may be postponed, and the surgeon or medical officer shall make a report to the Minister. The instruments provided at Pentridge for whippings, as far as I am aware, are the cat-o'-nine-tails, the birch, and the cane, but as far as I know the only instruments that have been specified by courts are the cat-o'-nine-tails and the birch.

By the Chairman.—When we have been rather loosely talking about whipping we have been referring to something distinct from birching. We have not been quite correct in regarding them as being in the same category?

Judge Book.—They are both whippings under section 510.

By Mr. Bailey.—The court specifies which one is to be applied?

Judge Book.—The court specifies which instrument is to be used, and the order is usually reviewed by the Executive. In many cases in which the courts have ordered whippings the punishment has been remitted by the Executive.

By the Chairman.—Therefore, if we decided to abolish what we used to call a "whipping", which means whipping with the cat-o'-nine-tails, an amendment would be necessary to retain birching? We would need to make an amendment to refer specifically to the use of the cat-o'-nine-tails?

Judge Book.—Yes. I hope I have made quite clear the reason why paragraph (c) of sub-clause (2) of clause 2 relates to whippings; it is to transfer the power already exercised by the Executive to the courts.

The Chairman.—Yes. The explanatory memorandum on the Bill is quite clear on that point. We wished to discuss the question of the form of punishment.

By Mr. Fraser.—Section 511 relates to the keeping of a prisoner in irons and the question arises whether that provision should be retained?

Judge Book.—Section 511 was not considered by the sub-committee, but I am confident in saying that the provision has never been put into operation during the last 30 years. It may now be considered to be obsolete.

Mr. Merrifield.—I understood Judge Book to say that his sub-committee had given consideration to the question of the abolition of whipping by the cat-o'-nine-tails, but he was not inclined at that stage to express an opinion on it. However, on account of his long experience, we would be pleased to have the benefit of his views.

Judge Book.—The question was discussed in a very vague way, to this extent: we knew that the feelings of some members were against corporal punishment, and we also knew that some members were in favour of retaining it in special cases. My opinion is that it is a useful provision to have on the statute-book, but it should be rarely exercised. Experience in recent years has been that even when a Judge has ordered corporal punishment it has not been carried out in the majority of cases. In England some years ago there was an epidemic of garrotting, which became very prevalent in some parts of northern England. The Judges decided that in every case where a man was convicted of garrotting he should be whipped, and he was. The garrotting stopped dead, and, as far as I know, there has not been an epidemic of it since. I think that in exceptional cases of violence, and where prevalence of serious crime exists, it is wise to retain whipping on the statute-book, although both Judges and members of the Executive should exercise very thorough control over it.

Mr. Bailey.—When whipping is ordered by a court, the case always seems to come before the Executive Council. I know that when I was Attorney-General cases were brought before me, but I do not know why.

Judge Book.—Such cases do not necessarily have to be brought before the Executive, but I think that when a man has been ordered a whipping, it is generally thought worth while to apply for the exercise of the Royal prerogative.

By the Chairman.—The next matter concerns sub-clause (2) of clause 3 which provides that sentence of death shall not be pronounced on any person who was under the age of 18 when the offence was committed, but that in such a case the court shall sentence the offender to be detained during the Governor's pleasure. That applies also, I take it, to murder and treason. In that connection two questions arise. One is whether the crime of murder or treason should be laid against the boy under 18 years of age, and the second is whether in the event of conviction for either of those crimes the sentence should be commuted to an unspecified period of time?

Mr. Fraser.—I think it was Mr. Barry who raised the point that a boy under 18 years of age is not allowed by law to serve his country, is not allowed to vote, and suffers from other disabilities.

Judge Book.—As far as I know, the law relating to treason is the same as the law relating to any other crime. There is a presumption that people under 14 years of age are not old enough to commit the crime, but over that age there is no such presumption.

By Mr. Merrifield.—Is there not a legitimate risk that a person under 21 years of age might commit the crime while under the control of another person?

Judge Book.—Matters such as that would be considered by the Executive if a man was convicted of treason and sentenced to death by a court. The only reason why the sub-clause was included was that it was felt that where a person was sentenced to death for murder or treason, and was under 18 years of age, it was highly improbable that the Executive would have him executed. It was felt to be undesirable in those circumstances that the formal sentence of death should actually be pronounced. Therefore it was left

as if sentence of death had been pronounced and the Executive had been called upon to consider what should be done with the offender. It is not proposed to interfere with the discretion of the Executive. The only point is that it is undesirable in the opinion of the sub-committee for the sentence of death in such circumstances to be pronounced in the court. The effect of the order of the court would be that the Executive would have power to do exactly what it would have power to do if the offender had been sentenced to death and the Executive had been called upon to consider the question of reprieve.

By Mr. Fraser.—When reviewing such a case, the Executive Council would probably do what it has done in the past—fix a term of imprisonment?

Judge Book.—The Executive could impose any term it thought fit. It could imprison the offender during the Governor's pleasure, could keep him in prison for the rest of his natural life, or could release him in any shorter period, even immediately.

By Mr. Merrifield.—I am doubtful about having an age limit of 18. The age of discretion in other aspects of the law is nominally 21. Why should it not be 21 when the question is sentence of death for treason?

The Chairman.—The age of 21 is not the deadline for all legal offences.

Judge Book.—It is certainly not in the commission of crimes.

By the Chairman.—Regarding substituted sentences of 20 years for the death penalty, the point has been raised that 20 years means, in effect, 15 years under good behaviour. Does the sub-committee feel that 15 years is a sufficiently long period?

Judge Book.—The sub-committee considered what had happened to prisoners convicted of these crimes and sentenced to death in the past. Sentences of death were recorded, and later, with one or two exceptions mentioned in the report, were commuted to imprisonment. Very rarely has that imprisonment been for more than 15 years. The general trend of opinion to-day is that when a man has had 15 years in gaol he has had enough.

Mr. Bailey.—During a previous discussion by the committee I raised the question of punishment for the offence of administering poison with intent to murder. A man who callously sets out to poison a person by putting poison in food may cause other people to take the poison. In such cases it seemed to me to be unwise to limit the sentence to 20 years, which with remissions actually means 15 years. I do not consider that imprisonment for 15 years in such cases is sufficient.

Judge Book.—Happily, poisoning cases in this country are few and far between. In my experience of 30 years I can remember only one case where a man was convicted of administering poison with intent to murder. He was sentenced to death and was reprieved. That would be about 30 years ago. There is not very much difference between the guilt of a man who administers poison to his wife intending to kill her and the guilt of the man who cuts his wife's throat intending to kill her.

By Mr. Bailey.—When a man cuts his wife's throat, it is known who does it, but when poison is administered in food may not suspicion fall on a number of innocent people?

Mr. Fraser.—One court may consider 20 years' imprisonment sufficient, but another may not.

Judge Book.—That raises the question whether there should be remissions for good behaviour in any case. The punishment has been fixed to fit the crime. The practice has been and still is that if a man imprisoned for a crime behaves himself and deserves clemency, portion of the sentence is remitted. The

Executive would take into account those circumstances in deciding if and when it would release him.

Mr. Fraser.—Recently there was a controversy on the death sentence in England when the House of Lords rejected a Bill and the Commons sent up another Bill.

Judge Book.—I think that Bill dealt with the punishment for murder.

The Chairman.—The Criminal Justice Bill as first passed by the House of Commons provided for the removal of the death penalty. Then the question was brought up in regard to retaining the death penalty for murder and treason. The House of Commons agreed to suspend that penalty for five years, but the House of Lords rejected the proposal. The House of Commons considered questions of first and second degrees of murder—one punishable by death and the other by life imprisonment. If I recollect correctly treason and the murder of policemen and some other persons were placed in the first degree, and a number of other so-called lesser forms of murder other than those specified were to be dealt with by something less than the death penalty. The House of Lords rejected the compromise clause on hanging and the Bill was passed leaving the death penalty for murder and treason.

We will now consider clause 4 of the Bill which relates to the offence of infanticide. Sub-clause (1) of that clause reads—

Where a woman by any wilful act or omission causes the death of her child, being a child under the age of twelve months, but at the time of the act or omission the balance of her mind was disturbed by reason of her not having fully recovered from the effect of giving birth to the child, or by reason of the effect of lactation consequent upon the birth of the child, then, notwithstanding that the circumstances were such that but for this section the offence would have amounted to murder, she shall be guilty of felony, to wit of infanticide, and may for such offence be dealt with and punished as if she had been guilty of the offence of manslaughter of the child.

This matter was referred to the Director of Mental Hygiene, Dr. Catarinich, and he made these comments—

Re amendments of the Crimes Act—

Apparently it is intended that the court should have power to deal in a different way from murder with cases of infanticide, which cannot be said to be due to insanity of the mother, but in which evidence of instability in the mental condition of the accused can be produced.

The period of twelve months has apparently been fixed by the fact that lactation may extend over such a period.

At the time of childbirth a period of mental instability is not uncommon, but in lactation the balance of mind is very unlikely to be disturbed unless other factors of a deleterious kind intervene. These latter factors may be of the greatest importance, and may not amount to insanity. They include such things as hereditary influences, extreme worry, insecurity, and great anxiety of any kind. To cover this, I think something more should be added to the section, such as—

“ . . . lactation or any other mental or physical factor connected with the birth of the child.”

The section will be a very debatable one, and it will enable any lawyer to put up a defence of complete irresponsibility even though insanity at the time of the offence is not suggested. It seems to me wise that a psychiatric assessor should be available to assist the court in every case of this description. Such a suggestion raises the question as to whether such an independent psychiatrist should not be appointed by the Crown and his services made available to all courts.

The point is whether the excuses should be extended to cover any other factors.

Judge Book.—This is something new to me. Personally, I should prefer to consult the other members of the sub-committee. My feeling would be that if we could be satisfied that there were other mental or physical factors connected with the birth of a child not covered by the clause they might be included. I think it would leave the door wide open for debate.

The Chairman.—If this committee approves I shall have a copy of the comments sent to Your Honour and

perhaps you might consult the other members of the sub-committee on the subject, and let us have your views.

Judge Book.—Apart from the fixing of the age of 12 months the sub-clause is an exact replica of the section operating in England. That provision has worked well, and I have thought its introduction has been long overdue in Victoria. The words in the English section are “had recently been born”. It was thought not only was the balance of the mother’s mind disturbed by giving birth to the child but medical science showed that that condition was caused in some cases by the effect of lactation.

By Mr. Bailey.—This is really an additional offence. If a woman charged with murder set up this defence could she not be found guilty of manslaughter?

Judge Book.—Not if the defence of insanity was raised.

By Mr. Bailey.—The words in the sub-clause are “the balance of her mind was disturbed.” If that defence were raised the woman would not be convicted of murder?

Judge Book.—In law she should not be convicted of manslaughter, but probably she would be. In law, if she intentionally killed a child it would be murder, and none of the circumstances mentioned would reduce the crime to anything less than murder. If a verdict of manslaughter were returned the jury would be doing something contrary to law. The intermediate position, in effect, would bear the same punishment as that for manslaughter and would be an alternative to murder.

By Mr. Bailey.—What is the difference between manslaughter and infanticide? The punishment is the same in each case?

Judge Book.—Yes, the punishment is the same but the ingredients of the offences are different. Manslaughter is unlawful killing without intention to kill. If a person acts under provocation—and the law defines what provocation is—he may act without malice, but manslaughter is unlawfully killing without that malice. In this case there is the intention to kill, and therefore a Judge should tell the jury that the crime is murder or nothing, but he may say, “If you find the accused guilty of manslaughter I will have to take the verdict.” This amendment was felt to be necessary to give some legal basis for the verdict in cases where there were extenuating circumstances and the offence was declared to be less than murder.

The Chairman.—The next question concerns clause 5 which deals with the offence of child destruction. Does any member desire to raise a new point?

By Mr. Bailey.—There is a proviso to clause 5, and it reads—

Provided that no person shall be found guilty of an offence under this section unless it is proved that the act which caused the destruction of the child was not done in good faith for the purpose only of preserving the life of the mother.

Is that proviso not a let-out for a professional abortionist? Should not there be some safeguard where possibly another doctor might be called in a case involving the destruction of the life of a child to preserve the life of a mother? I think there ought to be a safeguard and some other doctor should be consulted.

Judge Book.—I do not know how that idea could be expressed in a Crimes Bill.

By Mr. Bailey.—Would this proviso not be a let-out for doctors who practise abortion?

Judge Book.—It might be a doctor’s defence, but if the jury was satisfied that an offence had been committed then it would not be a good defence.

Mr. Bailey.—But this is a proviso that is to be included in the Act.

Judge Book.—The clause sets up an intermediate stage between abortion and murder.

By Mr. Bailey.—But suppose a doctor is charged with this offence?

Mr. Fraser.—The doctor would have to raise that defence.

Judge Book.—It is a good defence to abortion; that is the law now.

Mr. Fraser.—There is a provision in the Infant Life (Preservation) Act 1929 set out in chapter 34 of the English Statutes as passed during the reign of George V. I think it was more a common law direction given by Mr. Justice Macnaghten.

Mr. Bailey.—It seems to be extraordinary to confer power on a doctor to destroy child life.

Judge Book.—I think it comes under the common law. Suppose a doctor was charged with abortion. If he had acted in good faith for the purpose only of preserving the life of the mother he would not be guilty of that offence. There are cases where it is the doctor's duty and right to preserve the life of the mother.

Mr. Bailey.—I am not disputing that. I think it should also be his duty, if time permits, to call in another medical practitioner—should one be available—to substantiate his own opinion before the life of the child is taken.

Mr. Fraser.—It would probably be put to the jury by the Crown that if the defendant were relying on such a defence as the preservation of the life of the mother, he should have consulted another medical practitioner.

The Chairman.—The Committee is not considering a case of abortion. There is a distinction between the destruction of a child at the time and in the circumstances indicated and the crime of infanticide. The act might have to be performed very quickly.

Mr. Bailey.—The expression used in sub-clause (1) of clause 5 of the Bill is "with intent to destroy the life of a child capable of being born alive."

Sir George Goudie.—There was a case in which a medical practitioner refused to perform an operation, despite the fact that without it the mother was likely to collapse. As the result of his refusal to accept the responsibility, the woman died. Medical practitioners are called upon to accept a heavy responsibility and reliance must be placed to a large extent upon their professional advice. In a court case the doctor concerned might well submit that the question was one of saving the life of the mother as against that of the child.

Mr. Bailey.—The proviso in question seems to me to be capable of letting out a doctor who is a professional abortionist.

Judge Book.—In many a case a doctor has been acquitted because the jury has not been satisfied that the action had not been taken in the interests of the mother. In view of recent decisions, I am not altogether certain that the proviso is really necessary. If a further meeting of our sub-committee is contemplated, more consideration could be given to the aspect which has been raised.

Mr. Bailey.—I should like that to be done.

The Chairman.—The proviso will be referred to the sub-committee. The next point arises from clause 8 which relates to the scope of the jurisdiction which justices in petty sessions now have to determine cases of larceny and related offences. Some doubt has been expressed concerning cases in which the accused pleads guilty and may be sentenced to imprisonment for a term of not more than twelve months. The question is whether the proposed enlargement of the jurisdiction will not result in a person who has a number of prior convictions deciding to plead guilty and to take the chance of being sentenced to imprisonment for twelve months in preference to being sent for trial when, if the

accused is convicted, the Judge—on being informed of his prior record—might impose a sentence of imprisonment for three years.

Judge Book.—That could happen under the existing law. Section 74 of the Crimes Act provides that an accused may plead guilty to stealing and may be sentenced by the justices to imprisonment for a term of not more than twelve months. No alteration is proposed in that regard. The present proposal is merely to enlarge the jurisdiction to permit justices to hear and determine a wider range of offences when the accused persons plead guilty. There is a double safeguard. In the first place, the magistrates have discretion to say "Although the accused wants to be dealt with, we think that the offence is so serious that he should be sent for trial." In the second place, a guilty person is encouraged to plead guilty and to be sentenced to imprisonment for a period not exceeding twelve months. But if the accused had not the right to summary jurisdiction he would go to trial. In that event, the odds at present would be ten to one on his getting the jury to let him off. That possibility should be discussed in the interests of the community, because a jury may find an accused not guilty, despite strong evidence against him. It is better that an accused who is guilty should plead guilty and be sentenced to imprisonment for, say, twelve months, than that he be allowed to go scot free.

Mr. Fraser.—The Bill proposes that the legislature should extend the jurisdiction by raising from £2 to £25 the maximum amount or value of the property involved in a charge which justices may hear. In one case the justices thought it expedient to deal with a bank clerk who had stolen £400.

Judge Book.—Under the present law a bank clerk who has taken £400 from a till may, if he pleads guilty to a charge of stealing, be dealt with by justices and sentenced to imprisonment for twelve months. There is not very much difference in the degree of delinquency when a man steals from a till and when he embezzles money before it reaches the till; but at present justices in petty sessions cannot determine cases of embezzlement. My view is that the provisions in the clause now being discussed may be worth trying for a while. It is impossible to say how they will operate. Advice was given by those members of the sub-committee who knew more about this jurisdiction than did others that, so far, section 74 has worked very well, not only from the point of view of the community but also in other respects. I think it should be said in fairness to Mr. Sproule that he entertained some doubt as to cases in which justices decided to deal with the accused and the amounts stolen were not very large, since it frequently happens that although an accused has many prior convictions he is, nevertheless, sentenced to only twelve months' imprisonment.

The Chairman.—As regards a point raised earlier relating to clause 4, I have consulted the Infant Life (Preservation) Act of England. The relevant section contains a provision similar to the one included in clause 4 of the Bill.

Judge Book.—My view is that if the provision has worked well in England since 1929—the Parliament having seen no necessity to alter it—we cannot go far wrong by adopting it in Victoria. Is it desired that the matter should be reviewed by the sub-committee?

The Chairman.—No. All those matters which the Statute Law Revision Committee wished to refer to Your Honour have now been discussed.

Mr. Merrifield.—There is one other matter. It arises from sub-clause (3) of clause 6 and concerns the question of tracing the relationship of certain persons through lawful wedlock.

Judge Book.—Mr. Merrifield is referring to cases of incest and to children being born out of wedlock.

Mr. Fraser.—In the new sub-section (6) proposed to be inserted in section 49 of the principal Act it is set out that the provisions of sections 48 and 49 shall apply, whether the relationship between the person charged with an offence under either of those sections and the person with whom the offence is alleged to have been committed is or is not traced through lawful wedlock. I think there is a relevant provision in the Act.

By Mr. Bailey.—In his long experience in the Criminal Court has His Honour met with a case in which a married man has gone through the form of marriage with an innocent woman merely to gratify his sexual desires?

Judge Book.—Quite frequently. Mr. Bailey, I presume, is referring to cases in which men have committed bigamy.

By Mr. Bailey.—If, when keeping company with a girl, a man's passions are aroused to the point of desiring sexual intercourse with her and he commits rape, he risks being sentenced to death, whereas, a man who is already married may go through the form of marriage with another woman with the sole object of having sexual intercourse with her, at the same time realizing that all that can happen to him is a prosecution for bigamy, followed by imprisonment for a year or two, the maximum being five years. Is there not a remarkable difference between the punishments meted out in those two types of cases?

Judge Book.—There is not much difference between the two cases, except that in the one actual force is not used.

Mr. Bailey.—Your Honour remarked earlier that the punishment is made to fit the crime. When a man deliberately and calmly works out a plan to achieve his desire and it involves a bigamous marriage, that seems to me to involve a far more serious offence than in the other set of circumstances I described.

The Chairman.—In a case of rape does not the element of violence arise? Seduction does not constitute a crime, but when a married man perseveres with his blandishments and bigamously marries another woman in order to get her to consent, the element of consent is not the same.

Mr. Bailey.—The girl's consent is obtained by fraud.

By Sir George Goudie.—Is it not a serious offence, as children of a bigamous marriage are illegitimate?

Judge Book.—Mr. Bailey's argument can be taken further. A married man says to a girl, "I am a single man, and I will marry you if you will have intercourse with me." If the girl believes him and is over age, the man does not commit a criminal offence.

Mr. Bailey.—One or two cruel cases of this kind were brought to my notice when I was Chief Secretary.

Mr. Merrifield.—A bigamous marriage can upset the whole of a girl's life.

Judge Book.—Members of the sub-committee felt that at present they were not disposed to make any recommendation for increasing any of the sentences provided in the Crimes Act, and so the extension of the maximum sentence for bigamy was not considered particularly.

By Mr. Bailey.—In view of the questions that have been raised to-day, would Your Honour have any objection to bringing the subject before the sub-committee to ascertain the views of its members on the difference between the punishments for bigamy and rape?

Judge Book.—Do you wish us to consider the alternative case of a man who, by telling lies, has intercourse with a girl? Where will the line be drawn?

The Chairman.—We are now getting into deep water.

Judge Book.—So far as I know, that alternative has never been a criminal offence in any country; yet, in a sense, it is morally an offence.

The Chairman.—One matter that has been discussed by the Committee appears in section 432 of the Crimes Act relating to the competency of witnesses in criminal cases upon matters outside the actual case before the court.

Mr. Fraser.—This matter relates to an attack made upon Crown witnesses. An appropriate instance is that in which the only evidence against an accused person is a confession which he alleges was not made voluntarily but was obtained by threats of violence on the part of the police.

Judge Book.—On that matter also members of the sub-committee held differing views. I do not feel disposed to go into the pros and cons as the sub-committee was divided upon the subject.

The Chairman.—The opening paragraph of the letter addressed by the Chief Justice to the Attorney-General in October, 1947, states that the sub-committee put forward only amendments on which they were unanimous.

Judge Book.—Yes. It was considered that if deliberations were resumed later, we could further consider section 432 in many aspects. It is a difficult section, and will evoke differences of opinion.

The Chairman.—It is hoped to have one or two of these Bills passed this session, and I should not like controversial matters to be included. An amending Bill could be introduced later, when controversial subjects could be discussed.

Mr. Fraser.—I think we can leave section 432 stand over until other members of the Committee are present.

The Chairman.—On behalf of the Committee, I thank Your Honour for your attendance this afternoon. We are particularly indebted to you and the other members of your sub-committee for preparing the Bill. We shall be disappointed if it is not placed upon the statute-book this year—probably that will be the best way in which we can express our true appreciation of your work.

Judge Book.—I thank you, Mr. Chairman, for your kind remarks. We performed our task in the hope that something would be done to reform the Crimes Act. Many amending Bills have been submitted over the last 20 years, without result. On this occasion we are hoping that necessary amendments will be obtained.

The Committee adjourned.

THURSDAY, 7TH OCTOBER, 1947.

Members Present:

The Hon. A. M. Fraser in the Chair;

Council.

The Hon. Sir George Goudie,
The Hon. D. J. Walters.

Assembly.

Mr. Schilling,
Mr. Bailey,
Mr. Merrifield,
Lieut.-Col. Leggatt.

Mr. Joseph Akeroyd, former Inspector of Schools and later Inspector-General of Penal Establishments, and Dr. Raymond Tennyson Allan, Government Medical Officer, were in attendance.

The Chairman.—The reasons why you gentlemen have been called before the Committee have already been outlined. We desire to obtain your views concerning corporal punishment under the terms of the Crimes Act.

Mr. Akeroyd.—With regard to whippings, what I set out to do when I was Inspector-General was to find out the state of mind of the prisoner prior to the whipping and subsequently after the whipping. I endeavoured to ascertain what effect the whipping had upon the prisoner. For the purpose I would have a long interview with him prior to the infliction of the whipping and make a report in writing to the Secretary of the Law Department for the information of the Attorney-General. Some days after the whipping, when the prisoner had somewhat recovered from its effects, I would have another talk with him and report in writing on his attitude toward the whipping and the effect I thought it had had upon him. I came to the conclusion that, generally speaking, whippings did good.

By Mr. Bailey.—Are you referring to whippings with the cat-o'-nine-tails?

Mr. Akeroyd.—I am referring to any sort of whipping. It did good in this way, that it made the prisoner realize his position fully and made him amenable to subsequent teaching in the ideals of citizenship. I shall give certain specific examples, first giving two cases where I found that the whippings were detrimental to the state of mind of the prisoner. In the first case "A"—and I am taking cases which date back many years—a lad aged 19 years was convicted of a vicious sexual assault upon an old woman 70 years of age. He did not accomplish his purpose. He was ordered the birch and a fairly long sentence. That lad was very difficult to manage. He was of the psychopathic type and he was even more difficult after he had received his punishment. However, he served his sentence, was released and was convicted of a very minor crime some time afterwards, and then I lost sight of him. He was not convicted of any other crime within the next eighteen years.

The second case "B" concerned an assault upon the police which happened in most peculiar circumstances. Three men were concerned. They had been drinking heavily and they were going to their homes in one of the Melbourne suburbs when a young constable, who probably had not had a great deal of experience, accosted them and a general fight ensued. Some shots were fired by the constable and the three men were arrested. There was a great outcry in the press about the incident and at the trial the Judge ordered a whipping with the cat-o'-nine-tails for each of the three men. They were greatly incensed, not against the Judge or the law, but against the fact that there had been such a "scream" made about it in the press. They averred that it was the press that got them a whipping. Referring to the trial Judge they said "We have nothing against him; he did his duty according to the evidence and he carried out the Act." A strange aspect of this case is that none of those three men was convicted again within the next twenty years.

By the Chairman.—Had they prior convictions?

Mr. Akeroyd.—Yes, I believe each had prior convictions, and I am certain one had. One said to me "If that constable had been an older and wiser man he would have said to us 'Off you go, boys,' and we would have gone off quietly. We were just in that state when we resented being pulled up and questioned. We did not like it and then a general scrimmage occurred."

The next case "C" refers to a young man who was convicted of the sexual crime of an attempted assault upon a girl. He was the son of a father and daughter in a case in which incest had been committed. He was the result of that incest and was a low grade youth who tested about 65 I.Q. He was sentenced to 4 years' imprisonment and a whipping. That lad was not a psychopathic type; he was of stable temperament but very dull mentally. We eventually transferred him to the Castlemaine reformatory prison, under a section of

the Act, to complete his sentence of 4 years. I can remember seeing the school teacher at the reformatory sitting alongside that lad trying to get him to take 7 from 12 in abstract numbers, but he could not succeed. He had to have twelve articles put out in front of him, have seven taken away and then he counted what was left. He could learn a simple lesson. I should have said that he was excited by drink when he attempted the assault on the girl. He learnt the lesson that if he took drink again he might lose control of himself and get another whipping. He would say over and over again "If I take drink again I might get another whipping." He was released from prison, became a teetotaler and a decent, respectable citizen. I have not heard of him for 10 years. He married and lived a quiet, decent life.

By Mr. Bailey.—Was he given the cat-o'-nine-tails or the birch?

Mr. Akeroyd.—In that case it was the birch because he was a youngster. In the case "D," two men were convicted of an assault with violence while attempting to steal a hand-bag from a woman. At the trial one was convicted and the other was found not guilty. The convicted man was the younger and he was ordered the birch and a fairly long sentence. I had a long talk with him before the birching and he was in a repentant frame of mind. There is no doubt that he greatly feared the whipping. I had another long talk with him afterwards and I found that the whipping itself had left no ill effects upon his mind. He had made up his mind that he would not be caught again, but he was very resentful against his comrade. I well remember him saying "That old b——, he should have got the whipping. He was worse than I was with regard to that woman. He got out of it and here I have to take the lot. I will give him something when I get out. I will see that he gets some of what I got." That whipping undoubtedly had no ill-effect upon him and the teachings we were able to give him afterwards fell upon fruitful ground.

By Lieut.-Colonel Leggatt.—Can you state in each case whether the prisoners were given the cat-o'-nine-tails or the birch?

Mr. Akeroyd.—In the case of "A" it was the birch; in "B" the cat-o'-nine-tails; and in "C" and "D" it was the birch. I shall now repeat a conversation I had with Richard Buckley, whose case I shall refer to as "E." I mention his name because he is so notorious. Dick Buckley was very difficult to understand for a start. He was as though encased in armour and he kept his thoughts to himself. This conversation that I shall narrate arose because it was averred that he would never show his back to his wife because it bore the marks of the cat-o'-nine-tails which he had received as a youngster. When that statement was made to me I telephoned the chief hospital attendant, Mr. O'Connell, and told him of the statement. I said, "If you get a chance to have a look at Dick's back see whether there are any marks on it." Buckley happened to be in the bath at the time and Mr. O'Connell rang me about half an hour later and said "There is not a single mark on his back."

Dr. Allan.—That is correct, I have seen his back.

Mr. Akeroyd.—I have made a special point of asking whether any permanent marks are left on the back from the use of either the birch or the "cat" and, so far as I can ascertain, no permanent marks are left. I had a long talk with Dick, when he was in one of his better moods, about his history. I can recall his words almost verbatim in regard to whipping. I said, "Dick, what made you the man you are?" He started to say something, but I interrupted him and said, "Now, Dick, do not try to pull wool over my eyes; we know each other too well for you to attempt to do that. Was it the whipping that made you what

you are?" He said, "Well, I cannot say that it was. Whipping made me a little sensitive about what people would think of me, but I think I was born bad; in fact, I am sure I was born bad. When father was alive, he used to keep me in hand. He took me to cricket matches and other places. He was able to hold me. But when he died my mother had the will, but not the power, to hold me. I soon cleared out and got mixed up in the worst company and I followed them. That is how I came to be what I am."

It is my firm belief that in every case to which I have referred, except "A" and "B," the whippings did good in that they enabled the afterwork on the person concerned to fall upon fruitful ground. I recall another case, which I shall refer to as "F." After the man had been whipped, I asked him what it had been like, and he said that the first stroke was like a red-hot needle going through him, but after the first stroke it was not very bad, and he did not feel it so much. He added: "But I will take damn, fine care I do not put myself in the position of getting another one; I don't want a second dose." That man has not had a second dose. In another case "G," the offender made an assault upon a girl. It was a vicious sex assault. The offender was not abnormal in any way; he was just a wild devil of a man. He simply shook himself after he had received his punishment with the "cat." I spoke to him later, and I said, "How did you feel about it?" He replied, "I have had worse hidings that that in a pub rough-up." The punishment did not affect him either way. You could not have done anything with that man; he was beyond the pale.

By Sir George Goudie.—Is the "cat" the most severe instrument of punishment that is used in Victoria?

Mr. Akeroyd.—I do not think the "cat" is terribly severe. The "cat" is given across the shoulders. The neck and vital parts of the body are guarded by pads. The "cat" consists of a handle to which cords are attached. The cords are about 18 inches long. They are like ordinary window blind cords, knotted. They sometimes break the skin, but not always. The awful part of the punishment is the solemnity of it. The person who is to receive the whipping is strapped up with his arms and feet apart and his back is bared. Then an officer reads out the sentence, and asks, "Are you the man?" The doctor is there to examine the prisoner. The flagellator is masked. An officer calls out, "One." The prisoner tenses himself, waiting for the stroke. In my opinion, that is the worst part of it.

By Mr. Bailey.—Does the manner in which he is strapped to the triangle prevent him from setting his muscles?

Mr. Akeroyd.—No, he sets the muscles of his back. Dr. Allan would be able to give more information on that point. I witnessed only one or two whippings. I did not appreciate such occasions, and I did not attend if I could avoid it.

By Mr. Schilling.—Who would be present?

Mr. Akeroyd.—The Governor of the gaol, the chief warden, the officer in charge of the division, and the doctor.

By Lieut.-Colonel Leggatt.—What is the effect on the man who administers the whipping?

Mr. Akeroyd.—I do not know. I am unaware of his name.

By Mr. Schilling.—He is a man called in from outside, is he not?

Mr. Akeroyd.—The sheriff has his name and address. The Penal Department advises him when he is wanted.

By The Chairman.—Are the cords of the "cat" prepared some time before whippings?

Mr. Akeroyd.—They are hanging up in the flagellator's room.

By The Chairman.—Are they not given some treatment prior to use?

Dr. Allan.—They are made flexible.

Mr. Akeroyd.—The birch is made flexible by being soaked in water. The birch consists of a number of willow vines from the osier willow.

Dr. Allan.—It consists of about ten small strands bound together. It is about as thick as a pencil.

Mr. Akeroyd.—The birch is administered on the buttocks. The prisoner is strapped across a wooden horse. His trousers are taken down, and the same solemn ritual is proceeded with. "One" is called, and the stroke is given across the buttocks.

By Mr. Schilling.—Do the men submit to the punishment quietly or do they struggle?

Mr. Akeroyd.—I have never known one of them to struggle against it.

By Mr. Walters.—What interval is there between strokes?

Mr. Akeroyd.—They are administered fairly slowly, with a pause of a few seconds between each stroke.

Mr. Bailey.—There is not much difference between the "cat" and the birch.

Mr. Akeroyd.—I do not think so.

By Mr. Bailey.—Have you ever known a man to collapse after receiving the birch?

Mr. Akeroyd.—No.

By Mr. Bailey.—Has the doctor ever had to hold a man up?

Mr. Akeroyd.—No.

By Mr. Bailey.—Have you ever known it to happen in the case of the "cat"?

Mr. Akeroyd.—No. There is another instrument of punishment, which is the cane. In my opinion it is much more severe than the birch or the "cat." The cane is of greater length than the birch. It is never used in Victoria. It would be the severest form of punishment. I would hate it to be used.

By the Chairman.—The Judges have only two methods of corporal punishment available, if they decide on a whipping—the cat-o'-nine-tails and the birch, of so many strokes?

Mr. Akeroyd.—Yes. The maximum number of strokes is 12. As many as 15 have been ordered on occasions. I can remember one case in which 15 strokes were ordered, but the number was reduced to 12.

By the Chairman.—At the request of the doctor?

Mr. Akeroyd.—No. I think the Law Department reduced it. In my opinion half a dozen is as good as 12.

By Mr. Bailey.—The humiliation is part of the punishment?

Mr. Akeroyd.—Yes, and the solemnity of the ritual which accompanies it.

By Mr. Walters.—Also the anticipation of it?

Mr. Akeroyd.—The anticipation is worse than the actual punishment.

By Mr. Schilling.—Is any publicity given to these occurrences in the gaol? Do other prisoners know about them?

Mr. Akeroyd.—They know everything that goes on.

By Sir George Goudie.—To sum up, would you still recommend the birch in preference to the "cat"?

Mr. Akeroyd.—I think one is as good as the other; the birch in all cases would be as effective as the "cat."

By Mr. Walters.—And it would not sound so bad?

Mr. Akeroyd.—No. It is not the actual fierceness of the penalty, but the fact of receiving punishment of some sort which prepares the way for proper teaching afterwards.

By Mr. Walters.—Is that the reason for the infliction of whippings?

Mr. Akeroyd.—No, the original reason was the infliction of punishment—its ferocity. If there were a perfect state of society, these things could be done without, but we have not that perfect state of society, and consequently they cannot be done without.

By Mr. Merrifield.—You mentioned the case in which a man told you that the first stroke was like a red-hot needle, and that subsequently he said he hoped he would never get another whipping. Would not that imply that the punishment itself was sufficiently rigorous to deter him from again committing a crime, and that the solemnity of the ritual was only secondary to the punishment?

Mr. Akeroyd.—I think the ritual came first, because that produced the tense waiting for the first stroke. It might have been 50-50.

By Mr. Bailey.—How long after a man starts to serve his sentence is he flogged?

Mr. Akeroyd.—There is a statutory limit of time, after which the whipping could not be inflicted. But that is not the point. The prison authorities wait until the expiry of the time for an appeal, also until reports have been furnished by the Inspector-General, the doctor, and the secretary of the Law Department, as to whether the man who is to receive the punishment is a fit and proper person to be whipped, that is, whether it will benefit him, or whether he is of such a character or of so psychopathic a nature, or whether in such a state of health that a whipping would be harmful. Then the "O.K." is given by the Law Department. A period of a month or two months may elapse before the punishment is given.

By Mr. Bailey.—During that time the prisoner is going through mental strain and mental punishment?

Mr. Akeroyd.—Some are, and some are not.

By the Chairman.—They must be wondering all the time when the punishment is to be given?

Mr. Akeroyd.—I have not noticed any case in which there has been a really adverse effect on the prisoner during the waiting period. However, in the case of a very sensitive man there would be an adverse effect, but to the average criminal sentenced to a whipping the intervening time does not count for much.

By Mr. Walters.—As a rule, the type of crime in respect of which the punishment has been ordered would not be committed by a sensitive man?

Mr. Akeroyd.—That is so.

By Mr. Merrifield.—Do you know of any cases in which either whippings or birchings have not in your opinion been the proper punishment?

Mr. Akeroyd.—The two cases I mentioned are the only ones that I can think of. I referred to the first one, which I called "A." In the second case—that of the three young men who assaulted a policeman—one of them said to me later, "If he had been an old hand like yourself, we would not have had that *mêlée* and we would not have been sentenced to the whipping."

By the Chairman.—I understand you to say that, in your experience, there is practically no difference between the "cat" and the birch?

Mr. Akeroyd.—I do not think there is a great difference between them.

By the Chairman.—Over the years, the law has recognized a big difference.

Mr. Akeroyd.—Yes.

By the Chairman.—In the case of young offenders, the birch, which is equivalent to the schoolmaster's cane, has been ordered.

Mr. Akeroyd.—It is worse than a schoolmaster's cane.

By the Chairman.—Perhaps so, but the law provides for that difference?

Mr. Akeroyd.—Yes.

By the Chairman.—The "cat" is reserved for bad cases—the older offenders?

Mr. Akeroyd.—Yes, for the more brutal type of man. Personally, I think that if the "cat" were abolished and the birch substituted no harm would be done.

By Mr. Walters.—Are the blows struck equally strong; are they all hit with force?

Mr. Akeroyd.—The flagellator hits with force.

By Mr. Walters.—The blows are not tempered in any way?

Mr. Akeroyd.—I have examined the backs of those who have received whippings within a day after the punishment, and I have found that in a few cases there has been little clots of blood where the skin has been broken. I have observed the prisoners' condition especially after punishment has been given with the "cat." I have examined their backs again a week or two later, and found that the marks had disappeared. There is always a certain amount of bruising as a result of both the "cat" and the birch.

By Lieut.-Colonel Leggatt.—After looking at the effects of both of them, was there much difference?

Mr. Akeroyd.—There was not much difference.

By Lieut.-Colonel Leggatt.—The "cat" is not nearly so fearsome as people imagine?

Mr. Akeroyd.—It is not. In the old days when men died from floggings, the punishment must have been dreadful. In those days apparently 100, 150, 200 or 250 strokes were given. But if the punishment were limited to twelve strokes—and that is a fair thing—there would still be the same ritual, and that would prepare the man for the subsequent teaching.

By Mr. Walters.—Do you think the fear of infliction of a whipping is any deterrent to a man when he contemplates committing a crime?

Mr. Akeroyd.—I have had many talks with prisoners in regard to capital punishment and whippings. I cannot recall at the moment what was said about whippings, but I can recall what was said about capital punishment by a notorious housebreaker, who was declared an habitual criminal. He said to me one day "Don't you lose any sleep over the deterring effect of capital punishment. I never carry a gun, because I fear that I might kill somebody and face the drop. I know many others who are like that—they do not carry a gun for that reason."

By Mr. Walters.—If they thought they would get twenty years instead of being hanged, they might carry a gun?

Mr. Akeroyd.—I have known only one man who carried a gun and deliberately killed to avoid arrest. That was Dick Buckley. I can recall another instance of the young criminals Wallace and Jenner. They shot the bootmaker Sheedy. Wallace was a thief from babyhood. He was illegitimate, and was boarded out. His mother came to see me often. She married well afterwards, and was in an hotel in another State. She would ask me, "Let me go to see my son." She had long talks with me. I traced his history right through. He served a sentence in the Castlemaine reformatory prison and was released. I knew that he and Jenner were carrying out armed hold-ups. I instructed an officer to bring him into my office, and I had a long talk with him. I said to him, "If you

continue as you are going I shall some day see you stand your trial for murder." He only laughed and went away. The next thing was the killing of Sheedy. Afterwards he was arrested, tried, condemned to death, and reprieved. Two or three years after that I was talking to him and said, "Do you remember my last conversation with you?" He replied, "How I wish I had taken your advice and given that game up." Whipping might have stopped him, but certainly talking to him would not.

By the Chairman.—Do you agree that flogging, whether by the birch or cat-o'-nine-tails, should be reserved for cases where personal violence is inflicted on the victim?

Mr. Akeroyd.—I certainly do. It should be used only on men who are of a brutal type. I do not think it should be applied to a psychopath who is not normal, and whose conduct cannot be predicted; but I believe that for the majority of brutal criminals whipping is the first remedy.

By Lieut.-Colonel Leggatt.—What about offences against young girls?

Mr. Akeroyd.—That again depends on the type of offence. There are sex crimes and sex crimes. There are some in which the offender is not definitely a pathological case. A pathological case should never be whipped, but there are some such offenders who are not pathological. They are men like you and me but who have never been trained to decent conduct. They could well be pulled up by a whipping.

By Lieut.-Colonel Leggatt.—I think in those cases it is not so much the punishment of the offender that is aimed at as the satisfaction of the demand of the community. The community seems to demand flogging in such cases.

Mr. Akeroyd.—The community does demand it.

By Mr. Walters.—I suppose the Judge would take into consideration whether an offender was a psychopathic or pathological case?

Mr. Akeroyd.—He would. The doctor would also do so afterwards, and he could block the flogging. He could report to the Law Department that the man was not a fit and proper subject for corporal punishment.

By Mr. Schilling.—Do you know of cases where corporal punishment has been applied and the man has come back again?

Mr. Akeroyd.—Buckley was one case.

By Mr. Schilling.—McMahon was another?

Mr. Akeroyd.—Yes. He got a birching and is now in a mental institution. That is the type of man the doctor would prevent from receiving a whipping. In the past the same system did not operate. There was then an examination only with respect to physical condition.

By the Chairman (To Dr. Allan).—You have heard what Mr. Akeroyd has said. Do you wish to elaborate on it?

Dr. Allan.—Actually I presume you wish to find out from my experience what I think of flogging?

The Chairman.—There is an amending Crimes Bill before Parliament, and it has been referred to this Committee. One of its primary objects is to abolish the death sentence except for murder and treason. It also includes offences covered by section 510 of the principal Act which provides for whipping in certain cases. It is in connection with that section that the Committee would like to have your views.

Dr. Allan.—The question of whipping has to be looked at from a specific basis. As Mr. Akeroyd pointed out, the authorities did not consider years ago the psychopathic aspect of crime. In the last fifteen years great attention has been paid to it, and it is growing in importance. When I first went to

the Department in April, 1934, there were about two or three reports a month, but there were 50 in the last three months of 1938. That is an indication of the attention given by the Crown authority and the courts to that aspect. First of all one has to consider the prisoner, as to whether he is normal mentally or has any physical defect, either of which would contra-indicate a flogging, either birching or whipping.

There would be no fear of any prisoner sentenced by the court to a whipping having the whipping if it would be seriously harmful to him, because he is thoroughly checked physically. He might be a young lad who had come under a severe sentence, and it might be found that he had a rheumatic heart as the result of having had rheumatic fever when a boy. Flogging in such a case would be wrong because it might cause a collapse. The doctor would check him thoroughly. That is one type of physical disability that would contra-indicate flogging.

The second question would be, what is his mentality? Is he a man or a youth whose mind is not capable of appreciating what a flogging means? If it is not, it is useless to flog him. The number of such persons would be very small. My experience has been that in our prisons we have approximately the same proportion as elsewhere. From 20 to 25 per cent. would come under the comprehensive term of psychopathic; that is to say, they are people who to all intents and purposes are normal, but they cannot adjust themselves to their environment as the normal person can, and, therefore, they fall into error and into a life of crime. Although they cannot be certified as insane, yet it is known that their minds are so inherently warped that they cannot control their actions.

When they come into gaol, all prisoners are examined, and if they are psychopathic cases they do not go to a flogging, and if insane they do not remain in gaol, but are sent to a mental institution. That is why many cases do not go before the courts, although they could be dealt with by a court if they recovered. We divide assault cases into two: the ordinary criminal assault, in which bodily harm has been done to some one, and sexual assault. Mr. Akeroyd mentioned the case of one man who came back after a flogging. Another prisoner went out and repeated the offence. Such cases are definitely psychopathic from a sexual basis, and a flogging would do them no good, but might even do them harm. That is to say, there is a sadistic basis behind a lot of sexual crimes. There are some who like physical pain in the sexual act and will get gratification from the infliction of pain. It would be useless to flog such a fellow because flogging might stimulate the sexual urge. Whoever was doing the medical officer's work in the gaol would deal with such a case on that line. Having excluded that type it leaves the comparatively normal criminal who either commits an assault with an ordinary bottle or else bashes his victims with some other weapon. It seems to be appropriate to consider such cases in view of the reports of assaults in this morning's newspapers. My experience has been similar to that of Mr. Akeroyd, and I concur with what he said about the results of flogging. I went into the subject with an open mind. Recently, when I discussed the matter before a society I trod on many peoples' corns by stating that provided a criminal was normal and there was no question of his being psychopathic or suffering from borderline insanity—we should go further and say that where there was no local pathological condition which might stimulate sexual feelings—there would be no harm in flogging him.

There is not only the youth to be considered. What about the old man of 70 years of age who has brought up a family? The day comes when his prostate is

irritated, and he has lost the power to function physically, but he has not lost the desire. There are two factors—the physical and the mental. That man would like to do what he did 20 years ago, and he tries to get his desire satisfied by exposing himself to children and women. It is a tragedy, and it would be useless to talk about flogging him. Those are cases to be cut out.

I think that covers broadly what cases ought to be brought in. Two conditions are involved. There is normality of mind and there is normality of body. When those two things are present my experience has been that either the birch or a flogging has been a deterrent to a person who has committed such an offence and also to those associated with such a person. I have asked criminals the question many times, and there has always been the fear of flogging. Lads have come to prison and have admitted that themselves. There was the recent assault of a nurse. Two of the lads admitted that what they feared most was that they were going to get a flogging. Unfortunately, they did not get one. There are cases that look all right on the surface. I will give an example. It was the case of a cross-country jockey, who was convicted of assault and ordered a flogging. I recall that the *Herald* came out with the heading, "Doctor strongly opposes flogging." That doctor was myself, but the newspaper report was wrong. I do not oppose flogging in the right cases. In tracing back that lad's history we found that he had been a decent fellow here and in New Zealand, but he had figured in several crashes and had suffered head injuries. Some ex-jockeys have been convicted for sex crimes. It is not that the men are bad, but they have suffered damage to the brain. Under the influence of drink there is no knowing what they might do. This man lived an exemplary life but when he got a drink or two this is what happened. I think he assaulted a girl at Sandringham. He was swinging along a street with a bottle in his hand and when he ran across the girl, for no rhyme or reason he hit her. He was found guilty and was ordered a flogging. I strongly opposed the flogging because it would not have done him any good; his brain would not have appreciated it.

By the Chairman.—Was he flogged?

Dr. Allan.—No. Once the gaol medical officer recommended that a man should not be flogged I do not think any one would oppose the medical opinion. There is a safeguard in the medical examination. I think a difference between birching and the cat-o'-nine-tails is that the cat-o'-nine-tails is more severe. The birch covers the man's buttocks, where there are muscles over layers of fat 3 or 4 inches deep. All that happens when a man is birched is that there is a severe shaking up of the muscle tissue, and it subsides in a few days. There is also another aspect. A hardened criminal, who was used to regarding human life lightly and would use a bottle or put in the boot, might come back for more. There would not be a guarantee that that type would not come back for more. There is the hard type such as Jackson who was hanged. Even when that man was going to the gallows he grinned. The same man would have put his boot into another man's face without the slightest compunction. He was a psychopath. He was so devoid of human feeling that a flogging would not deter him from wrongdoing.

Mr. Akeroyd.—May I interrupt? I recall that he was at an Ararat billiard saloon where there was a fire of mallee roots. Something annoyed him, and he seized one of the blazing roots and burnt his hands, but he cleared the whole place. Everybody got out of the billiard room. He was a brute.

Dr. Allan.—I do not say that he should not have been flogged. If he got a flogging he might come back

for another one; he might not learn the lesson. He would know that he was doing wrong and that the flogging hurt but its influence would not be powerful enough to stop him. Such cases are rare. You have seen reports in the newspapers from time to time about certain brothers. It is a pity that they are at large. It is known that men have died as a result of their brutalities, but they have got out of charges on technicalities; yet those men have not had a flogging. Why, I cannot understand; they need it. The birch would not be sufficient for that type of man. The fellow who prides himself on his prowess would feel it was *infra dig* to have his backside smacked by the birch.

By Mr. Bailey.—It would hold him up to ridicule in the prison; it would not have the same effect as the cat-o'-nine-tails?

Dr. Allan.—It would not be the same severity. The birch was used in one of the earliest floggings that I saw. I think the criminal smashed an old lady across the head with a bottle and took a ring from one of her fingers. When that man came to receive the flogging with a cat-o'-nine-tails he showed the white feather before he was hit. He was the only one I have seen who did not have the guts to take what was coming to him. In speaking to him afterwards I said "How did you like it?" He replied, "I did not like it, and I never want it again." There are examples of the different reactions that follow floggings. My feeling is that it is better to deal with young fellows before they become hardened criminals. We should get them early, and we should not wait until after they have committed serious crimes. Young men have said to me, "If you had got me early I would not be here to-day." If an assault has been committed by a youth and has caused bodily harm to the victim I would say "Give him a birching." In the case of more serious crimes committed by older men I would say, "Give them the cat-o'-nine tails." As I have said, I went in to the matter with an open mind with a leaning towards some of the chaps but I feel that in the interests of justice, society and the criminals themselves a flogging can be beneficial in the treatment of the criminal. It is often said that Buckley was a man who went wrong because of a flogging. That gets under my skin because it is not true. I have gone into Buckley's life as Mr. Akeroyd has done. Buckley told me that when he went out of gaol at first he was resentful. I think anybody would be in similar circumstances. He was ordered 3 or 5 years' imprisonment and floggings not for a crime that he had committed but for a crime it was proved later he did not do. I pushed the point with him and he said, "I am afraid that I would have been a bad man in any case, but probably the sentence made me worse because I was not guilty."

By Mr. Bailey.—Was that a case of mistaken identification?

Mr. Akeroyd.—Yes. Buckley was sentenced to several years' imprisonment and to three whippings. After he had received the first whipping some doubts arose about his guilt. Fresh inquiries were instituted, and it was proved that he had been wrongly identified by the victim and he was released immediately. He had served about 15 months.

Dr. Allan.—It is wrong to quote that case as an example of a man who went in for crime because he was flogged.

By the Chairman.—Who was the last criminal flogged to your knowledge?

Dr. Allan.—I cannot recall the name.

By the Chairman.—When was the last flogging at Pentridge?

Dr. Allan.—About six years ago.

By Mr. Schilling.—Why has flogging been dropped?

Dr. Allan.—I think the transitional period has been reached. There has been a lot of talk by psychiatrists and others outside the Service on this subject, and the bench is not certain where it stands.

By the Chairman.—There has been a good deal of talk about the man who got a flogging as a result of the Coles' hold-up?

Dr. Allan.—That case was before I took up my duties. That man was in prison two or three years ago.

Mr. Akeroyd.—He is now in a decent job.

By the Chairman.—Rumour has it that the flogging had such an effect on him physically that he was in hospital for many days afterwards.

Mr. Akeroyd.—All untruths.

Dr. Allan.—That was the case of a man who, at the age of twelve years in Ireland during the 1916 rebellion—before he came to Australia—killed two men against a tree. It was not a whipping that had made him a criminal. He had a cunning mind—plenty of brains.

Mr. Akeroyd.—I think the punishment had a very beneficial effect on him. He became quite a staid, sober, and sensible man while in prison, and remained so for the rest of his life. At one time I did not think that could happen, but it did.

Dr. Allan.—Mr. Bailey asked a question as to the effect on the prisoner while he is waiting to be whipped. In some cases there is very little waiting. I think Mr. Akeroyd will agree that if there is no appeal and the necessary advice has been received from the Crown Law authorities, the period of waiting is generally only nine days after the man concerned has been declared physically fit to be given the punishment. If prisoners have to wait, it is not unjust, nor it is likely to do any harm. On the contrary, I contend that it will do good. I regard the waiting effect as part and parcel of the flogging. What about the agony of mind of a poor mother or a father whose daughter has been brutally assaulted, or of the relatives of a person who has been mutilated for life by the man who has been ordered a flogging? A man may be whipped as part of his punishment, but he is not maimed for life. In connexion with all crime—in fact, in relation to most things in life—I find that the best way to arrive at the proper reaction is to bring the matter down to the personal element. What would be one's own reactions if one's wife, sister, or child, or some other closely associated person, had been brutally assaulted. What should be done with a person who, although normally sane, suddenly takes to drink, resorts to blackguarding, and then gets the desire to rape another man's daughter? What should happen to a man who breaks another's skull and possibly causes the victim to be a mental case for the rest of his life? There is only one answer when one knows that the punishment will be a deterrent. On one occasion when flogging was to take place at the gaol, a parson came to me exclaiming, "It is dreadful, Doctor." I asked, "What is dreadful?" The parson rejoined, "This flogging; it is getting back to barbarism." I said, "Suppose that when you arrived home to-day your wife, in tears, met you at the gate and informed you that while you were away your daughter had been assaulted and raped while she was down the street. What then?" The parson said, "My God, I would hang him." I then remarked of the prisoner who was about to be punished, "We are only going to flog this man."

Mr. Akeroyd.—I can recall the same gentleman saying, "That poor old man. He should not be in prison. I cannot get him out of my mind." He was referring to Richard Buckley. There is an interesting

story regarding a case in which a Judge came to the conclusion that a whipping was the best thing, preferable to giving the prisoner a long term of imprisonment. The sentence was imprisonment for seven days, plus a whipping. An appeal was lodged, and by the time the prescribed period had expired, the sentence of seven days' imprisonment had ended. We had to let the man go.

By Mr. Bailey.—I take it that Mr. Akeroyd sees no difference between the "cat" and the birch?

Mr. Akeroyd.—No great difference.

By Mr. Bailey.—And Doctor Allan favours the retention of the cat-o'-nine-tails?

Dr. Allan.—Yes, for the hardened criminal. The "cat" covers a large area of the body and is more severe. Its effects are no more severe, however, than a man sustains in a good "blue" in a hotel or some other place where he is knocked about and kicked in the ribs. The severity of the "cat" is by no means comparable to the fractured ribs and other bodily injuries received by some men during week-ends.

Mr. Akeroyd.—And nothing like the injuries caused to a woman who was kicked in the face half a dozen times by one of these brutes.

Lieut.-Colonel Leggatt.—I think most people consider that the instrument used is the old type of "cat," whereas the modern type does not compare with the old.

Dr. Allan.—It does not. Lieut.-Colonel Leggatt has made a point which I had in mind. The present "cat" consists of ten small blind cords tied together; it is flexible and very light. It is so light that the flagellator must be a fairly strong man even to cause an abrasion on the body. There are no weights in the "cat." There is one knot near the bottom, another about 3 inches up, and there may be another further up still, but there is not a bunch of knots which comes down on one particular spot.

By Mr. Bailey.—Have you ever known a man to collapse under the punishment?

Dr. Allan.—I have not. The safeguard is that before the flogging is administered the prisoner must be examined and found to be fit to take the punishment. If during the flogging it appears that he cannot take it, the doctor immediately orders the punishment to cease.

By Mr. Bailey.—Is it not a fact that during floggings men have collapsed, have been revived, and then subjected to a continuation of the punishment?

Mr. Akeroyd.—Not in the last 23 years.

Dr. Allan.—It might have happened in other parts of the world.

By Mr. Merrifield.—What happens to a man after he has been flogged? Is he sent to hospital?

Dr. Allan.—When he shows some reaction to the flogging, he may rest in his cell if he so desires.

Mr. Akeroyd.—He is generally kept in his cell until any marks have disappeared.

By Mr. Bailey.—Isn't his back treated in some way?

Dr. Allan.—A cloth is wrung out in a bucket of hot water and placed on the man's back.

By Mr. Merrifield.—Dr. Allan has said that after a flogging men have shown by answers to questions that they have reacted in certain ways. Is it not possible to exaggerate the moral effect of such punishment? Although a good measure of punishment is crystalized into a short space of time with a certain reaction on the part of the person punished, would not a long term of imprisonment have an effect which, although gradual, might be equivalent to that of flogging?

Dr. Allan.—There is no comparison between the two. There are men who have served sentences of 3 years' imprisonment over and over again. It is the sharp salutary punishment which has the greater effect. In the case of a brutal assault, where bodily harm has been caused to the victim, it brings home to the prisoner the reason why he is in gaol. He is there because he has committed a definite type of crime. The old method of administering to a prisoner the same type of medicine as he gave to his victim has more effect than any other. When a man who has hurt another is himself hurt, he will reflect that his victim must have been pretty sore when he was "cracked." As a matter of fact, I agree with an overseas writer on this subject. If in a case of brutal assault followed by a sex assault amounting to actual rape, the process of the law has been such that the accused has been awarded not the full measure of punishment but only imprisonment, the circumstances are not properly met. I would say, "Give such men a flogging when they come into gaol, and a further half dozen strokes when they are about to leave, in order to remind them of the reason why they have served their sentences."

Mr. Akeroyd.—A long sentence did not accomplish any good in respect of two men who were in for 5 years. While in prison, they decided that their technique was all wrong and that they would beat the police by changing it. When released, they put their new method into effect, with the result that within a month they found themselves back in gaol to serve a sentence of 7 years. I am certain that if they had been whipped, at the very beginning, they would not have returned for a further 7 years.

By Mr. Walters.—Suppose that an assault had been so serious as to warrant two floggings; would Dr. Allan recommend a flogging and a birching, since he suggests that the birching has a moral effect?

Dr. Allan.—It has a moral effect on the hardened criminal. Possibly it would not do him any physical harm, but he would not like the severity of flogging.

By Mr. Walters.—Do you think that among the criminal class flogging may make a hero of the man punished?

Dr. Allan.—I have never met with such a case.

By Mr. Walters.—Is not birching akin to whipping a bad boy?

Dr. Allan.—I have never seen a man displaying an air of bravado after he has been flogged.

By Mr. Merrifield.—Don't you think that if a birching is administered to a man who has been corrected to some extent by imprisonment and who is in the mood to take his rightful place in society, it might revive his criminal tendency? Birching might have a detrimental reaction, as in the case of Richard Buckley.

Dr. Allan.—A good psychological test would be required. If it was found that the prisoner apparently had not learned his lessons, birching would not do any harm.

By Mr. Merrifield.—Would not a possible remedy be an indeterminate sentence?

Dr. Allan.—I do not think a man would be cured in that way.

Lieut.-Colonel Leggatt.—I would suggest that a birch and a "cat" be exhibited to the members of this Committee.

The Chairman.—We will arrange with the Attorney-General for that to be done.

By Mr. Bailey.—Dr. Allan said that when a man who has been committed for trial is found to be insane, he does not appear before the court but is sent to a mental institution. Suppose that after having been there for several years he is then pronounced sane, has he then to stand his trial for the crime he committed?

Dr. Allan.—He can, according to law.

Mr. Akeroyd.—In recent years trials in such instances have seldom been proceeded with.

Dr. Allan.—Except when a capital crime is involved. About 3 years ago the case of a Russian immigrant who had attempted to stab his wife, was dealt with. He was certified as insane but, subsequently, the mental hygiene authorities returned him to prison, where he broke down mentally on two occasions and was again sent to the mental institution. He was kept there for a while longer, eventually certified as sane and released. I do not know what actually happened in that case. We advised the court of our view that the man was not sane at the time of the offence, which was said to have occurred when he was playing cards. He stated that he heard voices in his ears, telling him something about Russia and his wife. He then tried to stab her as she sat at the table.

Mr. Akeroyd.—The Law Department does not proceed against a man who has been detained in a mental institution for a long period. The question is decided on the discretion of the Attorney-General.

By Mr. Walters.—Dr. Allan said that a whipping would deter first-offenders who had been committed on brutal assault charges. I should like to know if the doctor would recommend a whipping for the first brutal assault?

Dr. Allan.—I would do so, because the punishment would be most effective in the case of a youthful offender.

The Chairman.—The Committee thanks Dr. Allan and Mr. Akeroyd for their attendance to-day. I am sure that all members of the Committee are now better informed on the subject of corporal punishment.

The Committee adjourned.

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