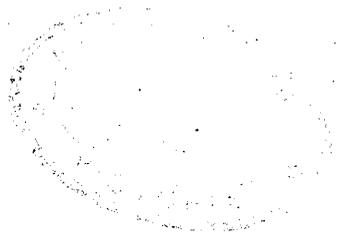


VICTORIA MINUTES OF THE PROCEEDINGS OF THE LEG. COUNCIL SESSION 1881





VICTORIA.



MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

SESSION 1931.

WITH A COPY OF THE DOCUMENTS ORDERED TO BE PRINTED

By Authority:

H. J. GREEN, GOVERNMENT PRINTER, MELBOURNE.



VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 2.

TUESDAY, 12TH MAY, 1931.

1. The President took the Chair and read the Prayer.
2. DECLARATIONS OF MEMBERS.—The Honorables F. W. Brawn and R. Kilpatrick severally delivered to the Clerk the Declarations 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 WILLIAM BRAWN, 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 Fifty 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 213 Mill-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 £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. W. BRAWN.”

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, RICHARD KILPATRICK, 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 Fifty 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 Shepparton, and are known as—(i) Lots Nos. 9, 10, and 11 on plan of subdivision and part of Crown allotments 5A, 5B, 6B, parish of Shepparton, county of Moira, more particularly described in certificate of title, volume 3106, folio 621176 ; (ii) land and offices, Wyndham-street, Shepparton, in which the business of Kilpatrick, McLellan and Co. is carried on, being part of Crown allotments 1 and 1A, section E, township and parish of Shepparton, county of Moira, and being the land more particularly described in certificate of title, volume 982, folio 196309.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Shepparton 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.

“ R. KILPATRICK.”

3. SUBSTITUTED DECLARATION OF MEMBER.—The Honorable the President (Sir Frank Clarke) delivered to the Clerk the following substituted Declaration, viz. :—

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928*, I, FRANCIS GRENVILLE CLARKE, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Fifty 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 Nos. 97 and 99 Mitford-street, Elwood, being allotment 27, section 3, at Elwood.

“ 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 £174.

“ 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 G. CLARKE.”

4. **ISSUE OF WRITS.**—The President announced that he had this day issued Writs for the periodical elections of Members of the Legislative Council (one Member for each of the seventeen Provinces) to hold the seats which will shortly become vacant by effluxion of time and that by such Writs the following dates have been fixed for the elections:—

Nomination Day—Wednesday, 20th May, 1931.

Polling Day—Saturday, 6th June, 1931.

Return of Writs—Before or on Wednesday, 17th June, 1931.

5. **ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53.**—The Honorable H. F. Richardson moved, That the Council do now adjourn, and said he proposed to speak on the subject of the unsatisfactory answer given by the Honorable the Commissioner of Public Works to the Mover's question on this day's Notice-paper with regard to immediate steps being taken to increase the number of members of the police force; and six members having risen in their places and required the motion to be proposed, the question was put and, after debate, negatived.
6. **ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53.**—The Honorable G. L. Goudie moved, That the Council do now adjourn, and said he proposed to speak on the subject of the issue of coupons for sustenance to settlers in the Mallee instead of cash payments being made; and six members having risen in their places and required the motion to be proposed, the question was put and, after debate, negatived.
7. **PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS.**—The Honorable J. P. Jones moved, by leave, That the Honorable George Joseph Tuckett be appointed a member of the Parliamentary Standing Committee on Railways in the place of the Honorable Alexander Bell, deceased.
Debate ensued.
Question—put and resolved in the affirmative.
8. **PAPERS.**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
Bank Liabilities and Assets—Summary of Sworn Returns for the quarter ended 31st March, 1931.
Explosives Act 1928—Report of the Chief Inspector of Explosives on the Working of the Act during the year 1930.
Fisheries Act 1928—Notices of Intention to issue Proclamations—
Re Prohibition of Netting in Portion of Bancroft Bay in the Gippsland Lakes.
To fix a Bag Limit for Macquarie Perch taken from the Latrobe River and its tributaries.
To prohibit—
All fishing in or the Taking of Fish from the—
Cardinia Creek and its tributaries from 1st May to 15th December in each year.
Don River and its tributaries from 1st May to 31st August in each year.
Macalister River below Glenmaggie Weir from 1st May to 31st August in each year.
Boats and Nets being left in the Snowy River, &c.
The taking of Macquarie Perch from the Latrobe River and its tributaries from 1st August to 30th November in each year.
To vary the Proclamation re taking of fish from Jackson's Creek and the Deep Creek or Saltwater River.
Public Service Act 1928—Regulations (Consolidated), dated 1st May, 1931.
Public Service Act 1928 and Lunacy Act 1928—Regulations (Consolidated)—Lunacy Department.
9. **POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY.**—Ordered—That the consideration of Government Business, Notices of Motion and Orders of the Day Nos. 1 and 2, be postponed until after Order of the Day No. 3.
10. **VACANCY IN THE SENATE.**—The Order of the Day for the consideration of the Message from His Excellency the Governor transmitting a copy of a despatch from the President of the Senate notifying that a vacancy had happened in the representation of the State of Victoria in the Senate through the death of Senator Harold Edward Elliott having been read—
The Honorable J. P. Jones moved, That this House meet the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the death of Senator Harold Edward Elliott.
Question—put and resolved in the affirmative.
Ordered—That a Message be sent to the Assembly acquainting them with the foregoing resolution and requesting them to name the place and time of such meeting.
11. **MINISTRY OF HEALTH BILL.**—On the motion of the Honorable W. J. Beckett, a Bill relating to the Department of Health and for other purposes was read a first time, ordered to be printed and to be read a second time on Tuesday, the 26th instant.
12. **HEALTH BILL.**—On the motion of the Honorable W. J. Beckett, a Bill to amend the *Health Act* 1928 was read a first time, ordered to be printed and to be read a second time on Tuesday, the 26th instant.
13. **MASSEURS BILL.**—On the motion of the Honorable W. J. Beckett, a Bill to amend the *Masseurs Act* 1928 was read a first time, ordered to be printed and to be read a second time on Tuesday, the 26th instant.

14. **DAYS OF BUSINESS.**—The Honorable J. P. Jones moved, That Tuesday, Wednesday, and Thursday in each week be the days on which the Council shall meet for the despatch of business during the present Session, and that half-past Four o'clock be the hour of meeting on each day ; that on Tuesday and Thursday in each week the transaction of Government business shall take precedence of all other business ; and that on Wednesday in each week Private Members' business shall take precedence of Government business ; and that no new business, except the postponement of business on the Notice-paper, be taken after the hour of Eleven o'clock.

Question—put and resolved in the affirmative.

15. **STANDING ORDERS COMMITTEE.**—The Honorable J. P. Jones moved, That the Honorables the President, F. W. Brawn, H. I. Cohen, W. H. Edgar, Dr. J. R. Harris, J. P. Jones, M. McGregor, D. L. McNamara, H. F. Richardson, and E. J. White 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. P. Jones moved, That the Honorables W. Angliss, A. E. Chandler, D. L. McNamara, R. Williams, and A. M. Zwar be members of the House Committee.

Question—put and resolved in the affirmative.

17. **LIBRARY COMMITTEE.**—The Honorable J. P. Jones moved, That the Honorables the President, W. J. Beckett, W. L. R. Clarke, M. Saltau, and W. Tyner be members of the Joint Committee to manage the Library.

Question—put and resolved in the affirmative.

18. **PRINTING COMMITTEE.**—The Honorable J. P. Jones moved, That the Honorables the President, E. G. Bath, H. A. Currie, H. Hitchcock, H. Keck, E. L. Kiernan, Lieut.-Col. G. V. Lansell, W. J. McCann, H. H. Smith, and G. J. Tuckett 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. P. Jones 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 H. I. Cohen, W. H. Edgar, G. L. Goudie, J. P. Jones, M. McGregor, and H. F. Richardson, 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. **MINES BILL.**—On the motion of the Honorable J. P. Jones, a Bill to amend the *Mines Act* 1928 was read a first time, ordered to be printed and to be read a second time on Tuesday, the 26th instant.

21. **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 of His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 11 *ante*), having been read—

Debate resumed.

The Honorable R. Kilpatrick 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.

22. **VACANCY IN THE SENATE.**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to meet the Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the death of Senator Harold Edward Elliott, and naming the Assembly Chamber as the place and this day at a quarter to nine o'clock as the time of meeting.

23. **VACANCY IN THE SENATE.**—The President announced that the time had arrived for this House to meet the Assembly in the Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the death of Senator Harold Edward Elliott.

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

The President reported that this House had met the Assembly this day in the Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the death of Senator Harold Edward Elliott, and that Thomas Cornelius Brennan, Esq., K.C., had been duly chosen to hold the vacant place.

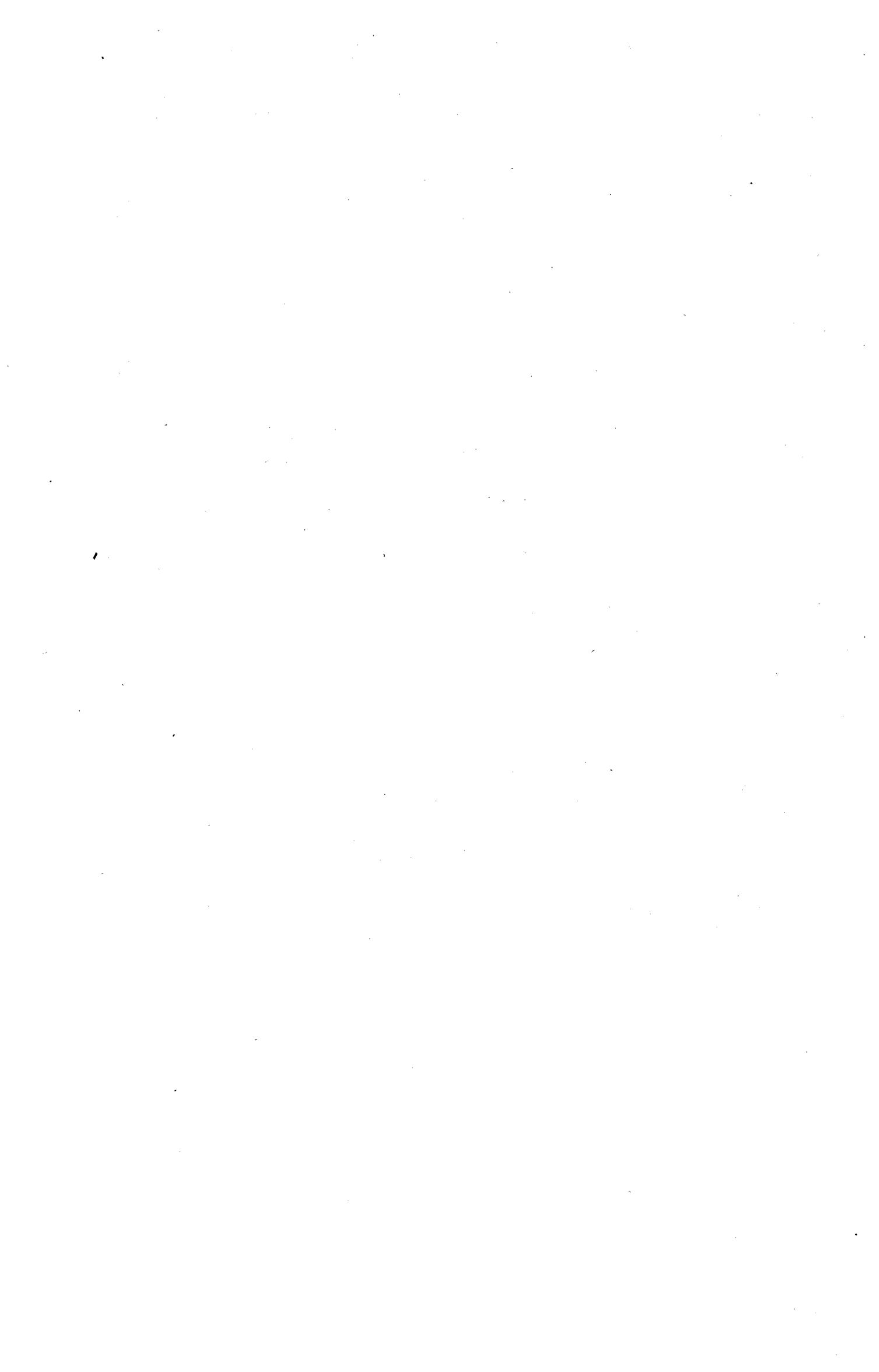
24. **ADJOURNMENT.**—The Honorable J. P. Jones moved, by leave, That the Council, at its rising, adjourn until Tuesday, the 26th instant.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council at thirty-nine minutes past ten o'clock, adjourned until Tuesday, the 26th instant.

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



VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 3.

TUESDAY, 26TH MAY, 1931.

1. The President took the Chair and read the Prayer.
2. RETURNS TO WRITS.—The President announced that there had been returned to him the writs issued by him for the election of members for the undermentioned Provinces to serve in the places of members retiring by effluxion of time, and that by the indorsements on such writs it appeared that the following members had been elected in pursuance thereof:—
 - The Honorable William Haslam Edgar for the East Yarra Province.
 - The Honorable Daniel Laurence McNamara for the Melbourne East Province.
 - The Honorable George Martley Davis for the Gippsland Province.
 - The Honorable George Joseph Tuckett for the Northern Province.
 - The Honorable Albert Michael Zwar for the North-Eastern Province.
 - The Honorable George Louis Goudie for the North-Western Province.
3. 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. Blackburn, Mr. Macfarlan, Mr. Menzies, Mr. Prendergast, Mr. Slater, and Mr. Wettenhall, 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.
4. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
 - Apprenticeship Acts—Apprenticeship Commission of Victoria—Further amendment of Plumbing and Gasfitting Regulations (No. 3).
 - Fisheries Act 1928—Notice of Intention to issue Proclamation to prohibit all Fishing in or the Taking of Fish from House Creek, near Dederang, during the whole of each year.
 - Real Estate Agents Acts—Real Estate Agents Licensing Regulations 1931.
 - Stamps Acts and Acts Interpretation Act 1928—Betting Tax Regulations 1930 rescinded and Betting Tax Regulations 1931 substituted.
5. ADDRESS IN REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR.—The Order of the Day for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 11 ante), having been read—
 - Debate resumed.
 - Colonel the Honorable Harold Cohen moved, That the debate be now adjourned.
 - Debate ensued.
 - Question—That the debate be now adjourned—put and resolved in the affirmative.
 - Ordered—That the debate be adjourned until Tuesday, the 16th June next.
6. ADJOURNMENT.—The Honorable J. P. Jones moved, by leave, That the Council, at its rising, adjourn until Tuesday, the 16th June next.
 - Question—put and resolved in the affirmative.

And then the Council at thirty-one minutes past six o'clock, adjourned until Tuesday, the 16th June next.

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

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 4.

TUESDAY, 16TH JUNE, 1931.

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

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

By His Excellency Lieutenant-Colonel the Right Honorable ARTHUR HERBERT TENNYSON, BARON SOMERS, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Distinguished Service Order, Military Cross; Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

To the Honorable WILLIAM GILBERT STEWART McARTHUR, K.C., LL.B., Judge of Our Supreme Court in Our said State of Victoria.

GREETING:

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

(L.S.) Given under my Hand and the Seal of the State at Melbourne in the said State this fifteenth day of June, in the year of Our Lord One thousand nine hundred and thirty-one, and in the twenty-second year of the reign of His Majesty King George V.

SOMERS.

By His Excellency's Command,

E. J. HOGAN.

Entered on record by me in Register of Patents, Book 31, page 43, this fifteenth day of June, One thousand nine hundred and thirty-one.

CHAS. G. GREEN, Under-Secretary.

3. RETURNS TO WRITS.—The Clerk announced that there had been returned writs for the election of members for the under-mentioned Provinces (being the remainder of the writs issued by the President on the 12th May last, the return of some of such writs having been announced by the President on the 26th May last), and that, by the indorsement thereon, it appeared that the following Members had been elected in pursuance thereof:—

The Honorable Henry Isaac Cohen for the Melbourne Province.
 The Honorable Herbert Horace Olney for the Melbourne North Province.
 The Honorable Francis Grenville Clarke for the Melbourne South Province.
 The Honorable James Herbert Disney for the Melbourne West Province.
 The Honorable Herbert Keck for the Bendigo Province.
 The Honorable Edwin George Bath for the Nelson Province.
 The Honorable William Lionel Russell Clarke for the Southern Province.
 The Honorable Alfred Elliott Chandler for the South-Eastern Province.
 The Honorable Gordon Stewart McArthur for the South-Western Province.
 The Honorable Alfred James Pittard for the Wellington Province.
 The Honorable William John Williamson for the Western Province.

4. SWEARING-IN OF NEW MEMBERS.—The Honorables E. G. Bath, A. E. Chandler, Sir F. G. Clarke, W. L. R. Clarke, H. I. Cohen, G. M. Davis, J. H. Disney, W. H. Edgar, G. L. Goudie, H. Keck, G. S. McArthur, D. L. McNamara, H. H. Olney, A. J. Pittard, G. J. Tuckett, W. J. Williamson, and A. M. Zwar, having severally approached the Table, took and subscribed the Oath required by law, and severally delivered to the Clerk the Declaration required by the fifty-fifth section of the Act No. 3660, as hereunder set forth :—

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, EDWIN GEORGE BATH*, 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 Fifty 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 Kara Kara and are known as ‘ Pleasantside ’ Estate.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Kara Kara are rated in the rate-book of the said municipality upon a yearly value of £1,083.

“ 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.

“ EDWIN G. BATH.”

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, ALFRED ELLIOTT 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 Fifty 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 ‘ Boronia,’ corner of Boronia and Forest roads, Boronia, being portion of Crown lot 69, parish of Scoresby.

“ 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 £227.

“ 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. E. CHANDLER.”

“ In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, FRANCIS GRENVILLE CLARKE*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Fifty 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 Nos. 97 and 99 Milford-street, Elwood, being allotment 27, section 3, at Elwood.

“ 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 £174.

“ 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, WILLIAM LIONEL RUSSELL CLARKE*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Fifty 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 Bulla and Melbourne, and are known as Rupertswood Farm, being Crown allotment 2 and parts of Crown allotment 1 of section 21 of the parish of Bulla Bulla, and part of W. J. T. Clarke’s special survey in the same Parish, Nos. 225 and 226 in the rate-book, and as 249–251 Domain-road, South Yarra, being part of Crown allotment 21 at South Yarra, Parish of South Melbourne, No. 1198 in the rate-book.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Bulla are rated in the rate-book of the said municipality upon a yearly value of £394, and 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 £450.

“ 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. L. RUSSELL CLARKE.”

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, HENRY ISAAC COHEN*, 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 Fifty 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 Melbourne and Northcote, and are known as 'Keonbrook,' 106 Vale-street, East Melbourne, and lots 11 and 12, part A, of Thornbury Park Estate.

"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 £225, and that such of the said lands or tenements as are situate in the municipal district of Northcote are rated in the rate-book of the said municipality upon a yearly value of £39.

"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.

"HENRY I. COHEN."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, GEORGE MARTLEY DAVIS*, 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 Fifty 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 Sale, and are known as Mathieson and Davis' offices, saleyards, motor garage, and tobacconist shop; and 37 acres and 26 perches known as Sale Plains paddock and Canal paddock all in the town of Sale.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Sale are rated in the rate-book of the said municipality upon a yearly value of £229.

"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. M. DAVIS."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, JAMES HERBERT DISNEY*, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Fifty 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 'Clontarf Terrace,' Cecil-street, 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 £167.

"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. DISNEY."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, WILLIAM HASLAM EDGAR*, do declare and testify that I am legally or equitably 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 Fifty 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," 617 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 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 Fifty 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 £58.

"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, HERBERT KECK*, 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 Fifty 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 Strathfieldsaye, and are known as 'The Palms,' Retreat-road, Bendigo.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Strathfieldsaye are rated in the rate-book of the said municipality upon a yearly value of £240.

"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.

"HERBERT KECK."

"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 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 Fifty 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 £1260.

"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, DANIEL LAURENCE McNAMARA*, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Fifty 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 Berwick and Caulfield, and are known as allotment 2, section P, and allotment 49A, parish of Koo-wee-rup East, county of Mornington; also 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 Berwick are rated in the rate-book of the said municipality upon a yearly value of £57, and that such of the said lands or tenements as are situate in the municipal district of Caulfield are rated in the rate-book of the said municipality upon a yearly value of £63.

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

"D. L. McNAMARA."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I, HERBERT HORACE OLNEY*, 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 Fifty 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 (i) "Yantaringa," 47 Locksley-road, Ivanhoe, occupied by myself; and (ii) "Tarrangower Flats," corner of Ivanhoe-parade and Westley-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 £325.

"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. H. OLNEY."

"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 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 Fifty 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 317 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 £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.

"ALF. J. PITTARD."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, GEORGE JOSEPH TUCKETT, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in Victoria of the yearly value of Fifty 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 £607.

"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*, WILLIAM JOHN WILLIAMSON, 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 Fifty 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 Shire of Portland and Borough of Portland, and are known as allotments in the Parishes of Bolwarra and Gorae, and also properties in Barkley-street, Nelson-street, and Glenelg-street, Portland.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Shire of Portland are rated in the rate-book of the said municipality upon a yearly value of £37, and that such of the said lands or tenements as are situate in the municipal district of Borough of Portland are rated in the rate-book of the said municipality upon a yearly value of £18.

"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. WILLIAMSON."

"In compliance with the provisions of *The Constitution Act Amendment Act 1928, I*, ALBERT MICHAEL ZWAR, 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 Fifty 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 Beechworth, and are known as house and land in Church-street, and land in Malakoff-road, Beechworth.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Beechworth are rated in the rate-book of the said municipality upon a yearly value of £91.

"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. ZWAR."

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

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

The Honorable J. P. Jones, addressing the Clerk, proposed to the Council for their President the Honorable Sir Francis Grenville Clarke and moved, That the Honorable Sir Francis Grenville Clarke do take the Chair of the Council as President, which motion was seconded by the Honorable Dr. J. R. Harris.

The Honorable Sir Francis Grenville Clarke, addressing the Clerk, expressed the high sense he had of the honour proposed to be conferred upon him, and submitted himself to the Council.

The Council then unanimously calling the Honorable Sir Francis Grenville Clarke to the Chair, he was taken out of his place by the Honorable J. P. Jones and the Honorable Dr. J. R. Harris and conducted to the Chair; and, standing on the dais, he returned his acknowledgments to the Council for the great honour that had been conferred upon him, and thereupon he took the Chair of the President. Then the Honorable J. P. Jones congratulated the Honorable the President.

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

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

The President took the Chair and read the Prayer.

The President reported that, accompanied by honorable members, he had presented himself to the Governor, who had been pleased to approve of the choice made by the Council, and had addressed him in the following terms:—

MR. PRESIDENT,

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

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

7. **PRESTON LOAN BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to authorize the City of Preston to construct and provide certain Permanent Works and Undertakings in lieu of certain other Permanent Works and Undertakings* ” and desiring the concurrence of the Council therein.

The Honorable J. P. Jones moved, That this Bill be dealt with as a Public Bill.

Question—put and resolved in the affirmative.

The Honorable J. P. Jones moved, That this Bill be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and to be read a second time on Tuesday next.

8. **WORKERS' COMPENSATION (TRANSFER OF FUNDS) BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to make provision for giving effect so far as relates to Victoria to a certain Resolution with respect to Workmen's Compensation adopted by an Imperial Conference held in London in the year One thousand nine hundred and twenty-six* ” and desiring the concurrence of the Council therein.

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

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

By His Excellency Lieutenant-Colonel the Right Honorable ARTHUR HERBERT TENNYSON, BARON SOMERS, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Distinguished Service Order, Military Cross; Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

To the Honorable SIR FRANCIS GRENVILLE CLARKE, K.B.E., President of the Legislative Council of the State of Victoria.

GREETING:

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

(L.S.) Given under my Hand and the Seal of the State at Melbourne in the said State this sixteenth day of June, in the year of Our Lord One thousand nine hundred and thirty-one, and in the twenty-second year of the reign of His Majesty King George V.

SOMERS.

By His Excellency's Command,

E. J. HOGAN.

Entered on record by me in Register of Patents, Book 31, page 44, this sixteenth day of June, One thousand nine hundred and thirty-one.

CHAS. G. GREEN,
Under-Secretary.

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

LEGISLATIVE COUNCIL—VICTORIA.

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

The Honorable Henry Isaac Cohen,
The Honorable George Louis Goudie, and
The Honorable Daniel Laurence McNamara

to be members of The Committee of Elections and Qualifications.

Given under my hand this sixteenth day of June, One thousand nine hundred and thirty-one.

FRANK CLARKE,
President of the Legislative Council.

11. **CHAIRMAN OF COMMITTEES.**—The Honorable J. P. Jones moved, by leave, That the Honorable William Haslam Edgar be Chairman of Committees of the Council.

Debate ensued.

Question—put and resolved in the affirmative.

12. **PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS.**—The Honorable J. P. Jones moved, by leave, That the Honorable George Joseph Tuckett be appointed a member of the Parliamentary Standing Committee on Railways.
Question—put and resolved in the affirmative.
13. **STANDING ORDERS COMMITTEE.**—The Honorable J. P. Jones moved, by leave, That the Honorables the President, Colonel Harold Cohen, H. I. Cohen, W. H. Edgar, and D. L. McNamara be members of the Select Committee on the Standing Orders of the House.
Question—put and resolved in the affirmative.
14. **HOUSE COMMITTEE.**—The Honorable J. P. Jones moved, by leave, That the Honorables A. E. Chandler, D. L. McNamara, and A. M. Zwar be members of the House Committee.
Question—put and resolved in the affirmative.
15. **LIBRARY COMMITTEE.**—The Honorable J. P. Jones moved, by leave, That the Honorables the President, W. L. R. Clarke and E. L. Kiernan be members of the Joint Committee to manage the Library.
Question—put and resolved in the affirmative.
16. **PRINTING COMMITTEE.**—The Honorable J. P. Jones moved, by leave, That the Honorables the President, E. G. Bath, H. Keck, R. Kilpatrick, and G. J. Tuckett be members of the Printing Committee.
Question—put and resolved in the affirmative.
17. **STATUTE LAW REVISION COMMITTEE.**—The Honorable J. P. Jones moved, by leave, That the Honorables H. I. Cohen, W. H. Edgar, and G. L. Goudie be members of the Statute Law Revision Committee.
Question—put and resolved in the affirmative.
18. **PAPERS.**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
Children's Welfare Department and Reformatory Schools—Report of the Secretary and Inspector for the year 1929.
Fisheries Act 1928—Notice of Intention to issue Proclamation to define the mouth of Dawhls River, and to prohibit netting in portion of the north arm of Mallacoota Inlet, &c.
Fruit and Vegetables Act 1928—Regulations—Grade Standards for Onions—Schedule rescinded and schedule substituted.
Melbourne Harbor Trust Commissioners—Statement of Accounts for the year 1930.
Public Service Act 1928—Regulations—Professional Division, Chapter II.—Department of Public Health.
Railways—
Award No. 28 made by the Railways Classification Board, together with the Report of the Victorian Railways Commissioners with regard thereto.
Report of the Victorian Railways Commissioners for the quarter ended 31st March, 1931.
19. **ADDRESS IN REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR.**—The Order of the Day for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 11 *ante*), having been read—
Debate resumed.
Question—put and resolved in the affirmative.
The Honorable J. P. Jones 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.
20. **JURIES BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable J. P. Jones moved, That this Bill be now read a second time.
Debate ensued.
Question—put.
The Council divided.

Ayes, 6.

The Hon. Colonel Harold Cohen (*Teller*),
J. H. Disney,
C. H. A. Eager (*Teller*),
W. H. Edgar,
J. P. Jones,
R. Williams.

Noes, 19.

The Hon. E. G. Bath (*Teller*),
F. W. Brawn,
A. E. Chandler,
H. I. Cohen,
H. A. Currie,
G. M. Davis,
G. L. Goudie,
Dr. J. R. Harris,
H. Keck,
R. Kilpatrick,
Lieut.-Col. G. V. Lansell,
M. McGregor,
H. H. Olney (*Teller*),
A. J. Pittard,
H. F. Richardson,
G. J. Tuckett,
W. Tyner,
W. J. Williamson,
A. M. Zwar.

And so it passed in the negative.

21. ADJOURNMENT.—The Honorable J. P. Jones moved, by leave, That the Council, at its rising, adjourn until Tuesday next.
Question—put and resolved in the affirmative.
22. POSTPONEMENT OF ORDERS OF THE DAY —Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 6 inclusive, be postponed until later this day.
23. LICENSING BILL.—On the motion of the Honorable W. Tyner, a Bill relating to the Sale or Supply of Liquor on Christmas Day and Good Friday was read a first time, ordered to be printed and to be read a second time on Tuesday next.
24. ADJOURNMENT.—The Honorable J. P. Jones moved, That the House do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.

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

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

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 5.

TUESDAY, 23RD JUNE, 1931.

- 1. The President took the Chair and read the Prayer.
- 2. PRESENTATION OF ADDRESS TO HIS EXCELLENCY THE GOVERNOR.—The President reported that, accompanied by Honorable Members, he had on the 17th instant waited upon His Excellency the Governor and had presented to him the Address of the Legislative Council, adopted on the 16th instant, in reply to His Excellency's Opening Speech, and that His Excellency had been pleased to make the following reply:—

MR. PRESIDENT AND HONORABLE MEMBERS OF THE LEGISLATIVE COUNCIL :

In the name and on behalf of His Majesty the King I thank you for your expressions of loyalty to Our Most Gracious Sovereign contained in the Address you have just presented to me.

I fully rely on your wisdom in deliberating upon the important measures to be brought under your consideration, and I earnestly hope that the results of your labours will be conducive to the advancement and prosperity of this State.

- 3. SEAT OF THE HONORABLE A. J. PITTARD.—The President said—

I have received the following letter from the Honorable A. J. Pittard:—

Ballarat,
23rd June, 1931.

The Honorable
SIR FRANK CLARKE,
President of the Legislative Council of Victoria,
Melbourne.

DEAR MR. PRESIDENT,

At the time of my election as a member for the Wellington Province I held the position of Official Visitor to the Hospital for Insane, Ballarat. Since taking my Seat in the Council on Tuesday last, the 16th instant, I have learned that my position as such Official Visitor may have disqualified me from holding a Seat in the Legislative Council. I desire to state definitely that I was quite unaware of the existence of any provision in the law preventing a person holding the official position referred to becoming a member of the Legislative Council.

It is a very great shock to me to find that I may have offended against the law quite unwittingly, and I exceedingly regret the position.

Immediately I realized the doubt as to my right to hold a Seat in the House I resigned the appointment as Official Visitor. I take this early opportunity of acquainting you with the foregoing facts, and ask that you will be so good as to communicate the same to the Legislative Council.

Pending any action the Council may take I do not propose to sit in the House, nor to draw any allowance for Parliamentary expenses.

Yours faithfully,
(Sgd.) ALF. J. PITTARD.

I may say that Mr. Pittard consulted me in this matter, and as there appeared to me to be some doubt whether the office referred to is an office of profit within the meaning of *The Constitution Act Amendment Act 1928*, I took the same view of the matter as was taken by one of my predecessors, Sir W. H. F. Mitchell, who in a similar case said in 1884—

I am not prepared to incur the responsibility of giving a decision on so important a question without reference to the House itself to which, if necessary, I will submit it.

I therefore advised Mr. Pittard to submit the matter in writing so that I might communicate it to the House. I leave the matter to the House.

The Honorable J. P. Jones moved, That the question whether the Honorable Alfred James Pittard, who at the last periodical election of members for the Legislative Council was returned as a member for the Wellington Province, is disqualified from being elected or sitting or voting as a member of this House by reason of his holding at the time of such election an office or place of profit under the Crown within the true intent and meaning of *The Constitution Act Amendment Act 1928*, be referred to The Committee of Elections and Qualifications.

Question—put and resolved in the affirmative.

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

LEGISLATIVE COUNCIL — VICTORIA.

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

The Honorable William Lionel Russell Clarke,
The Honorable James Herbert Disney, and
The Honorable George Louis Goudie

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

Given under my hand this twenty-third day of June, One thousand nine hundred and thirty-one.

FRANK CLARKE,
President of the Legislative Council.

5. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
- Apprenticeship Acts—Apprenticeship Commission of Victoria—Amendment of Motor Mechanics Regulations (No. 2).
Firearms Act 1928—Firearms Regulations 1930.
Fisheries Act 1928—Notice of Intention to issue Proclamation to vary the Proclamation respecting fishing in the Latrobe River at Yallourn.
Trade Unions—Report of the Government Statist for the year 1930, with an Appendix.
6. PRESTON LOAN 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 W. H. Edgar 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. WORKERS COMPENSATION (TRANSFER OF FUNDS) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable W. H. Edgar reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
8. MINES BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. P. Jones moved, That this Bill be now read a second time, and debate arising thereupon, it was ordered, on the motion of the Honorable Dr. J. R. Harris, that the debate be adjourned until Tuesday next.
9. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 to 6 inclusive, be postponed until Tuesday next.
10. THE CONSTITUTION ACT AMENDMENT BILL.—On the motion of the Honorable D. L. McNamara, a Bill relating to the Alteration of the Provisions of *The Constitution Act* was read a first time, ordered to be printed and to be read a second time on Tuesday next.
11. ELECTORAL PROVINCES BILL.—On the motion of the Honorable J. H. Disney, a Bill to provide for the fresh redivision of the State of Victoria into Electoral Provinces for the Legislative Council, was read a first time, ordered to be printed and to be read a second time on Tuesday next.
12. REDUCTION IN NUMBER OF MEMBERS OF PARLIAMENT.—The Honorable H. F. Richardson moved, That, in the opinion of this House, there should be a reduction of members of both the Legislative Council and the Legislative Assembly, and a general reduction of the Parliamentary and Government expenditure of this State, and, with that object in view, the Government should introduce into Parliament legislation to provide for such reductions before the next elections for the Legislative Council and the Legislative Assembly respectively.
Debate ensued.
The Honorable J. P. Jones moved, That the debate be now adjourned.
Question—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
13. ADJOURNMENT.—The Honorable J. P. Jones 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 forty minutes past six o'clock, adjourned until Tuesday next.

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

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 6.

TUESDAY, 30TH JUNE, 1931.

- 1. The Council met in accordance with adjournment.
- 2. ABSENCE OF THE PRESIDENT.—The Clerk having announced that the Honorable the President was unavoidably absent in consequence of illness, the Honorable W. H. Edgar, on the motion of the Honorable J. P. Jones, was chosen to fill temporarily the office and perform all the duties of the President during such absence.
- 3. The Acting-President took the Chair and read the Prayer.
- 4. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—The Acting-President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to provide Temporary Relief to Unemployed Lessees Mortgagors and Purchasers under Contracts of Sale of Dwelling-houses and to Farmers in respect of Debts and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
- 5. CONSOLIDATED REVENUE BILL (No. 1).—The Acting-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 eighty-one thousand eight hundred and eighty-four pounds to the service of the year One thousand nine hundred and thirty-one and One thousand nine hundred and thirty-two*" and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
- 6. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
Railways—Award No. 29 made by the Railways Classification Board together with the Report of the Victorian Railways Commissioners with regard thereto.
- 7. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable R. Williams moved, That this Bill be now read a second time, and, debate arising thereupon, it was ordered, on the motion of the Honorable Dr. J. R. Harris, that the debate be adjourned until to-morrow.
- 8. 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 Acting-President resumed the Chair; and the Honorable G. L. Goudie reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

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

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

No. 7.

WEDNESDAY, 1st JULY, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. ELECTIONS AND QUALIFICATIONS COMMITTEE.—The following members of the Committee of Elections and Qualifications, viz. :—The Honorables G. L. Goudie, Dr. J. R. Harris, J. P. Jones, D. L. McNamara, and H. F. Richardson, approached the Table, and took the Oath prescribed by the three hundred and fifty-third section of the Act No. 3660, and severally subscribed the same before the Clerk.
The Honorable J. P. Jones moved, by leave, That the Committee of Elections and Qualifications have leave to meet during the sittings of the Council and on days on which the Council does not sit.
Question—put and resolved in the affirmative.
The Acting-President appointed this day at the hour of seven o'clock as the time, and the Legislative Council Committee Room as the place, for the first meeting of the said Committee.
3. LICENSING BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable W. Tyner moved, That this Bill be now read a second time and, debate arising thereupon, it was ordered, on the motion of the Honorable G. M. Davis, that the debate be adjourned until later this day.
4. ELECTIONS AND QUALIFICATIONS COMMITTEE.—The following members of the Committee of Elections and Qualifications, viz. :—The Honorables H. I. Cohen and C. H. A. Eager, approached the Table, and took the Oath prescribed by the three hundred and fifty-third section of the Act No. 3660, and severally subscribed the same before the Clerk.
5. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the Orders of the Day, General Business, be postponed until after Order of the Day, Government Business, No. 1.
6. CONSOLIDATED REVENUE BILL (No. 1).—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.
House in Committee.
The Acting-President resumed the Chair; and the Honorable G. L. Goudie 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. LICENSING BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read, the debate was resumed, 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 Acting-President resumed the Chair: and the Honorable W. Angliss having reported that the Committee had agreed to the Bill with amendments and had amended the title thereof, which title is as follows :—
“*An Act relating to the Sale or Supply of Liquor on Good Friday,*”
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. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of Orders of the Day, General Business, Nos. 2 and 3, be postponed until Tuesday next.
9. REDUCTION IN NUMBER OF MEMBERS OF PARLIAMENT.—The Order of the Day for the resumption of the debate on the question, That, in the opinion of this House, there should be a reduction of members of both the Legislative Council and the Legislative Assembly, and a general reduction of the Parliamentary and Government expenditure of this State, and, with that object in view, the Government should introduce into Parliament legislation to provide for such reductions before the next elections for the Legislative Council and the Legislative Assembly respectively, having been read—
Debate resumed.
Question—put and negatived.
10. ADJOURNMENT.—The Honorable J. P. Jones 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-five minutes past nine o'clock, adjourned until Tuesday next.

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

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 8.

TUESDAY, 7TH JULY, 1931.

- 1. The Acting-President took the Chair and read the Prayer.
- 2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. P. Jones presented a Message from His Excellency the Lieutenant-Governor informing the Council that he had given the Royal Assent to the undermentioned Bills presented to him by the Clerk of the Parliaments, viz.:—
Preston Loan Bill.
Consolidated Revenue Bill (No. 1).
- 3. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF 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, the debate was resumed and, on the motion of the Honorable H. F. Richardson, further adjourned until to-morrow.

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

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

No. 9.

WEDNESDAY, 8TH JULY, 1931.

- 1. The Acting-President took the Chair and read the Prayer.
- 2. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the Orders of the Day, General Business, be postponed until Tuesday next.
- 3. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF 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, the debate was resumed and, on the motion of the Honorable H. I. Cohen, and after debate, further adjourned until Tuesday next.
- 4. ELECTIONS AND QUALIFICATIONS COMMITTEE.—The Honorable H. I. Cohen, Chairman, brought up a Report from the Committee of Elections and Qualifications on the question referred to them by the Council on the 23rd June last.
Report read and, together with the Proceedings of the Committee and the Minutes of Evidence, ordered to lie on the Table, and the Report to be printed.
- 5. ADJOURNMENT.—The Honorable J. P. Jones 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-two minutes past ten o'clock, adjourned until Tuesday next.

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

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 10.

TUESDAY, 14TH JULY, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
Fisheries Act 1928—Notice of Intention to issue Proclamation to repeal the Proclamations respecting the use of long lines in Port Phillip Bay.
3. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
Debate resumed.
Question—put.
The Council divided.

Ayes, 20.

The Hon. W. Angliss,
E. G. Bath,
F. W. Brawn,
W. L. R. Clarke,
Colonel Harold Cohen,
H. A. Currie,
G. L. Goudie,
Dr. J. B. Harris,
J. P. Jones,
H. Keck,
R. Kilpatrick (*Teller*),
Lieut.-Col. G. V. Lansell,
W. J. McCann,
M. McGregor,
D. L. McNamara,
H. H. Olney,
A. J. Pittard,
G. J. Tuckett (*Teller*),
R. Williams,
W. J. Williamson.

Noes, 8.

The Hon. A. E. Chandler,
H. I. Cohen (*Teller*),
G. M. Davis,
C. H. A. Eager,
G. S. McArthur,
H. F. Richardson,
M. Saltau,
W. Tyner (*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 Acting-President resumed the Chair; and the Honorable W. Angliss reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

4. WORKERS COMPENSATION (TRANSFER OF FUNDS) BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.

House in Committee.

The Acting-President resumed the Chair; and the Honorable W. 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.

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

Question—put and resolved in the affirmative.

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

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

No. 11.

WEDNESDAY, 15TH JULY, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the Orders of the Day, General Business, be postponed until Tuesday next.
3. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.

House in Committee.

The Acting-President resumed the Chair; and the Honorable J. H. Disney reported that the Committee had made progress in the Bill, and asked leave to sit again.

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

4. MINES BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

Question—put.

The Council divided.

Ayes, 4.

The Hon. J. H. Disney (*Teller*),
J. P. Jones,
D. L. McNamara (*Teller*),
R. Williams.

Noes, 21.

The Hon. W. Angliss,
E. G. Bath,
F. W. Brawn,
A. E. Chandler,
Colonel Harold Cohen,
H. I. Cohen,
H. A. Currie,
G. M. Davis,
G. L. Goudie,
Dr. J. R. Harris,
H. Keck,
R. Kilpatrick,
Lieut.-Col. G. V. Lansell,
W. J. McCann,
M. McGregor (*Teller*),
H. H. Olney,
A. J. Pittard (*Teller*),
H. F. Richardson,
G. J. Tuckett,
W. Tyner,
W. J. Williamson.

And so it passed in the negative.

5. ADJOURNMENT.—The Honorable J. P. Jones moved, That the House do now adjourn.
Debate ensued.
Motion, by leave, withdrawn.
The Honorable J. P. Jones moved, by leave, That the Council, at its rising, adjourn until Tuesday next.
Question—put and resolved in the affirmative.
The Honorable J. P. Jones moved, That the House do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.

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

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

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 12.

TUESDAY, 21ST JULY, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. P. Jones presented a Message from His Excellency the Lieutenant-Governor informing the Council that he had given the Royal Assent to the undermentioned Bill presented to him by the Clerk of the Parliaments, viz :—
Workers' Compensation (Transfer of Funds) Bill.
3. SUBPOENA SERVED ON CLERK OF COUNCIL.—The Acting-President announced that a subpoena had been served on the Clerk requiring him to attend at the County Court at Melbourne, on Wednesday, the 22nd day of July, 1931, at the hour of ten-thirty o'clock in the forenoon, and produce the following documents :—
 1. Records evidencing the dates when William Paul Crockett (the Defendant in this action) became and ceased to be a member of the Legislative Council of Victoria ;
 2. The Original Declaration made by the said William Paul Crockett in pursuance of section forty-nine of *The Constitution Act Amendment Act 1915* for the year 1927 Session of Parliament ;
 3. Any records evidencing what vote or votes were cast by the said William Paul Crockett on any Bill or Division of a Bill before the Legislative Council of Victoria since the month of June 1927 which may be in the custody possession or power of the Clerk—
in connexion with the trial of the action wherein The Primary Producers Bank of Australia Limited is the Plaintiff and William Paul Crockett is the Defendant.

The Honorable J. P. Jones moved, by leave, That leave be given to the Clerk, or such other officer of the Legislative Council as he may direct, to attend at the County Court at Melbourne, and produce the documents required by the subpoena.

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 :—
 - Apprenticeship Acts—Apprenticeship Commission of Victoria—Further amendment of Printing Trades Regulations (No. 2).
 - Motor Car Acts—Regulations rescinded, regulations made.
 - Public Service Act 1928—Regulations—
 - Classification of General Division, Chapter VII.—
 - Department of Public Health.
 - Department of Public Works.
 - Professional Division, Chapter II.—
 - Department of Chief Secretary.
 - Department of Lands and Survey.
 - Department of Mines.
 - Department of Public Health.
 - Department of Public Instruction.
 - Department of Public Works.
5. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.
House in Committee.
The Acting-President resumed the Chair ; and the Honorable W. Angliss reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

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

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

No. 13.WEDNESDAY, 22ND JULY, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of Order of the Day, General Business, No. 1, be postponed until to-morrow.
3. **DISCHARGE OF ORDER OF THE DAY.**—On the motion of the Honorable J. H. Disney, the following Order of the Day was read and discharged :—
Electoral Provinces Bill—Second reading.
Ordered—That the said Bill be withdrawn.
4. **UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.
House in Committee.
The Acting-President resumed the Chair; and the Honorable G. L. Goudie reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
5. **ADJOURNMENT.**—The Honorable J. P. Jones moved, That the House do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.

And then the Council, at eleven o'clock, adjourned until to-morrow.

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

No. 14.THURSDAY, 23RD JULY, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. **UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.
House in Committee.
The Acting-President resumed the Chair; and the Honorable W. L. R. Clarke reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
3. **DEBT CONVERSION AGREEMENT BILL.**—The Acting-President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to approve an Agreement between the Commonwealth of Australia of the First Part and the States of New South Wales, Victoria, Queensland, South Australia, Western Australia, and Tasmania of the Second, Third, Fourth, Fifth, Sixth and Seventh Parts respectively relating to the Conversion of the Internal Public Debts of the Commonwealth and the States*" and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
The Order of the Day for the second reading of this Bill having been read, the Honorable J. P. Jones moved, That this Bill be now read a second time, and debate arising thereupon, it was ordered, on the motion of the Honorable Dr. J. R. Harris, that the debate be adjourned until Tuesday next.

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

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

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 15.

TUESDAY, 28TH JULY, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
Friendly Societies—Fifty-third Annual Report of the Government Statist relating to the period of twelve months ended 30th June, 1930, with Appendices.
3. DEBT CONVERSION 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 Acting-President resumed the Chair ; and the Honorable G. L. Goudie 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. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.
House in Committee.
The Acting-President resumed the Chair ; and the Honorable J. H. Disney reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

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

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

No. 16.

WEDNESDAY, 29TH JULY, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. P. Jones presented a Message from His Excellency the Lieutenant-Governor informing the Council that he had given the Royal Assent to the undermentioned Bill presented to him by the Clerk of the Parliaments, viz. :—
Debt Conversion Agreement Bill.

3. CONSOLIDATED REVENUE BILL (No. 2).—The Acting-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 Eight hundred and sixty-seven thousand three hundred and thirty-six pounds to the service of the year One thousand nine hundred and thirty and One thousand nine hundred and thirty-one*" and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
4. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
Lands Compensation Act 1928—Return under section 37 showing the amount of money paid for the year 1930-31 by the State Electricity Commission for land resumed in connexion with the works and undertakings of the Commission.
5. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the Order of the Day, General Business, be postponed until Tuesday next.
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 Acting-President resumed the Chair ; and the Honorable G. L. Goudie 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. P. Jones 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 five minutes past eleven o'clock, adjourned until Tuesday next.

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

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 17.

TUESDAY, 4TH AUGUST, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. P. Jones presented a Message from His Excellency the Lieutenant-Governor informing the Council that he had given the Royal Assent to the undermentioned Bill presented to him by the Clerk of the Parliaments, viz. :—
Consolidated Revenue Bill (No. 2).
3. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
Harbor Boards Act 1928—Amended Regulations relating to Elections of Elected Members of the Warrnambool Harbor Board.
4. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.
House in Committee.
The Acting-President resumed the Chair; and the Honorable J. H. Disney reported that the Committee had agreed to the Bill with amendments.
On the motion of the Honorable R. Williams, the Bill was re-committed to a Committee of the whole in respect of clauses 1, 3, 6, 13, 21, 27, 30, and 34, and new clause D.
House in Committee.
The Acting-President resumed the Chair; and the Honorable J. H. Disney reported that the Committee had agreed to the Bill with further amendments.
On the motion of the Honorable R. Williams, the Bill was re-committed to a Committee of the whole in respect of clause 8.
House in Committee.
The Acting-President resumed the Chair; and the Honorable J. H. Disney reported that the Committee had made progress in the Bill, and had agreed to the following resolution :—
That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—
Clause 8, sub-clause (3), paragraph (d), omit this paragraph.
and asked leave to sit again.
On the motion of the Honorable R. Williams, the Council adopted the resolution reported from the Committee of the whole.
Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.
Resolved—That the Council will, on Tuesday next, again resolve itself into a Committee of the whole.
5. CONSOLIDATED REVENUE BILL (No. 3).—The Acting-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 one hundred and sixty-nine thousand six hundred and seventy-four pounds to the service of the year One thousand nine hundred and thirty-one and One thousand nine hundred and thirty-two*" and desiring the concurrence of the Council therein.

On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, 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 Acting-President resumed the Chair ; and the Honorable G. L. Goudie having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

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

6. ADJOURNMENT.—The Honorable J. P. Jones 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 eleven minutes past ten o'clock, adjourned until Tuesday next.

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

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 18.

TUESDAY, 11TH AUGUST, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. P. Jones presented a Message from His Excellency the Lieutenant-Governor informing the Council that he had given the Royal Assent to the undermentioned Bill presented to him by the Clerk of the Parliaments, viz. :—
Consolidated Revenue Bill (No. 3).
3. 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, Act No. 3660, and Act No. 3945 during the year 1930-31.
Education Act 1928—Provision of Meals for State School Children—Statement of Expenditure for the year 1930-31.
4. TRUSTEE Bill.—On the motion of the Honorable J. P. Jones, a Bill to provide Protection for Trustees in connexion with the Conversion of Securities under the Commonwealth Act known as the *Commonwealth Debt Conversion Act 1931* and to make certain other provisions with respect to Trusts and Trustees, and for other purposes was, by leave, read a first time, 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 Acting-President resumed the Chair; and the Honorable G. L. Goudie having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
5. ADJOURNMENT.—The Honorable J. P. Jones moved, That the House do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.

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

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

No. 19.

WEDNESDAY, 12TH AUGUST, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. FINANCIAL EMERGENCY BILL.—The Acting-President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to make necessary Provision for carrying out a Plan agreed on by the Commonwealth and the States for meeting the grave Financial Emergency existing in Australia, re-establishing Financial Stability, and restoring Industrial and General Prosperity*" and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.

3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
- Friendly Societies Act 1928 and Trade Unions Act 1928—Report of the Registrar of Friendly Societies for the year 1930 with an Appendix.
Hawkers and Pedlers Acts—Hawkers and Pedlers Regulations 1931.
Public Service Act 1928—Regulations—Professional Division, Chapter II.—Department of Public Instruction.
4. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the Order of the Day, General Business, be postponed until to-morrow.
5. FINANCIAL EMERGENCY BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. P. Jones moved, That this Bill be now read a second time.
Debate ensued.
The Honorable H. I. Cohen moved, That the debate be now adjourned.
Debate ensued.
Question—put and negatived.
Debate on the main question continued.
Colonel the Honorable Harold Cohen moved, That the debate be now adjourned.
Question—put and resolved in the affirmative.
Ordered—That the debate be adjourned until to-morrow.
- And then the Council, at twenty-nine minutes past eight o'clock, adjourned until to-morrow.

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

No. 20.

THURSDAY, 13TH AUGUST, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. TRUSTEE BILL.—The Acting-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.
3. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—The Acting-President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of this Bill in Committee that the Assembly make a certain amendment in such Bill, have made the suggested amendment.
Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.
4. INDETERMINATE SENTENCES BILL.—The Acting-President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Sub-section (5) of Section Five hundred and twenty-five and Sub-section (1) of Section Five hundred and twenty-nine of the ‘Crimes Act 1928’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and to be read a second time on Tuesday next.
5. TRUSTEE 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 6, sub-clause (1), paragraph (a), line 33, omit “law” and insert “paragraphs (a) and (b) of sub-section (1) of section four of the *Trustee Act 1928*.”
 2. Clause 8, line 26, omit all words after “or” and insert “in any of the securities authorized by paragraph (a) or paragraph (b) of sub-section (1) of section four of the *Trustee Act 1928* notwithstanding anything to the contrary contained in the instrument creating the trust or subject to anything to the contrary contained in the instrument creating the trust in any other security authorized by law for the investment of trust moneys.”

The Honorable J. P. Jones moved, That the Council disagree with amendment 1 but make the following amendment in clause 6 of the Bill :—

Clause 6, sub-clause (1), paragraph (a), lines 30–34, omit words beginning with “subject to” and ending “trust moneys” and insert “in any of the securities authorized by paragraph (a) or paragraph (b) of sub-section (1) of section four of the *Trustee Act 1928* notwithstanding anything to the contrary contained in the instrument creating the trust or subject to anything to the contrary contained in the instrument creating the trust in any other security authorized by law for the investment of trust moneys.”

Debate ensued.
Question—put and resolved in the affirmative.
Amendment 2, after debate, agreed to.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the amendment made by the Assembly in clause 8 of the Bill, and have disagreed with the amendment made by the Assembly in clause 6 but have made an amendment in the said clause and desiring their concurrence therein.

6. **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.

7. **UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.

House in Committee.

The Acting-President resumed the Chair; and the Honorable G. L. Goudie having reported that the Committee had agreed to the Bill, including the amendment made by the Assembly which was suggested by the Council, 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, including the amendment made by the Assembly which was suggested by the Council, with amendments and desiring their concurrence therein.

8. **FINANCIAL EMERGENCY 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 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.

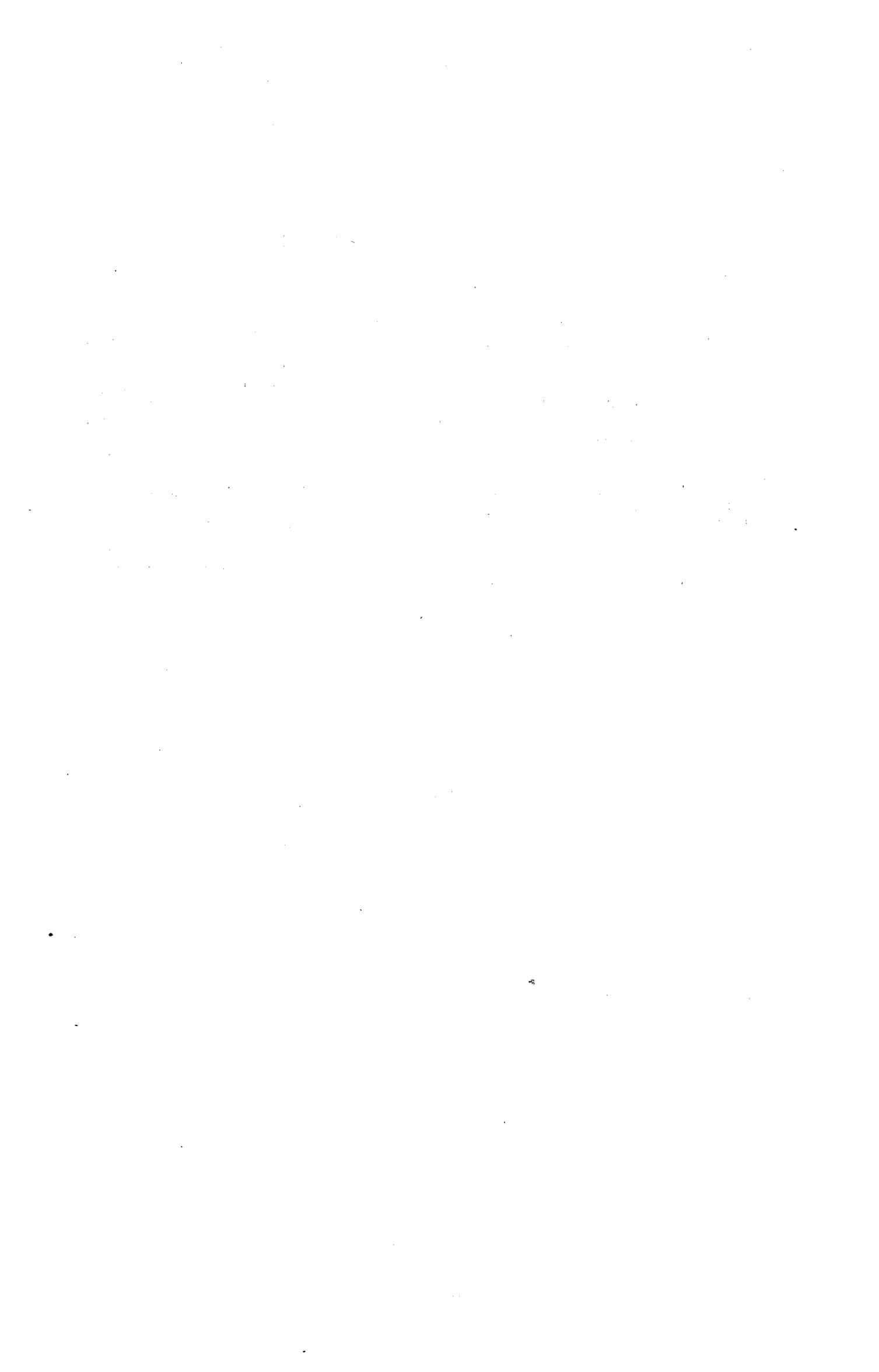
The Acting-President resumed the Chair; and the Honorable G. L. Goudie reported that the Committee had made progress in the Bill, and asked leave to sit again.

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

9. **TRUSTEE BILL.**—The Acting-President announced the receipt of a Message from the Assembly acquainting the Council that they do not insist on their amendment in clause 6 of this Bill disagreed with by the Council and have agreed to the amendment made by the Council in the said clause.

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

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



VICTORIA

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 21.

TUESDAY, 18TH AUGUST, 1931.

1. The Acting-President took the Chair and read the Prayer.
 2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. P. Jones presented a Message from His Excellency the Lieutenant-Governor informing the Council that he had given the Royal Assent to the undermentioned Bill presented to him by the Clerk of the Parliaments, viz. :—
Trustee Bill.
 3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
Business Names Act 1928—Regulations prescribing Fees and Forms.
Money Lenders Act 1928—Regulations.
 4. FINANCIAL EMERGENCY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.
House in Committee.
The Acting-President resumed the Chair; and the Honorable W. Angliss reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
- And then the Council, at thirty-four minutes past ten o'clock, adjourned until to-morrow.

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

No. 22.

WEDNESDAY, 19TH AUGUST, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the Order of the Day, General Business, be postponed until to-morrow.
3. FINANCIAL EMERGENCY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.
House in Committee.
The Acting-President resumed the Chair; and the Honorable G. L. Goudie reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
4. ADJOURNMENT.—The Honorable J. P. Jones 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.

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

No. 23.

THURSDAY, 20TH AUGUST, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. FINANCIAL EMERGENCY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.
House in Committee.
The Acting-President resumed the Chair; and the Honorable G. L. Goudie reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.

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

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

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 24.

TUESDAY, 25TH AUGUST, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. DECLARATION OF MEMBER.—The Honorable H. H. Smith 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, HERBERT HENRY SMITH, 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 Fifty 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 ‘Narwee,’ 270 Domain-road, South Yarra.*

“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 £320.

“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.

“HERBERT H. SMITH.”
3. STAMPS (UNEMPLOYMENT RELIEF) BILL.—The Acting-President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to provide for the Temporary Continuation of the Stamps (Unemployment Relief) Acts*” and desiring the concurrence of the Council therein. On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and, by leave, to be read a second time later this day.
4. PAPERS.—The Honorable J. P. Jones presented, by command of His Excellency the Lieutenant-Governor—

Victorian Coal Miners’ Accidents Relief Board—Report for the year 1930.

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:—

Apprenticeship Acts—Apprenticeship Commission of Victoria—Further amendment of Carpentry and Joinery Regulations (No. 2).

Cultivation Advances Act 1930—Regulations—Applications by Cultivators for Advances.

Fisheries Act 1928—Notices of Intention to issue Proclamations—

To alter the Bag Limit for Trout.

To prohibit all Fishing in or the Taking of Fish from—

Portion of the Kangaroo Creek near Bullarto.

Portions of the Moorabool and Barwon Rivers from 1st May to 31st August in each year.

Public Service Act 1928—

Copy of Papers in connexion with the promotion of Joseph Alphonsus Lowrey from the Fifth Class to the Fourth Class, Department of Law.

Regulations—

Classification of General Division, Chapter VII.—Department of Treasurer.

Professional Division, Chapter II.—Department of Law.
5. STAMPS (UNEMPLOYMENT RELIEF) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The Acting-President resumed the Chair; and the Honorable W. L. R. Clarke reported that the Committee had made progress in the Bill, and had agreed to the following resolution:—

That it be a suggestion to the Legislative Assembly that they make the following amendments in the Bill, viz.:—

 1. Clause 2, lines 5-6, omit “twenty-sixth day of September” and insert “tenth day of October”.
 2. Clause 4, line 16, omit “twenty-sixth day of September” and insert “tenth day of October”.

and asked leave to sit again.

On the motion of the Honorable J. P. Jones, the Council adopted the resolution reported from the Committee of the whole.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

Resolved—That the Council will, later this day, again resolve itself into a Committee of the whole.

6. FINANCIAL EMERGENCY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.
House in Committee.

The Acting-President resumed the Chair; and the Honorable G. L. Goudie reported that the Committee had made progress in the Bill, and had agreed to the following resolution:—

That it be a suggestion to the Legislative Assembly that they make the following amendments in the Bill, viz.:—

1. Clause 7, line 4, after "The Governor" insert—
" ; or
The Judges of the Supreme Court".
2. ,, line 10, omit "The Judges of the Supreme Court".
3. ,, lines 34–6, omit "but does not include office cleaners in receipt of pay at a rate not exceeding Two pounds two shillings a week".
4. ,, line 37, after "whomsoever" insert "(other than the Registrar of Friendly Societies)".
5. ,, page 7, line 6, after "Act" insert "and except as to the last proviso to sub-section (2) of section ten hereof".
6. Clause 8, at the end of the clause add—

"Provided further that where, owing to the absence of any officer from his employment without pay by reason of the operation of any system of the rationing of employment (whether by means of arrangements for leave of absence without pay or otherwise) or owing to the absence of any officer from his employment on leave without pay or on reduced pay by reason of illness, the actual pay of any such officer during the period to which this Part applies is less than would otherwise have been the case, the percentage deduction in accordance with the First Schedule which is applicable to the officer shall, notwithstanding anything to the contrary in this Part, be that which is appropriate to the sum which would have been his pay during that period if he had been absent from his employment as aforesaid and this Part had not been passed; but until the end of that period or his ceasing to be an officer during that period, the appropriate percentage deduction in accordance with the First Schedule shall be provisionally applied to the rate of pay which he would have received during that period if he had not been absent from his employment as aforesaid and this Part had not been passed; and at the end of that period or on his ceasing to be an officer as aforesaid the necessary adjustments shall be made and any moneys deducted in excess shall be refunded to him accordingly"—

and asked leave to sit again.

On the motion of the Honorable J. P. Jones, the Council adopted the resolution reported from the Committee of the whole.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

Resolved—That the Council will, to-morrow, again resolve itself into a Committee of the whole.

7. INDETERMINATE SENTENCES 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 Acting-President resumed the Chair; and the Honorable W. L. R. Clarke 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. STAMPS (UNEMPLOYMENT RELIEF) BILL.—The Acting-President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the Bill in Committee that the Assembly make certain amendments in such Bill, decline to entertain the amendments suggested by the Council as they are an infringement of sub-section (2) of section thirty-six of *The Constitution Act Amendment Act 1928* which provides that the Council may not suggest any omission or amendment the effect of which will be to increase any proposed charge or burden on the people.

Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.

9. FINANCIAL EMERGENCY BILL.—The Acting-President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the Bill in Committee that the Assembly make certain amendments in such Bill, have decided not to make some of the amendments suggested by the Council, and have made the others of the suggested amendments.

Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.

10. STAMPS (UNEMPLOYMENT RELIEF) BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.

House in Committee.

The Acting-President resumed the Chair; and the Honorable W. L. R. Clarke reported that the Committee had agreed to the Bill without amendment.

Ordered—That the Report be now taken into consideration.

The Honorable Dr. J. R. Harris moved, That it be a suggestion to the Legislative Assembly that they make the following amendments in the Bill, viz. :—

Clause 2, lines 5-6, omit "twenty-sixth day of September" and insert "sixth day of September".

Clause 4, line 16, omit "twenty-sixth day of September" and insert "sixth day of September".

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

Ordered—That the further consideration of the Report from the Committee of the whole be postponed until later this day.

11. STAMPS (UNEMPLOYMENT RELIEF) BILL.—The Acting-President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the Report of the Committee that the Assembly make certain amendments in such Bill, have made the suggested amendments with modifications, and desiring the concurrence of the Council therein.

Ordered—That the foregoing Message be considered in conjunction with the Order of the Day for the further consideration of the Report from the Committee of the whole on the Bill.

12. STAMPS (UNEMPLOYMENT RELIEF) BILL.—The Order of the Day for the further consideration of the Report from the Committee of the whole on this Bill having been read, 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, including the amendments suggested by the Council as modified and made by the Assembly, without amendment.

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

P. T. POOK,

Clerk of the Legislative Council.

No. 25.

WEDNESDAY, 26TH AUGUST, 1931.

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

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

Health Act 1928—

Amending Boarding and Lodging House Regulations 1931.

Amending Food and Drug Standards Regulations 1931 (No. 2).

General Sanitary Regulations 1931.

3. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the Order of the Day, General Business, be postponed until Tuesday next.

4. FINANCIAL EMERGENCY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.

House in Committee.

The Acting-President resumed the Chair; and the Honorable G. L. Goudie reported that the Committee had agreed to the Bill, including the amendments made by the Assembly which were suggested by the Council, with amendments.

On the motion of the Honorable J. P. Jones, the Bill was re-committed to a Committee of the whole in respect of clauses 10, 14, 22, 24, 35, and 43.

House in Committee.

The Acting-President resumed the Chair; and the Honorable G. L. Goudie reported that the Committee had agreed to the Bill with further amendments.

Ordered—That the Report be now taken into consideration.

The Honorable Dr. J. R. Harris moved, That it be a suggestion to the Legislative Assembly that they make the following amendments in the Bill, viz. :—

1. Clause 7, line 4, after "The Governor" insert—
"; or

The Judges of the Supreme Court".

2. " " line 10, omit "The Judges of the Supreme Court".

Debate ensued.

Question—put.

The Council divided.

Ayes, 14.

The Hon. W. Angliss,
A. E. Chandler,
Colonel Harold Cohen,
H. A. Currie,
C. H. A. Eager,
Dr. J. R. Harris,
R. Kilpatrick,
Lieut.-Col. G. V. Lansell,
G. S. McArthur (*Teller*),
A. J. Pittard (*Teller*),
H. F. Richardson,
H. H. Smith,
G. J. Tuckett,
W. Tyner.

Noes, 9.

The Hon. E. G. Bath,
W. L. R. Clarke (*Teller*),
G. L. Goudie,
J. P. Jones,
W. J. McCann,
M. McGregor,
D. L. McNamara,
H. H. Olney (*Teller*),
R. Williams.

And so it was resolved in the affirmative.

The Honorable J. P. Jones moved, That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 7, page 6, line 28, after “expenses” insert “or attendance fees of members of the Committee of Public Accounts who represent electoral districts described as ‘Urban’ or ‘Country’ in the Seventeenth Schedule to *The Constitution Act Amendment Act 1928*”.

Debate ensued.

The Honorable Dr. J. R. Harris moved, as an amendment, That the words “or the Parliamentary Standing Committee on Railways” be inserted after the word “Accounts.”

Debate ensued.

Amendment, by leave, withdrawn.

Debate on the main question continued.

The Honorable G. L. Goudie moved, as an amendment, That the words “or the Parliamentary Standing Committee on Railways” be inserted after the word “Accounts.”

Debate ensued.

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

Question—That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 7, page 6, line 28, after “expenses” insert “or attendance fees of members of the Committee of Public Accounts or the Parliamentary Standing Committee on Railways who represent electoral districts described as ‘Urban’ or ‘Country’ in the Seventeenth Schedule to *The Constitution Act Amendment Act 1928*”—

put and resolved in the affirmative.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolutions.

Ordered—That the further consideration of the Report from the Committee of the whole be postponed until Tuesday next.

5. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. P. Jones presented a Message from His Excellency the Lieutenant-Governor informing the Council that he had given the Royal Assent to the undermentioned Bills presented to him by the Clerk of the Parliaments, viz. :—

Stamps (Unemployment Relief) Bill.
Indeterminate Sentences Bill.

- 6 ADJOURNMENT.—The Honorable J. P. Jones 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 eight o'clock, adjourned until Tuesday next.

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

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 26.

TUESDAY, 1ST SEPTEMBER, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. **FINANCIAL EMERGENCY BILL.**—The Acting-President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the Report of the Committee that the Assembly make certain amendments in such Bill, have decided not to make the amendments suggested by the Council.

Ordered—That the foregoing Message be considered in conjunction with the Order of the Day for the consideration of the Report from the Committee of the whole on the Bill.

3. **COUNTRY ROADS BILL.**—The Acting-President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Section Sixty of the ‘Country Roads Act 1928’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time to-morrow.

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

Bank Liabilities and Assets—Summary of Sworn Returns for the quarter ended 30th June, 1931.

Fisheries Act 1928—Notice of Intention to issue a Proclamation revoking the Proclamation relating to Fishing in Baala Creek and Numurkah “Sand Hole.”

Geelong Harbor Trust—Accounts and Balance-sheet for the year 1930.

Marriage Act 1928—Regulations—Consent of Guardians to the Marriage of Minors.

5. **FINANCIAL EMERGENCY 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 Honorable R. Williams moved, That the Report be now adopted.

Question—put and resolved in the affirmative.

The Honorable R. Williams moved, That the Bill be now read a third time.

Debate ensued.

The Honorable Dr. J. R. Harris moved, That the following amendments suggested on the consideration of the Report from the Committee of the whole be again suggested to the Legislative Assembly, viz.:—

1. Clause 7, line 4, after “The Governor” insert—

“; or

The Judges of the Supreme Court”.

2. „ line 10, omit “The Judges of the Supreme Court”.

Debate ensued.

Question—put.

The Council divided.

Ayes, 13.

The Hon. W. Angliss,
A. E. Chandler,
Colonel Harold Cohen,
H. I. Cohen,
H. A. Currie,
C. H. A. Eager (*Teller*),
Dr. J. R. Harris,
Lieut.-Col. G. V. Lansell,
G. S. McArthur,
A. J. Pittard,
M. Saltau,
H. H. Smith,
W. Tyner (*Teller*).

Noes, 11.

The Hon. E. G. Bath,
W. L. R. Clarke,
G. M. Davis,
J. P. Jones,
W. J. McCann,
M. McGregor,
D. L. McNamara,
H. H. Olney,
G. J. Tuckett (*Teller*),
R. Williams,
W. J. Williamson (*Teller*).

And so it was resolved in the affirmative.

The Honorable R. Williams moved, That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz.:—

Clause 11, sub-clause (2), at the end of the sub-clause insert—

“ but nothing in this sub-section shall apply to any member of Parliament who represents an electoral district described as ‘Urban’ or ‘Country’ in the Seventeenth Schedule to *The Constitution Act Amendment Act 1928* and who is a member of the Committee of Public Accounts.

(3) In any case where during the period to which this Part applies the total amount of the reimbursement of expenses of any member of Parliament—

(a) who represents an electoral district described as ‘Urban’ or ‘Country’ in the Seventeenth Schedule to *The Constitution Act Amendment Act 1928*; and

(b) who is a member of the Committee of Public Accounts—

calculated at the rate in operation before the coming into operation of the *Special and Other Appropriations Reduction Act 1930* and of any pay (within the meaning of this Part) received by him as such out of the consolidated revenue for the discharge of duties other than those for which such reimbursement is made is an amount comprised in any group set out in the First Schedule the percentage reduction applicable to such group shall apply to such pay which shall be reduced accordingly.”

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolutions.

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

6. **FINANCIAL EMERGENCY BILL.**—The Acting-President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the question that the Bill be read a third time that the Assembly make certain amendments in such Bill, have decided not to make the amendments suggested by the Council in clause 7, and have made the suggested amendment in clause 11.

Ordered—That the foregoing Message be considered in conjunction with the Order of the Day for the resumption of the debate on the third reading of the Bill.

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

Railways—Report of the Victorian Railways Commissioners for the year 1930-31.

8. **FINANCIAL EMERGENCY BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a third time, having been read—

Debate resumed.

Question—put and resolved in the affirmative.—Bill 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, including the amendments made by the Assembly which were suggested by the Council, with amendments and desiring their concurrence therein.

9. **ALTERATION OF HOUR OF MEETING.**—The Honorable J. P. Jones moved, That the House do now adjourn.

Debate ensued.

Motion, by leave, withdrawn.

The Honorable J. P. Jones moved, by leave, That the Council, at its rising, adjourn until to-morrow at half-past two o'clock.

Question—put and resolved in the affirmative.

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

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

No. 27.

WEDNESDAY, 2ND SEPTEMBER, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. **CONSOLIDATED REVENUE BILL (No. 4).**—The Acting-President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to apply out of the Consolidated Revenue the sum of One million and eighty-five thousand four hundred and fifty-one pounds to the service of the year One thousand nine hundred and thirty-one and One thousand nine hundred and thirty-two*” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.

3. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of the Order of the Day, General Business, be postponed until Tuesday next.
4. **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 Acting-President resumed the Chair; and the Honorable W. 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.
5. **UNEMPLOYMENT RELIEF AMENDMENT BILL.**—The Acting-President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend and continue the Unemployment Relief Acts and the Stamps (Unemployment Relief) Acts and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time on Tuesday next.
6. **ADJOURNMENT.**—The Honorable R. Williams 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-seven minutes past four o'clock, adjourned until Tuesday next.

P T. POOK,
Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 28.

TUESDAY, 8TH SEPTEMBER, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable R. Williams presented a Message from His Excellency the Lieutenant-Governor informing the Council that he had given the Royal Assent to the undermentioned Bill presented to him by the Clerk of the Parliaments, viz. :—
Consolidated Revenue Bill (No. 4).
3. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—The Acting-President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to some of the amendments made in such Bill by the Council, have disagreed with others of such amendments, have agreed to others with amendments, and have made consequential amendments in the Bill, and desiring the concurrence of the Council therein.
Ordered—That the foregoing Message be taken into consideration later this day.
4. POLICE OFFENCES (TROTTING RACES) BILL.—The Acting-President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to the Holding of certain Trotting Races at Agricultural Shows*” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time to-morrow.
5. TREASURY OVERDRAFTS BILL.—The Acting-President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the ‘Treasury Overdrafts Act 1930’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time to-morrow.
6. WRONGS BILL.—The Acting-President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the ‘Wrongs Act 1928’ and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honorable C. H. A. Eager, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time to-morrow.
7. UNEMPLOYMENT RELIEF AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable R. Williams moved, That this Bill be now read a second time, and debate arising thereupon, it was ordered, on the motion of the Honorable Dr. J. R. Harris, that the debate be adjourned until to-morrow.
8. COUNTRY ROADS BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable D. L. McNamara moved, That this Bill be now read a second time.
Debate ensued.
Question—put.
The Council divided.

Ayes, 11.

The Hon. W. Angliss,
F. W. Brawn (*Teller*),
Colonel Harold Cohen,
J. H. Disney,
C. H. A. Eager,
R. Kilpatrick,
D. L. McNamara,
A. J. Pittard (*Teller*),
M. Saltau,
H. H. Smith,
R. Williams.

Noes, 16.

The Hon. E. G. Bath,
A. E. Chandler,
W. L. R. Clarke,
H. I. Cohen,
H. A. Currie,
G. M. Davis,
G. L. Goudie,
Dr. J. R. Harris,
Lieut.-Col. G. V. Lansell,
G. S. McArthur,
M. McGregor (*Teller*),
H. H. Olney,
H. F. Richardson,
G. J. Tuckett,
W. Tyner,
W. J. Williamson (*Teller*),

And so it passed in the negative.

9. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—The Order of the Day for the consideration of the amendments made in this Bill by the Council and disagreed with by the Assembly or agreed to 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 2, line 4, omit "alone" and insert "with or without any other justice or justices."</p> <p>3. Clause 3, lines 26-30, omit the interpretation of "Mortgagor" and insert "'Mortgagor' means a mortgagor under such a mortgage and includes any person lawfully claiming through him".</p> <p>4. Clause 5, lines 10-13, omit "to any dwelling the tenant or mortgagor of which is a farmer entitled under the provisions of Part II. to apply for a protection certificate under that Part or".</p> <p>5. Clause 6, lines 17-18, omit "(other than a tenant of a religious body or charitable institution)".</p> <p>6. Clause 6, line 25, omit "occupying a dwelling".</p> <p>7. Clause 6, line 27, before "mortgagor" insert "mortgaged by such".</p> | <p>Disagreed with.</p> |
| <p>13. Clause 6, page 4, lines 30-34, paragraph (c), omit this paragraph.</p> | <p>Disagreed with, but the following amendment made in the clause :—
Clause 6, page 4, sub-clause (4), paragraph (c), lines 30-31, omit "the landlord or the mortgagee or the owner or vendor (as the case may be)" and insert "the mortgagee".</p> |
| <p>15. Clause 6, page 4, line 39, after "refused" insert—
"Provided that when such stay or suspension shall terminate then such landlord or mortgagee shall have the full time permitted by the law relating thereto wherein to exercise have or take any such distress proceeding or remedy."</p> | <p>Disagreed with, but the following amendments made in clause 14 :—
Clause 14, line 13, after "during which" insert "any stay or suspension of any distress proceeding or remedy hereinbefore referred to or".
Clause 14, line 14, after "order" insert "or any order made under the last preceding section".
Clause 14, line 16, after "by the" omit "protection order" and insert "stay or suspension or by any such order".
Clause 14, at the end of the clause insert the following sub-clause :—
"(2) Notwithstanding anything in this or any other Act or any regulations or rules thereunder or any rules of court, when any such stay or suspension terminates or any such protection order or order made under the last preceding section expires or otherwise ceases to have effect and a landlord or mortgagee has less than fourteen days thereafter wherein to exercise have or take any such distress proceeding or remedy as is hereinbefore referred to, he shall have fourteen days thereafter wherein to exercise have or take such distress proceeding or remedy."</p> |
| <p>16. Clause 8, line 32, after "order" insert "and during such time as the mortgagor duly complies with the requirements of the second proviso to this sub-section".</p> | <p>Agreed to, with the following amendment :—
Omit "and during such time as" and insert "and if during such operation".</p> |
| <p>21. Clause 8, page 6, paragraph (c), omit this paragraph.</p> | <p>Disagreed with, but the following amendments made in the clause :—
Clause 8, sub-clause (3), page 6, paragraph (c), lines 4-5, omit "the landlord or the mortgagee or the owner or vendor (as the case may be)" and insert "the mortgagee".
Clause 8, sub-clause (3), page 6, paragraph (c), line 6, after "dwelling" insert "or anything therein contained or on the land which is the site and curtilage thereof".</p> |

Amendments made by the Legislative Council.	How dealt with by the Legislative Assembly.
26. Clause 8, page 6, line 38, after "cleanliness" insert "and if he so desire to do or cause to be done any act matter or thing to put the same into a proper state or in good order and cleanliness and to charge the cost thereof as part of his mortgage security against the mortgagor".	Agreed to, with the following amendment:— Omit "a proper state or in good order" and insert "reasonable order".
27. Clause 9, line 15, omit "two years in arrear". 28. Clause 9, line 28, omit "two years" and insert "twelve months".	Disagreed with.
30. Clause 13, line 20, after "operation" insert— "Provided that when such stay or suspension shall terminate then such landlord or mortgagee shall have the full time permitted by the law relating thereto wherein to exercise have or take any such distress proceedings or remedy."	
31. Clause 13, line 21, after "Provided" insert "further".	
40. Clause 21, page 11, at the end of sub-clause (4) add "and no land shall be specified in such certificate unless at the time the application is made the farmer is engaged (whether on his own account or under a share farming agreement) in agricultural horticultural viticultural dairying or pastoral operations on such land nor shall the rights and remedies of the mortgagee or unpaid vendor of any land (except his right to sue the farmer personally for payment of the principal or interest secured by the mortgage or the unpaid purchase money or interest thereon) be suspended or affected by this Act or any protection certificate unless such land is specified in a protection certificate."	Agreed to with the following amendment:— Omit "by this Act" and insert "by this Part."
42. Clause 21, page 13, line 10, after "suspended" insert— "Provided that any of the aforesaid persons may at any time prior to the issue of a protection certificate give to the farmer one month's notice in writing of his intention to exercise any remedies available to him and the farmer shall not be entitled to a certificate thereafter unless he applies for the same within one month after his receipt of such notice."	Agreed to, with the following amendment:— Omit "of the aforesaid persons" and insert "such mortgagee vendor person lessor grantee of a bill of sale holder of a lien owner purchaser or other grantee".
43. Clause 21; page 13, sub-clause (12), omit this sub-clause.	Disagreed with.
51. Clause 27, sub-clause (1), omit this sub-clause and insert— "(1) The property of the farmer shall be dealt with by the board for the benefit of the farmer and his creditors as hereinafter mentioned. (2) As soon as may be after a protection certificate has been issued to any farmer a meeting of creditors of such farmer shall be called by the board at which meeting a committee of three or five persons shall be appointed by a majority in number and value of the creditors present at the meeting and any creditor may be represented at the meeting by any person duly appointed in writing by such creditor. (3) If the creditors present at the meeting fail so to appoint a committee the board may appoint such a committee. (4) If in the opinion of the board a committee fails to carry out its duties the board may appoint another committee and on such appointment being made the first mentioned committee shall go out of office. (5) No member of any such committee shall receive any remuneration in respect of his services as a member.	
	Agreed to, with the following amendment:— Sub-clause (2), omit "shall be called" and insert "may be called".

(6) The committee may elect its own chairman and otherwise regulate its own proceedings.

(7) The committee shall act in an advisory capacity to the board and the farmer.

(8) The board and the farmer (subject in the case of a share-farmer to any agreement between the share-farmer and the owner of the land as to the working of the land) shall have regard to the advice given by the committee.

(9) Where the farmer fails or neglects to comply with any advice given to him by the committee the board may order the farmer to comply with such advice with or without such modifications as it thinks fit and the farmer shall comply with such order.

(10) If the farmer fails or neglects to comply with any such order to the satisfaction of the board the board may apply to the court for the cancellation of the protection certificate."

53. Clause 28, line 10, after "board" insert "and on proof of due notice of such application to the farmer to whom the certificate was issued and after considering any representations made by such farmer".

Disagreed with, but the following amendment made in the clause :—

Clause 28, lines 10-11, omit "may on the application of the board cancel the certificate" and insert "on the application of the board (of which intended application notification shall be given by the clerk of petty sessions to the farmer and to the creditors) and if satisfied that it is advisable to cancel the certificate may cancel the same".

54. Clause 28, add the following new sub-clause :—

"(2) On the application of any mortgagee or unpaid vendor or lessor of any land specified in a protection certificate (of which intended application at least seven days' previous notice in writing shall be given to the farmer and to the board) the Court—

- (a) shall amend the protection certificate by deleting therefrom the specification of any land originally specified therein on which the farmer has ceased to be engaged (whether on his own account or under a share-farming agreement) in agricultural horticultural viticultural dairying or pastoral operations and thereupon the rights and remedies of the mortgagee unpaid vendor or lessor of such land except his right to sue the farmer personally for payment of the principal or interest secured by the mortgage or the unpaid purchase money or interest thereon or the rent (as the case may be) shall cease to be suspended by virtue of the protection certificate ;
- (b) may cancel the protection certificate."

Disagreed with, but the following amendment made in the clause :—

Clause 28, at the end of the clause insert the following sub-clauses :—

"(2) If on the application of any creditor (of which intended application notification shall be given by the clerk of petty sessions to the farmer and to the board and to the other creditors) the court is satisfied that for any cause whatsoever it is advisable to cancel any protection certificate, the court may cancel the certificate.

(3) If on the application of any mortgagee or unpaid vendor or lessor of any land specified in a protection certificate (of which intended application notification shall be given by the clerk of petty sessions to the farmer and to the board and to the other creditors) the court is satisfied that the farmer has ceased to be engaged (whether on his own account or under a share-farming agreement) in agricultural horticultural viticultural dairying or pastoral operations on any land originally specified in the protection certificate, the court may amend the protection certificate by deleting therefrom the specification of such land ; and thereupon the rights and remedies of the mortgagee unpaid vendor or lessor of such land (except his right to sue the farmer personally for payment of the principal or interest secured by the mortgage or for the unpaid purchase money or interest thereon or the rent, as the case may be), shall cease to be stayed or suspended in respect of such land".

Amendments made by the Legislative Council.

How dealt with by the Legislative Assembly.

55. Clause 29, line 13, omit "such" and insert "the".

Agreed to, but the following amendments made in the clause :—
Clause 29, line 12, after "creditor" omit "or the" and insert "of a".
Clause 29, line 13, after "certificate" insert "or on the application of such farmer".
Clause 29, line 15, omit "any" and insert "the".

58. Clause 30, lines 28-30, omit "has ceased to have effect or is about to cease to have effect" and insert "is about to expire or otherwise cease to have effect or within one month after such expiry or ceasing to have effect".

Agreed to, but the following amendments made in the clause :—
Clause 30, sub-clause (2), line 22, after "certificate" insert "expires or otherwise".
Clause 30, sub-clause (2), page 19, line 1, before "ceasing" insert "expiry or".

60. Clause 30, page 19, line 5, after "specifies" insert "and upon such terms as to securing and retaining the assets of the farmer as the court may prescribe".

Agreed to, with the following amendment :—
Omit "may prescribe" and insert "prescribes".

62. Clause 30, page 19, line 16, after "certificate" insert "or an order made under this section".

Disagreed with, but the following amendment made in the clause :—
Clause 30, sub-clause (3), lines 16-17, omit "ceases to have any effect" and insert "expires or otherwise ceases to have any effect or when an order under this section is cancelled".

66. Clause 31, sub-clause (2), omit this sub-clause and insert the following new sub-clause :—

"(2) In giving any such directions the board shall so far as practicable make such provision as will in the opinion of the board secure in the following order of priority—

(a) firstly—

the allowance to the farmer (if he continues his operations as a farmer on the land forming or included in the property) of an amount which in the opinion of the board is a living allowance for the farmer his wife and such of his children (if any) residing on the farm or engaged in essential production and working on the farm as are not paid wages ; and

the repayment of any amount advanced by the Crown the Board of Land and Works the Closer Settlement Board or the State Rivers and Water Supply Commission by way of sustenance or living allowance ;

(b) secondly—the payment (whether to the Crown the Board of Land and Works the Closer Settlement Board the State Rivers and Water Supply Commission or any other person) of the cost of seed cornsacks twine fertilizers power-fuel fodder lubricants sheep-dip spraying material and substances used for the cure or prevention of animal or plant diseases and insurance premiums on crops and of duplicates for implements and machinery, and a reasonable amount for the use on the farm of farm implements and machinery not owned by the farmer, and the cost of wages in respect of assistance essential for cropping harvesting and shearing ;

(c) thirdly—

in the case of a farmer who is a lessee and who is not a farmer referred to in section thirty-four of this Act—the payment of rent accruing due during the currency of the certificate ; and

in the case of a farmer referred to in section thirty-four of this Act or to whom advances which have not been repaid have been made under any Act relating to cultivation advances or any other Act authorizing advances to farmers—the repayment of advances, with interest thereon at a rate not exceeding Five pounds per centum per annum, made *bona fide* with the consent of the board after the commencement of this Act by any person carrying on business to the farmer for the purpose of enabling or assisting such farmer to carry on his business as a farmer; and in the case of any other farmer—the repayment of advances, with interest thereon at a rate not exceeding Five pounds per centum per annum, made *bona fide* after the commencement of this Act (and, if a protection certificate is in operation, with the consent of the board) to the farmer for such purpose; and

the payment to any first mortgagee of the land, for each full year of the currency of the protection certificate, of one year's interest in respect of the mortgage (whether legal or equitable) at a rate not exceeding Five pounds per centum per annum;

(d) fourthly—the payment to the Crown of an amount equal to Five per centum of the outstanding principal amount due by the farmer to the Crown the Board of Land and Works the Closer Settlement Board or the State Rivers and Water Supply Commission in respect of land and advances;

(e) fifthly—the payment for each full year of the currency of the protection certificate—

to the mortgagee under any registered mortgage of stock—of one year's interest payable in respect of the mortgage of stock at a rate not exceeding Five pounds per centum per annum; and

to the holder of any second mortgage on the land given for the purpose of securing the repayment of money lent or the payment of the balance of purchase money of the land—of an amount equal to one year's interest payable in respect of such mortgage at the rate payable thereunder or at the like rate to that paid to the first mortgagee (whichever rate is the less); and

in the discretion of the board, of a sum in reduction of the amount of the arrears of payment due by the farmer to any storekeeper at the date of the issue of the protection certificate, together with interest (where payable) on the amount of such arrears at a rate not exceeding Five pounds per centum per annum;

(f) sixthly—the payment for each full year of the currency of the protection certificate—

to the State Rivers and Water Supply Commission of an amount equal to the water rate due for the current year; and

to the Crown and any local or public authority—of rates (other than water rates aforesaid) taxes and annual charges for the current year;

Agreed to, with the following amendments:—

Paragraph (a), omit “on the land forming or included in the property” and insert “on his farm”.

Paragraph (a), at the end of the paragraph insert “and any payments for medical services recommended by the board”.

Paragraph (c), arrange as a new subparagraph all the words beginning “in the case of any other farmer” and ending “for such purpose; and”.

Paragraph (e), omit “at the rate payable thereunder or at the like rate to that paid to the first mortgagee (whichever rate is the less)” and insert “at a rate not exceeding Five pounds per centum per annum”.

Paragraph (e), at the end of the paragraph insert “and”.

Paragraph (f), omit “(f) sixthly—the payment for each full year of the currency of the protection certificate”.

Paragraph (f), after “charges for the current year;” insert “and”.

Paragraph (g), omit “(g) seventhly” and insert “(f) sixthly”.

In the proviso, omit “(f) or (g)” and insert “or (f)”.

Amendments made by the Legislative Council.

(g) seventhly—the payment of any balance rateably among creditors :

Provided that notwithstanding anything in paragraphs (b) (c) (d) (e) (f) or (g) of this sub-section the board in giving any directions as aforesaid shall so far as practicable make provision so that any income arising from live stock purchased by the farmer after the first day of January One thousand nine hundred and thirty-one shall after the deduction therefrom of a reasonable amount for the agistment of such live stock be applied towards the payment of any debt due by the farmer in respect of the purchase money of such live stock together with interest (where payable) on such debt at a rate not exceeding Five pounds per centum per annum from the date when such debt became due."

70. Clause 33, sub-clause (1), omit this sub-clause and insert—

"(1) There shall be contributed towards the cost of the administration of this Part an amount equivalent to two and one-half per centum of the net amount realized by the board and available for payment and application under section thirty-one of this Act (other than payments made to the Crown the Board of Land and Works the Closer Settlement Board the State Rivers and Water Supply Commission the Commissioners of the State Savings Bank of Victoria and the farmer under paragraph (a) of sub-section (2) of section thirty-one of this Act) which the board is hereby authorized to deduct from such net amount aforesaid."

73. Clause 34, page 23, add the following new sub-clause :—

"(2) Nothing in this section shall prejudice or affect the exercise in relation to any lessee mentioned in this section by the Farmers Relief Board or any other person of the powers and authorities conferred upon such board or person by section twenty-nine of this Act."

74. Clause 36, at the end of the clause add—

"Provided however that the mortgagor or tenant who is entitled to the benefit or protection of this Act may consent to the exercise by the mortgagee lessor or vendor under a contract of sale of land or grantee of a bill of sale or owner under a hiring or hire purchase agreement or vendor under a contract of sale and of letting and hiring or a grantee of any other security over his property of any power given to him but such consent shall not be effective unless the consent is in writing and witnessed by a solicitor of the Supreme Court who certifies in writing that the consent is given by his advice and that he is not the solicitor for such mortgagee lessor vendor or grantee as aforesaid."

How dealt with by the Legislative Assembly.

Disagreed with, but the following amendment made in the clause :—

Omit sub-clause (1) and insert the following sub-clause :—

"(1) When in accordance with the provisions of this Part any moneys payable to the farmer by any person have been paid to the board there shall be deducted therefrom by the board as a contribution towards the cost of the administration of this Part an amount equivalent to two and one-half per centum of all amounts paid by the board out of such moneys in accordance with the said provisions other than amounts paid—

(a) to the farmer as a living allowance ; and

(b) to the Crown the Board of Land and Works the Closer Settlement Board the State Rivers and Water Supply Commission and the Commissioners of the State Savings Bank of Victoria".

Disagreed with.

Amendments made by the Legislative Council.

How dealt with by the Legislative Assembly.

Insert the following New Clause to follow clause 27:—

76. D. (1) As soon as practicable after the end of each month the farmer shall forward to such committee a true and correct statement in writing showing what produce of the farm has been used thereon during such month which statement shall be taken into consideration by the board in allotting him a living allowance in accordance with the provisions of this Part.
- (2) The farmer shall at the same time forward to the committee a true and correct statement in writing of sales of the produce of the farm during such month, and shall forward forthwith to the committee all moneys received by him as the proceeds of such sales.
- (3) Such statements and all moneys received by the committee from the farmer shall be transmitted forthwith to the board.

Agreed to, with the following amendments:—

- Sub-clause (1), before "As soon as" insert "In any particular case where the board so requires of the farmer in writing".
- Sub-clause (2), omit "and shall forward forthwith to the committee all moneys received by him as the proceeds of such sales".
- Sub-clause (3), omit "and all moneys".

Amendment 1, after debate, insisted on.

Amendments 3 and 4 not insisted on.

Amendment 5, after debate, insisted on.

Amendments 6 and 7 not insisted on.

Amendment 13—Amendment of the Council to omit paragraph (c) of clause 6, after debate, not insisted on, and the amendment made by the Assembly in the said clause agreed to.

Amendment 15, after debate, not insisted on, and the amendments made by the Assembly in clause 14 of the Bill agreed to.

Amendment 16—Amendment of the Assembly on this amendment of the Council disagreed with.

Amendment 21—Amendment of the Council to omit paragraph (c) of clause 8 not insisted on, and the amendments made by the Assembly in the said clause agreed to.

Amendment 26—Amendment of the Assembly on this amendment of the Council, after debate, agreed to.

Amendments 27 and 28, after debate, insisted on.

Amendments 30 and 31, after debate, not insisted on, but the following amendment made in the clause:—

Clause 13, line 21, after "Act" insert "or any law".

Amendments 40 and 42—Amendments of the Assembly on these amendments of the Council agreed to.

Amendment 43, after debate, insisted on.

Amendment 51—The Honorable R. Williams moved, That the Council agree to the amendment of the Assembly on this amendment of the Council but make the following amendment in the clause:—

Clause 27, insert the following new sub-clause—

(9A) Where there is no such committee appointed the board may advise the farmer with respect to his farming operations and if the farmer fails or neglects to comply with such advice the board may order the farmer to comply with such advice and the farmer shall comply with such advice.

Debate ensued.

The Honorable C. H. A. Eager moved as an amendment, That the words "with the following amendment, viz., after 'may' insert 'and upon the request in writing of a majority in number and value of such creditors shall'" be inserted in the question after the words "of the Council."

Debate ensued.

Amendment, by leave, withdrawn.

The Council ordered that the question be divided.

Question—That the Council agree to the amendment of the Assembly on this amendment of the Council—put and negatived.

Ordered—That the further consideration of the amendments made by the Council and disagreed with by the Assembly or agreed to with amendments be postponed until to-morrow.

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

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

No. 29.

WEDNESDAY, 9TH SEPTEMBER, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. FINANCIAL EMERGENCY BILL.—The Acting-President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to some of the amendments made in such Bill by the Council, have disagreed with others, have agreed to others of the said amendments with amendments, and have disagreed with the amendment to omit clause 18 but have amended the said clause, and desiring the concurrence of the Council therein.
Ordered—That the foregoing Message be taken into consideration later this day.
3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
Factories and Shops—Report of the Chief Inspector for the year 1930.
State Savings Bank of Victoria—Statements and Returns for the year 1930-31.
4. POSTPONEMENT OF ORDERS OF THE DAY.—
Ordered—That the consideration of Order of the Day, General Business, No. 1, be postponed until this day six weeks.
Ordered—That the consideration of Order of the Day, General Business, No. 2, be postponed until to-morrow.
5. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—The Order of the Day for the further consideration of the amendments made in this Bill by the Council and disagreed with by the Assembly or agreed to with amendments having been read—

(For amendments see pages 56-62 ante.)

- Amendment 53 not insisted on, and the amendment made by the Assembly in the clause agreed to.
Amendment 54—Amendment of the Council to add a new sub-clause to clause 28 not insisted on, and the amendment made by the Assembly in the said clause agreed to.
Amendments 55 and 58—Amendments made by the Assembly in the clauses agreed to.
Amendment 60—Amendment of the Assembly on this amendment of the Council agreed to.
Amendment 62 not insisted on, and the amendment made by the Assembly in the clause agreed to.
Amendment 66—Amendments of the Assembly on this amendment of the Council agreed to with the following amendment, viz. :—
Omit “ any payments for medical services recommended by the board ” and insert “ in any case approved by the board payment to any legally qualified medical practitioner for professional services.”
Amendment 70 not insisted on, and the amendment made by the Assembly in the clause agreed to.
Amendment 73, after debate, not insisted on.
Amendment 74, after debate, not insisted on, but the following amendment made in the clause, viz. :—

Clause 36, at the end of the clause insert the following new sub-clause—

“(2) For the purpose of hearing and determining any application under this Act for a protection order or a protection certificate the court without affecting the generality of its powers under this Act may take into consideration any relief already received by or granted to the applicant under or pursuant to any other Act.”

- Amendment 76—The Honorable R. Williams moved, That the Council agree to the amendments of the Assembly on this amendment of the Council, but make the following amendments in new clause D and clause 34 of the Bill, viz. :—

New clause D, sub-clause 2, omit “ at the same time forward to the committee ” and insert “ as soon as practicable after the end of each month forward to the committee or (if there is no committee) to the board.”

New clause D, at the end of the clause insert the following new sub-clauses :—

“(4) Notwithstanding anything in section twenty-seven of this Act the farmer may in any one month without the consent of the board dispose of any of his property if the total value of all property so disposed of during such month does not exceed One pound.

(5) In any case where the total amount payable to the farmer in respect of any transaction does not exceed the sum of One pound such sum may notwithstanding anything in section thirty-one of this Act be paid to the farmer, who shall forward the same forthwith to the board.”

Clause 34, line 40, after “ twenty-seven ” omit “ twenty-eight and thirty-one to thirty-three ” and insert “ to twenty-nine and thirty-two to thirty-four.”

Clause 34, page 23, line 8, after “ twenty-seven ” omit “ twenty-eight and thirty-one to thirty-three ” and insert “ to twenty-nine and thirty-two to thirty-four.”

Debate ensued.

Motion, by leave, amended by omitting “ thirty-one ” from proposed new sub-clause (5) of new clause D and substituting therefor “ thirty-two.”

Question—put and resolved in the affirmative.

The Honorable R. Williams moved, That the following consequential amendment be made in new sub-clause (2) of clause 31, viz. :—

Paragraph (c), omit "section thirty-four," wherever occurring, and insert "section thirty-five."

Question—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 some of the amendments of the Assembly on the amendments of the Council (some with amendments and some with consequential amendments in the Bill) and have disagreed with others of the said amendments, do not insist on some of their amendments disagreed with by the Assembly but insist on others of the said amendments, have agreed to the amendments made by the Assembly in the Bill and have made other amendments in the Bill, and desiring their concurrence therein.

6. UNEMPLOYMENT RELIEF 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, the debate was resumed and, on the motion of the Honorable H. H. Olney, and after debate, further adjourned until to-morrow.

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

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

No. 30.

THURSDAY, 10TH SEPTEMBER, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Children's Welfare Department and Reformatory Schools—Report of the Secretary and Inspector for the year 1930.
 - Health Act 1928—Cleanliness (Food) Regulations 1931.
 - Public Service Act 1928—Regulations—
 - Classification of General Division, Chapter VII.—Department of Chief Secretary.
 - Travelling Allowances—Chapter IX. repealed and new Chapter IX. substituted.
3. UNEMPLOYMENT RELIEF 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, the debate was resumed and, on the motion of the Honorable R. Kilpatrick, further adjourned until later this day.
4. FINANCIAL EMERGENCY BILL.—The Order of the Day for the consideration of the amendments made in this Bill by the Council and disagreed with by the Assembly or agreed to 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.

5. Clause 16, line 31, after "overdraft" insert "or mortgages given to a society registered under the *Building Societies Act 1928* or mortgages given as security for moneys granted by a mutual life assurance company to a member by way of loan on his policy with the company".

Agreed to, with the following amendment :—
Omit "or mortgages given as security for moneys granted by a mutual life assurance company to a member by way of loan on his policy with the company".

8. Clause 17, line 23, after "authority" insert "under any mortgage or to any municipality in respect of any amount due by any person under Division ten of Part XIX. of the *Local Government Act 1928* in respect of which amount such person has under section five hundred and eighty-two of that Act requested such municipality to accept payment thereof by instalments".

Disagreed with.

10. Clause 18, omit this clause and insert the following new clause in place thereof :—

A. (1) Any mortgagor by notice in the prescribed form may apply to the court at any time within twelve months after the coming into operation of this Part for reduction in the rate of interest payable under his mortgage.

(2) A copy of every such notice shall be served as prescribed upon the mortgagee who shall be given an opportunity to show cause why the application should not be granted.

Amendments made by the Legislative Council.

How dealt with by the
Legislative Assembly.

(3) Where it is not shown to the court that there are good and sufficient reasons applying to the transaction for modifying the provisions contained in the next succeeding sub-section in relation thereto the court shall make an order as is in such sub-section provided but if the court be satisfied that—

- (a) the mortgagee has already reduced the interest payable under the mortgage; or
- (b) that there are good and sufficient reasons as aforesaid—

then the court may make an order modifying or excluding the operation of such provisions in relation to such mortgage and may make such order (if any) as to costs as it thinks fit and the amount of any costs so ordered shall be specified in such order.

(4) Unless as is last hereinbefore provided the court shall otherwise order on any such application it shall direct that the mortgage shall for a period of three years from such date not earlier than the coming into operation of these provisions as the court may order be construed and take effect as if it were a term of the mortgage that on and from the date so ordered or (in the case of a bank overdraft or in the case of a mortgage given to a society registered under the *Building Societies Act 1928*) on and from the appointed day the interest payable under the mortgage shall be reduced at a rate which shall be not more than three shillings for every One pound of such interest.

(5) On the hearing of any application made pursuant to the provisions of this section the court may but without in any wise limiting the generality of its powers in respect to any such application take into consideration—

- (a) the date terms and conditions of repayment of the mortgage;
- (b) the extent to which an order for relief (if any) has already been granted pursuant to any other Act of Parliament;
- (c) any hardship that would be inflicted on the mortgagee by the making of any such order taking into consideration the economic and financial conditions prevailing at the time of execution of the mortgage and any relative or other like considerations; and
- (d) any other factors and circumstances either generally or in any particular case as the court may deem fit and proper to allow justice to be done in respect to any such application.

(6) If the court is satisfied that the application has been occasioned by the refusal of the mortgagor to accept a reasonable offer of reduction by the mortgagee or there are not good and sufficient reasons warranting the granting of any such application the court may order the mortgagor to pay costs.

(7) The provisions of this section or any order under this Division shall not operate so as to reduce the interest payable under any mortgage to a rate less than Five pounds per centum per annum.

(8) Every application under this section to a court of petty sessions shall be made to the court of petty sessions held nearest to the location of the property which is the subject of the mortgage.

(9) If any mortgagee holds a mortgage as a trustee—

- (a) such mortgagee shall not be deemed to be guilty of a breach of trust by reason only of his *bona fide* failure to appear on an application under this section; and
- (b) the court in making any order as to costs under this section shall have regard *inter alia* to the fiduciary position of such mortgagee as trustee.

Disagreed with, but the following amendment made in the clause:—

Clause 18, insert the following sub-clause to follow sub-clause (3)—

“(4) On the hearing of any application made pursuant to the provisions of this section the court may take into consideration—

- (a) the extent to which an order for relief (if any) in payment of interest in respect of the mortgage has already been granted pursuant to any other Act of Parliament; and
- (b) any other factors and circumstances either generally or in any particular case as the court may deem fit and proper to allow justice to be done in respect to any such application.”

Amendments made by the Legislative Council.

How dealt with by the
Legislative Assembly

(10) Every order made under this Division by the Supreme Court or a judge thereof or any county court or a judge thereof shall be final and conclusive and no appeal shall lie in respect thereof but an appeal shall lie to the Supreme Court or any county court in respect of any order made under this Division by a court of petty sessions.

(11) Default in payment of any moneys secured by a mortgage shall not be deemed to be a good and sufficient reason within the meaning of sub-section (3) of this section unless the court is satisfied—

- (a) that at the time of such default the mortgagor had the means and ability to make such payment and made such default without reasonable excuse ; or
- (b) that at the time of the application the mortgagor has the means and ability to make such payment and continues such default without reasonable excuse.

15. Clause 23, lines 20–21, after “ overdraft ” insert “ or mortgages given to a society registered under the *Building Societies Act 1928* or mortgages given as security for moneys granted by a mutual life assurance company to a member by way of loan on his policy with the company ”.

Agreed to, with the following amendment:—

Omit “ or mortgages given as security for moneys granted by a mutual life assurance company to a member by way of loan on his policy with the company ”.

18. Clause 24, line 43, after “ society ” insert “ or (d) to any hire purchase agreement relating to chattels ”.

Agreed to, with the following amendment:—

After “ chattels ” insert “ which in the opinion of the court are of a wasting character ”.

19. Clause 25, omit this clause and insert the following new clause in place thereof:—

BB. (1) Where any interest accrued due and payable under a mortgage is not in arrear or is not more than six months in arrear, but otherwise the mortgagor's covenants other than for payment of principal moneys have been performed, such mortgagor may apply to the court upon summons for an order that the mortgagee shall not within the period of twelve months after the coming into operation of this Part exercise in respect of the property comprised in the mortgage any power of sale or foreclosure or other remedy for enforcing payment of the principal moneys thereby secured or interest (if any) in arrear at the time of such application.

(2) Subject to this section, upon service on the mortgagee of the summons in respect of such application and pending the decision of the court thereon no power of sale or foreclosure or other remedy for enforcing payment of such principal moneys or interest shall without leave of the court be exercised by the mortgagee in respect of the property comprised in the mortgage ; and if any such remedy is or before the service of the said summons has been commenced it shall be and is hereby declared to be stayed and suspended accordingly until the order upon such summons is made.

(3) If upon the hearing of any such summons the mortgagor satisfies the court—

(a) that he is unable to redeem the property either from his own moneys or by borrowing at a rate of interest not exceeding Six per centum per annum ; and

(b) that the value of the property is not seriously diminishing and that the mortgagee's security is not otherwise in jeopardy—

the court shall make an order in accordance with sub-section (1) of this section.

(4) Such order may if the court is satisfied that the mortgagor is able to repay a portion of the principal moneys secured by the mortgage direct that such order shall not take effect except upon payment within such

Agreed to, with the following amendment:—

At the end of new Clause BB add the following new sub-clause—

“ (8) In hearing and determining any application under this section the court may take into consideration any relief already received by or granted to the applicant under or pursuant to any other Act.”

Amendments made by the Legislative Council.

How dealt with by the Legislative Assembly.

time as the court directs of so much of the principal moneys as the court directs.

(5) At any time when an order made under sub-section (3) of this section is in force the mortgagee may apply to the court upon summons for the setting aside of such order and if the mortgagee satisfies the court—

(a) that the mortgagor is able to redeem the property either from his own moneys or by borrowing at a rate of interest not exceeding Six per centum per annum ; or

(b) that the value of such property is seriously diminishing or that the mortgagee's security is otherwise in jeopardy—

the court may set aside such order accordingly.

(6) Every application made under this section to a court of petty sessions shall be made to the court of petty sessions held nearest to the location of the property which is the subject of the mortgage.

(7) The provisions of this section shall not in the case of a mortgage of land affect any power of sale of a mortgagee in possession where possession was taken by the mortgagee before the coming into operation of this Part or, in the case of a bank overdraft, before the appointed day.

21. Clause 27, lines 42-3, omit " Fifteen shillings and sixpence " and insert " Seventeen shillings " . -

22. Clause 29, line 23, omit " Four shillings and sixpence " and insert " Three shillings " .

} Disagreed with.

INSERT THE FOLLOWING NEW CLAUSES :—

To follow clause 15—

28. B. So far as relates to mortgages given as security for moneys granted on overdraft by any corporation with respect to which the Treasurer of Victoria certifies by notice published in the *Government Gazette* that he is satisfied that such corporation in connexion with its business lends money on overdraft to persons engaged in pastoral or like pursuits this Division shall come into operation on such day (not being earlier than the first day of October One thousand nine hundred and thirty-one and hereinafter in this Division referred to as " the prescribed day ") as is fixed by proclamation of the Governor in Council published in the *Government Gazette*.

} Disagreed with.

To follow clause 22—

29. C. So far as relates to mortgages given as security for moneys granted on overdraft by any corporation with respect to which the Treasurer of Victoria certifies by notice published in the *Government Gazette* that he is satisfied that such corporation in connexion with its business lends money on overdraft to persons engaged in pastoral or like pursuits this Division shall come into operation on such day (not being earlier than the first day of October One thousand nine hundred and thirty-one and hereinafter in this Division referred to as " the prescribed day ") as is fixed by proclamation of the Governor in Council published in the *Government Gazette*.

Amendment 5—Amendment of the Assembly on this amendment of the Council agreed to.

Amendment 8, after debate, not insisted on.

Amendment 10—Amendment of the Council to omit clause 18 and insert a new clause in place thereof, after debate, not insisted on, and the amendment made by the Assembly in clause 18 agreed to, and the following consequential amendment made in the clause, viz. :—

Clause 18, sub-clause (4), omit " the last preceding sub-section " and insert " this section."

Amendment 15—Amendment of the Assembly on this amendment of the Council agreed to.

Amendment 18—Amendment of the Assembly on this amendment of the Council, after debate, agreed to.

Amendment 19—Amendment of the Assembly on this amendment of the Council agreed to.

Amendment 21 not insisted on.

Amendment 22 not insisted on, but the following amendment made in the clause, viz. :—

Clause 29, at the end of the clause insert the following new sub-clause—

“(2) Nothing in this section shall until the day on which the provisions of Division one are proclaimed to apply to interest payable to or by public or local authorities apply to any such debentures or crédit foncier debenture stock held by any public or local authority.”

Amendments 28 and 29, after debate, insisted on.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the amendments of the Assembly on the amendments of the Council in the Bill, do not insist on some of their amendments disagreed with by the Assembly but insist on others of the said amendments, have agreed to the amendment made by the Assembly in the Bill, and have made other amendments in the Bill and desiring their concurrence therein.

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

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

VICTORIA

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 31.

TUESDAY, 15TH SEPTEMBER, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:—
Apprenticeship Acts—Apprenticeship Commission of Victoria—Amendment of Plastering Regulations (No. 2).
3. POLICE OFFENCES (TROTGING RACES) 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 Acting-President resumed the Chair; and the Honorable J. H. Disney 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. UNEMPLOYMENT RELIEF 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, the debate was resumed and, on the motion of the Honorable W. J. McCann, and after debate, further adjourned until to-morrow.
5. FINANCIAL EMERGENCY BILL.—The Acting-President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly have agreed to the consequential amendment made by the Council in clause 18 of the Bill, have agreed to the amendment in clause 29, and do not insist on disagreeing with the amendments to insert new clauses B and C but have made consequential amendments in the said new clauses and in the Bill, and desiring the concurrence of the Council therein.
Ordered—That the foregoing Message be taken into consideration to-morrow.
6. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—The Acting-President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly do not insist on disagreeing with some of the amendments made in such Bill by the Council, insist on disagreeing with others of the said amendments, do not insist on their amendment on the Council's amendment in clause 8 but do now disagree with the Council's amendment, agree to the amendments of the Council in clauses 13, 34, and 36, agree to the amendment of the Council on the amendments made by the Assembly in the Council's amendment in clause 31 and to the further amendment made by the Council in the said clause, do not insist on their amendment on the Council's amendment in clause 27 but do now agree to the Council's amendment with amendments, and agree to the amendments made by the Council in new clause D with amendments, and have made consequential amendments, and desiring the concurrence of the Council therein.
Ordered—That the foregoing Message be taken into consideration to-morrow.
7. ADJOURNMENT.—The Honorable J. P. Jones moved, That the House do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.

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

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

No. 32.

WEDNESDAY, 16TH SEPTEMBER, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the Order of the Day, General Business, be postponed until Wednesday next.
3. UNEMPLOYMENT RELIEF 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 Acting-President resumed the Chair; and the Honorable J. H. Disney reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
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. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—The Order of the Day for the consideration of the amendments made in this Bill by the Council and disagreed with by the Assembly or with which the Assembly insist on disagreeing and the amendments now made by the Assembly on the amendments of the Council having been read, the said amendments were read and are as follow:—

Amendments made by the Legislative Council.

How dealt with.

- | | | |
|--|---|---|
| 1. Clause 2, line 4, omit "alone" and insert "with or without any other justice or justices". | } | Disagreed with by Assembly—Insisted on by Council—Disagreement insisted on by Assembly. |
| 16. Clause 8, line 32, after "order" insert "and during such time as the mortgagor duly complies with the requirements of the second proviso to this sub-section". | } | Agreed to by Assembly with the following amendment:—
Omit "and during such time as" and insert "and if during such operation".
Amendment of Assembly disagreed with by Council.
Amendment of Assembly on amendment of Council not insisted on and amendment of Council now disagreed with by Assembly. |
| 28. Clause 9, line 28, omit "two years" and insert "twelve months". | } | Disagreed with by Assembly—Insisted on by Council—Disagreement insisted on by Assembly. |
| 51. Clause 27, sub-clause (1), omit this sub-clause and insert—
" (1) The property of the farmer shall be dealt with by the board for the benefit of the farmer and his creditors as hereinafter mentioned.
(2) As soon as may be after a protection certificate has been issued to any farmer a meeting of creditors of such farmer shall be called by the board at which meeting a committee of three or five persons shall be appointed by a majority in number and value of the creditors present at the meeting and any creditor may be represented at the meeting by any person duly appointed in writing by such creditor.
(3) If the creditors present at the meeting fail so to appoint a committee the board may appoint such a committee.
(4) If in the opinion of the board a committee fails to carry out its duties the board may appoint another committee and on such appointment being made the first mentioned committee shall go out of office. | } | Agreed to by Assembly with the following amendment:—
Sub-clause (2) omit "shall be called" and insert "may be called".
Amendment of Assembly disagreed with by Council.
Amendment of the Assembly on the amendment of the Council not insisted on by Assembly, and Council's amendment now agreed to with the following amendments:—
In sub-clause (2), omit "shall be called," and insert "may and upon the request in writing of a majority in number and value of such creditors shall be called". |

Amendments made by the Legislative Council.

(5) No member of any such committee shall receive any remuneration in respect of his services as a member.

(6) The committee may elect its own chairman and otherwise regulate its own proceedings.

(7) The committee shall act in an advisory capacity to the board and the farmer.

(8) The board and the farmer (subject in the case of a share-farmer to any agreement between the share-farmer and the owner of the land as to the working of the land) shall have regard to the advice given by the committee.

(9) Where the farmer fails or neglects to comply with any advice given to him by the committee the board may order the farmer to comply with such advice with or without such modifications as it thinks fit and the farmer shall comply with such order.

(10) If the farmer fails or neglects to comply with any such order to the satisfaction of the board the board may apply to the court for the cancellation of the protection certificate."

How dealt with.

At the end of sub-clause (9) insert the following new sub-clause :—

" () Where there is no such committee appointed the board may advise the farmer with respect to his farming operations and if the farmer fails or neglects to comply with such advice the board may order the farmer to comply with such advice and the farmer shall comply with such advice."

Agreed to by Assembly with the following amendments :—

Sub-clause (1), before " As soon as " insert " In any particular case where the board so requires of the farmer in writing "

Sub-clause (2), omit " and shall forward forthwith to the committee all moneys received by him as the proceeds of such sales "

Sub-clause (3), omit " and all moneys "

Amendments of Assembly in new clause D agreed to by Council and the following amendments made in new clause D and clause 34 of the Bill :—

New clause D, sub-clause 2, omit " at the same time forward to the committee " and insert " as soon as practicable after the end of each month forward to the committee or (if there is no committee) to the board "

New clause D, at the end of the clause insert the following new sub-clauses :—

" (4) Notwithstanding anything in section twenty-seven of this Act the farmer may in any one month without the consent of the board dispose of any of his property if the total value of all property so disposed of during such month does not exceed One pound.

(5) In any case where the total amount payable to the farmer in respect of any transaction does not exceed the sum of One pound such sum may notwithstanding anything in section thirty-two of this Act be paid to the farmer, who shall forward the same forthwith to the board "

Clause 34, line 40, after " twenty-seven " omit " twenty-eight and thirty-one to thirty-three " and insert " to twenty-nine and thirty-two to thirty-four "

Insert the following New Clause to follow clause 27 :—

76. D. (1) As soon as practicable after the end of each month the farmer shall forward to such committee a true and correct statement in writing showing what produce of the farm has been used thereon during such month which statement shall be taken into consideration by the board in allotting him a living allowance in accordance with the provisions of this Part.

(2) The farmer shall at the same time forward to the committee a true and correct statement in writing of sales of the produce of the farm during such month, and shall forward forthwith to the committee all moneys received by him as the proceeds of such sales.

(3) Such statements and all moneys received by the committee from the farmer shall be transmitted forthwith to the board.

Amendments made by the Legislative Council.

How dealt with.

Clause 34, page 23, line 8, after "twenty-seven" omit "twenty-eight and thirty-one to thirty-three" and insert "to twenty-nine and thirty-two to thirty-four".

Amendments of Council in new clause D and clause 34 agreed to by Assembly with the following amendment:—

In new sub-clauses (4) and (5) omit "One pound" (wherever occurring) and insert "Five pounds"—

and with the following consequential amendments:—

New clause D—At the beginning of the clause omit "D" and insert "28".

Re-number all the subsequent clauses of the Bill.

Amendment 1, after debate, not now insisted on.

Amendment 16 not insisted on.

Amendment 28, after debate, not now insisted on.

Amendment 51—Amendments now made by the Assembly on this amendment of the Council agreed to.

Amendment 76—Amendment of the Assembly on the amendments of the Council in new clause D and clause 34 of the Bill and the consequential amendments made by the Assembly, after debate, agreed to.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council do not now insist on their amendments with which the Assembly insist on disagreeing, and do not insist on their amendment in clause 8 now disagreed with by the Assembly, agree to the amendments now made by the Assembly on the amendments of the Council, and agree to the consequential amendments made by the Assembly.

6. FINANCIAL EMERGENCY BILL.—The Order of the Day for the consideration of the amendments now made by the Assembly on the amendments of the Council having been read, the said amendments were read and are as follow:—

Amendments made by the Legislative Council.

How dealt with.

Disagreed with by Assembly—Insisted on by Council—Disagreement not insisted on by Assembly and Council's amendment to insert new clause B now agreed to with the following amendment:—

After "that such corporation" insert "(hereinafter in this Division referred to as a 'pastoral company')"

and with the following consequential amendments in the Bill:—

Clause 16—

Line 30, after "bank" insert "or a pastoral company".

Line 32, omit "and".

At the end of sub-clause (1) insert—

“; and

(c) to all mortgages existing on the prescribed day and given as security for moneys granted by a pastoral company on overdraft.”

Line 37, after "bank" insert "or a pastoral company".

Line 40, after "appointed day" insert "or the prescribed day (as the case may be)".

Page 15, line 3, after "appointed day" insert "or the prescribed day (as the case may be)".

Clause 18—

Line 29, after "bank" insert "or pastoral company".

Line 30, after "appointed day" insert "or the prescribed day (as the case may be)".

Line 39, after "bank" insert "or pastoral company".

Line 40, after "appointed day" insert "or the prescribed day (as the case may be)".

Clause 19—

Line 40, after "bank" insert "or a pastoral company".

INSERT THE FOLLOWING NEW CLAUSES:—

To follow clause 15—

28. B. So far as relates to mortgages given as security for moneys granted on overdraft by any corporation with respect to which the Treasurer of Victoria certifies by notice published in the *Government Gazette* that he is satisfied that such corporation in connexion with its business lends money on overdraft to persons engaged in pastoral or like pursuits this Division shall come into operation on such day (not being earlier than the first day of October One thousand nine hundred and thirty-one and hereinafter in this Division referred to as "the prescribed day") as is fixed by proclamation of the Governor in Council published in the *Government Gazette*,

Amendments made by the Legislative Council.

How dealt with.

To follow Clause 22 :—
 29. C. So far as relates to mortgages given as security for moneys granted on overdraft by any corporation with respect to which the Treasurer of Victoria certifies by notice published in the *Government Gazette* that he is satisfied that such corporation in connexion with its business lends money on overdraft to persons engaged in pastoral or like pursuits this Division shall come into operation on such day (not being earlier than the first day of October One thousand nine hundred and thirty-one and hereinafter in this Division referred to as "the prescribed day") as is fixed by proclamation of the Governor in Council published in the *Government Gazette*.

Clause 19—
 Page 17, lines 3-5, omit "(where such a mortgage has been given after the said day and is existing on the appointed day)" and insert "(where such a mortgage has been given to a bank after the said thirtieth day of June and is existing on the appointed day or where such a mortgage has been given to a pastoral company after the said thirtieth day of June and is existing on the prescribed day)".
 Clause 20—
 Line 18, after "bank" insert "or pastoral company".
 Line 19, after "appointed day" insert "or the prescribed day (as the case may be)".
 Clause 14—
 Page 13, line 13, after "bank" insert "or corporation."

Disagreed with by Assembly—Insisted on by Council—Disagreement not insisted on by Assembly and Council's amendment to insert new clause C now agreed to with the following amendment :—

After "that such corporation" insert "(hereinafter in this Division referred to as a 'pastoral company')"—
 and with the following consequential amendments in the Bill :—

Clause 23—
 Line 20, after "bank" insert "or a pastoral company".
 Line 22, omit "and".
 At the end of sub-clause (1) insert—
 " ; and
 (c) to all mortgages existing on the prescribed day and given as security for moneys granted by a pastoral company on overdraft."
 Line 27, after "bank" insert "or a pastoral company."
 Line 30, after "appointed day" insert "or the prescribed day (as the case may be)".
 Line 34, after "appointed day" insert "or the prescribed day (as the case may be)".
 New clause BB, sub-clause (7), omit "bank overdraft before the appointed day" and insert "bank or pastoral company overdraft before the appointed day or the prescribed day (as the case may be)".

Amendment 28—Amendment of the Assembly on the amendment of the Council to insert new clause B and the consequential amendments made by the Assembly in the Bill, after debate, agreed to.

Amendment 29—Amendment of the Assembly on the amendment of the Council to insert new clause C and the consequential amendments made by the Assembly in the Bill agreed to.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the amendments of the Assembly on the amendments of the Council to insert new clauses B and C, and have agreed to the consequential amendments made by the Assembly in the Bill.

7. TREASURY OVERDRAFTS 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 Acting-President resumed the Chair; and the Honorable W. L. R. Clarke reported that the Committee had made progress in the Bill, and had agreed to the following resolution :—

That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 2, line 17, omit "thirty-three" and insert "thirty-two."

and asked leave to sit again.

On the motion of the Honorable D. L. McNamara, the Council adopted the resolution reported from the Committee of the whole.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

Resolved—That the Council will, on Tuesday next, again resolve itself into a Committee of the whole.

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

Debate ensued.

Motion, by leave, withdrawn.

The Honorable J. P. Jones 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.

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

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 33.

TUESDAY, 22ND SEPTEMBER, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable R. Williams presented a Message from His Excellency the Lieutenant-Governor informing the Council that he had given the Royal Assent to the undermentioned Bill presented to him by the Clerk of the Parliaments, viz. :—
Police Offences (Trotting Races) Bill.
3. TREASURY OVERDRAFTS BILL.—The Acting-President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of this Bill in Committee that the Assembly make a certain amendment in such Bill, have made the suggested amendment.
Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.
4. UNEMPLOYMENT RELIEF AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.
House in Committee.
The Acting-President resumed the Chair; and the Honorable W. Angliss reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
5. FINANCIAL EMERGENCY BILL.—The Acting-President announced the receipt of a Message from the Assembly transmitting a Message from His Excellency the Lieutenant-Governor, pursuant to the provisions of section XXXVI. of The Constitution Act, recommending the following amendments which he desires to be made in this Bill, and acquainting the Council that the Assembly have agreed to such amendments, and desiring the concurrence of the Council therein :—
 - Clause 19, sub-section (1), after " overdraft " insert " or in the case of a mortgage given to a society registered under the *Building Societies Act 1928* ".
 - " sub-section (3), after " overdraft " insert " or in the case of a mortgage given to a society registered under the *Building Societies Act 1928* ".
 - Clause 24, omit " or to mortgages given to a society registered under the *Building Societies Act 1928* ".
 - Clause 26, sub-section (1), paragraph (a), omit " or mortgages given to a society registered under the *Building Societies Act 1928* ".
 - " sub-section (1), paragraph (b), omit " or given to a society registered under the *Building Societies Act 1928* ".
 - Clause 28, sub-section (1), omit " Where any interest accrued due and payable under a mortgage is not in arrear or is not more than six months in arrear, but otherwise the mortgagor's covenants " and insert—
 - " Where under a mortgage—
 - (a) any interest accrued due and payable is not in arrear; or
 - (b) not more than six months' interest accrued due and payable is in arrear—
 - but otherwise the mortgagor's covenants".
 - Clause 30, before " The payment at " insert the expression " (1) ".
 - " omit " Part " and insert " Division ".
 - " at the end of the clause insert the following sub-section :—
 - " (2) This Division shall come into operation on such day (not being earlier than the first day of October One thousand nine hundred and thirty-one) as is fixed by resolution of each of the two Houses of Parliament ".

On the motion of the Honorable D. L. McNamara, the Council agreed to the amendments recommended by His Excellency the Lieutenant-Governor, and ordered His Excellency's Message to be returned to the Assembly with a Message acquainting them therewith.

6. **TREASURY OVERDRAFTS BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.

House in Committee.

The Acting-President resumed the Chair; and the Honorable G. L. Goudie having reported that the Committee had agreed to the Bill, including the amendment made by the Assembly which was suggested by the Council, without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same, including the amendment made by the Assembly which was suggested by the Council, without amendment.

7. **ALTERATION OF HOUR OF MEETING.**—The Honorable R. Williams moved, That the House do now adjourn.

Debate ensued.

Motion, by leave, withdrawn.

The Honorable R. Williams moved, by leave, That the Council, at its rising, adjourn until to-morrow at forty-five minutes past three o'clock.

Question—put and resolved in the affirmative.

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

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

No. 34.

WEDNESDAY, 23RD SEPTEMBER, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. **PAPER.**—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:—
Melbourne and Metropolitan Tramways Board—Report and Statement of Accounts for the year 1930-31.
3. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of the Order of the Day, General Business, be postponed until after the Orders of the Day, Government Business.
4. **UNEMPLOYMENT RELIEF AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.
House in Committee.
The Acting-President resumed the Chair; and the Honorable G. L. Goudie 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.
5. **UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.**—The Acting-President announced the receipt of a Message from the Assembly transmitting a Message from His Excellency the Lieutenant-Governor, pursuant to the provisions of section XXXVI. of The Constitution Act, recommending the following amendments which he desires to be made in this Bill, and acquainting the Council that the Assembly have agreed to such amendments, and desiring the concurrence of the Council therein:—
Clause 27, sub-section (1), omit "mentioned" and insert "provided".
" sub-section (10), omit "advice" (where last occurring) and insert "order".
Clause 39, after "matter" omit "anything" and insert "or thing".
On the motion of the Honorable R. Williams, the Council agreed to the amendments recommended by His Excellency the Lieutenant-Governor, and ordered His Excellency's Message to be returned to the Assembly with a Message acquainting them therewith.
6. **UNEMPLOYMENT RELIEF AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.
House in Committee.

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

THURSDAY, 24TH SEPTEMBER, 1931.

The Acting-President resumed the Chair; and the Honorable W. L. R. Clarke reported that the Committee had made progress in the Bill, and had agreed to the following resolution:—

That it be a suggestion to the Legislative Assembly that they make the following amendments in the Bill, viz.:—

1. Clause 3, sub-clause (3), paragraph (b), omit the schedule and insert the following schedule:—

“ SCHEDULE.

The tax shall be calculated on the taxable income of each taxpayer as hereinafter provided:—

The tax shall be payable on each £1 of the taxable income and shall be calculated as follows:—

Amount of Taxable Income.	Rates per £1.
Not less than £52 but not amounting to £104 ..	One and two-tenths pence
Not less than £104 but not amounting to £208 ..	Three and one-quarter pence
Not less than £208 but not exceeding £312 ..	Four pence
Exceeding £312 but not exceeding £400 ..	Four and one-quarter pence
Exceeding £400 but not exceeding £500 ..	Four and one-half pence
Exceeding £500 but not exceeding £600 ..	Four and three-quarter pence
Exceeding £600 but not exceeding £700 ..	Five pence
Exceeding £700 but not exceeding £750 ..	Five and one-third pence
Exceeding £750 but not exceeding £800 ..	Five and two-thirds pence
Exceeding £800 but not exceeding £900 ..	Six pence
Exceeding £900 but not exceeding £1,000 ..	Six and one-third pence
Exceeding £1,000 but not exceeding £1,100 ..	Six and two-thirds pence
Exceeding £1,100 but not exceeding £1,200 ..	Seven pence
Exceeding £1,200 but not exceeding £1,300 ..	Seven and one-third pence
Exceeding £1,300 but not exceeding £1,400 ..	Seven and two-thirds pence
Exceeding £1,400 but not exceeding £1,500 ..	Eight pence
Exceeding £1,500 but not exceeding £1,600 ..	Eight and one-third pence
Exceeding £1,600 but not exceeding £1,700 ..	Eight and two-thirds pence
Exceeding £1,700 but not exceeding £1,800 ..	Nine pence
Exceeding £1,800 but not exceeding £1,900 ..	Nine and one-third pence
Exceeding £1,900 but not exceeding £2,000 ..	Nine and two-thirds pence
Exceeding £2,000 but not exceeding £2,100 ..	Ten pence
Exceeding £2,100 but not exceeding £2,200 ..	Ten and one-third pence
Exceeding £2,200 but not exceeding £2,300 ..	Ten and two-thirds pence
Exceeding £2,300 but not exceeding £2,400 ..	Eleven pence
Exceeding £2,400 but not exceeding £2,500 ..	Eleven and one-third pence
Exceeding £2,500 but not exceeding £2,600 ..	Eleven and two-thirds pence
Exceeding £2,600 but not exceeding £2,700 ..	Twelve pence
Exceeding £2,700 but not exceeding £2,800 ..	Twelve and one-third pence
Exceeding £2,800 but not exceeding £2,900 ..	Twelve and two-thirds pence
Exceeding £2,900 but not exceeding £3,000 ..	Thirteen pence
Exceeding £3,000	Thirteen and two-thirds pence

2. Clause 4, line 7, omit “ five ” and insert “ ten ”.
3. „ line 12, omit “ approved ” and insert “ recommended ”.
4. „ at the end of the clause insert the following new sub-clause:—
 - “ (5) Every such advance shall be subject to the following conditions:—
 - (a) The rates of pay in respect of any such works as are referred to in sub-paragraph (c) of sub-section (2) of this section shall be those prescribed by sub-section (6) of section 9 of the *Unemployment Relief Amendment Act 1930* as amended by this Act;
 - (b) Upon any breach of the foregoing condition the whole of such advance shall immediately become payable to the Permanent Unemployment Relief Fund referred to in sub-section (3) of this section and shall be recoverable summarily before any court of petty sessions.”
5. Clause 7, lines 20–21, omit “ twenty-one years receiving instruction ” and insert “ eighteen years receiving from a farmer practical instruction ”.
6. Clause 9, line 34-5, omit “ to whom any sum of money is paid by way of ” and insert “ who receives ”.
7. „ line 37, after “ work ” insert “ (of such a class as is prescribed either generally or in any particular case by order of the Governor in Council published in the *Government Gazette*) ”.
8. „ page 6, line 6, before “ person ” insert “ such ”.

9. Clause 9, page 6, lines 7-8, omit " unless the Minister otherwise directs ".
10. Clause 13, line 7, after " Fund " insert " on the recommendation of the Unemployment Relief Board ".
11. Clause 15, line 36, after " Board " insert " and the amounts paid out of the Unemployment Relief Fund for works for the relief of unemployment and for sustenance for persons out of employment and for other purposes."
12. Clause 16, omit this clause and insert—

" 16. For sub-section (6) of section nine of the *Unemployment Relief Amendment Act 1930* there shall be substituted the following sub-section :—

(6) (a) The work allotted to persons employed on any works for the relief of unemployment shall in all cases be as recommended by the Board.

(b) Notwithstanding any determination of any wages board or the Court of Industrial Appeals and subject to the provisions of section eighteen of the *Unemployment Relief Amendment Act 1931* the rates of pay for such work shall not be greater than as hereinafter specified—

(i) in the case of married men on whose earnings other persons are ordinarily dependent—

Fifty-two shillings per week of forty-eight hours or, in any week in which less than forty-eight hours is worked, one shilling and twopence per hour up to twenty-four hours' work and one shilling per hour thereafter ;

(ii) in the case of married women on whose earnings other persons are ordinarily dependent—

Forty shillings per week of forty-eight hours or, in any week in which less than forty-eight hours is worked, elevenpence per hour up to twenty-four hours' work and ninepence per hour thereafter ;

(iii) in the case of all adult male persons other than those specified in sub-paragraph (i) hereof—

Thirty-six shillings per week of forty-eight hours or, in any week in which less than forty-eight hours is worked, tenpence per hour up to twenty-four hours' work and eightpence per hour thereafter ;

(iv) in the case of all adult female persons other than those specified in sub-paragraph (ii) hereof—

Twenty-four shillings per week of forty-eight hours or, in any week in which less than forty-eight hours is worked, sevenpence per hour up to twenty-four hours work and fivepence per hour thereafter ;

(v) in the case of male persons and female persons under the age of twenty-one years—

not more than two-thirds of the amounts specified in sub-paragraphs (iii) and (iv) hereof respectively.

(c) Overtime work shall be avoided as far as possible but where unavoidable shall be paid for at the ordinary rates hereinbefore specified.

(d) In any case in which it is necessary to do so for the purpose of giving effect to any of the provisions of the Unemployment Relief Acts, the Minister shall make application or cause application to be made as soon as practicable to the Commonwealth Court of Conciliation and Arbitration for the suspension or variation of any award of such Court or of any industrial agreement under any Commonwealth Act.

(e) In any case in which the rate of pay under any award of the Commonwealth Court of Conciliation and Arbitration or any industrial agreement under any Commonwealth Act or any determination of a wages board or the Court of Industrial Appeals is lower than the corresponding rate of pay hereinbefore specified the lower rate of pay shall be paid.' "

13. Clause 18, line 37, omit " developmental "—

and asked leave to sit again.

On the motion of the Honorable R. Williams, the Council adopted the resolution reported from the Committee of the whole.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

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

7. ADJOURNMENT.—The Honorable R. Williams moved, That the Council, at its rising, adjourn until Tuesday next.

Debate ensued.

Motion, by leave, withdrawn.

The Honorable R. Williams moved, by leave, That the Council, at its rising, adjourn until Tuesday, the 6th October next.

Debate ensued.

Motion, by leave, withdrawn.

The Honorable R. Williams moved, by leave, That the Council, at its rising, adjourn until a day and hour to be fixed by Mr. Acting-President, which time of meeting shall be notified by Mr. Acting-President to each honorable member by telegram or letter.

Question—put and resolved in the affirmative.

And then the Council, at eighteen minutes past twelve o'clock in the morning, adjourned until a day and hour to be fixed by Mr. Acting-President, which time of meeting shall be notified by Mr. Acting-President to each honorable member by telegram or letter.

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

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 35.

WEDNESDAY, 30TH SEPTEMBER, 1931.

1. The Council met in accordance with adjournment, the Acting-President, pursuant to resolution, having fixed this day at half-past four o'clock as the time of meeting.
2. The Acting-President took the Chair and read the Prayer.
3. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable R. Williams presented Messages from His Excellency the Lieutenant-Governor informing the Council that he had given the Royal Assent to the undermentioned Bills presented to him by the Clerk of the Parliaments, viz. :—
 - Financial Emergency Bill.*
 - Unemployed Occupiers and Farmers Relief Bill.*
 - Treasury Overdrafts Bill.*
4. CONSOLIDATED REVENUE BILL (No. 5).—The Acting-President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of One million and nineteen thousand four hundred and fifty-eight pounds to the service of the year One thousand nine hundred and thirty-one and One thousand nine hundred and thirty-two*" and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
5. ROYAL AGRICULTURAL SHOW-GROUNDS BILL.—The Acting-President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to provide for the Use of certain Lands in the Parish of Dousta Galla forming Portion of the Royal Agricultural Show Grounds for Purposes of Recreation Entertainment or Amusement in addition to the Purposes provided for in certain Orders in Council and Crown Grants relating to the said Lands, the Application of the Net Profits of such Use of the said Lands, and the Validation of the Transfers of certain Lands previously forming Portions of the said Royal Agricultural Show Grounds*" and desiring the concurrence of the Council therein.
The Honorable R. Williams moved, That this Bill be dealt with as a Public Bill.
Question—put and resolved in the affirmative.
The Honorable R. Williams moved, That this Bill be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed and, by leave, to be read a second time later this day.
6. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
 - Fisheries Act 1928—Notice of Intention to issue a Proclamation to prohibit all Fishing in, or the Taking of Fish from, portion of the Little Coliban River, &c., until 1st November, 1932.
7. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the Order of the Day, General Business, be postponed until after the Orders of the Day, Government Business.
8. ROYAL AGRICULTURAL SHOW-GROUNDS 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 Acting-President resumed the Chair; and the Honorable W. Angliss 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. CONSOLIDATED REVENUE BILL (No. 5).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The Acting-President resumed the Chair; and the Honorable W. 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.

10. ADJOURNMENT.—ALTERATION OF HOUR OF MEETING.—The Honorable R. Williams moved, That the House do now adjourn.

Debate ensued.

Motion, by leave, withdrawn.

The Honorable R. Williams moved, by leave, That the Council, at its rising, adjourn until Tuesday next at three o'clock.

Question—put and resolved in the affirmative.

And then the Council, at seven o'clock, adjourned until Tuesday next.

P. T. POOK,

Clerk of the Legislative Council.

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 36.

TUESDAY, 6TH OCTOBER, 1931.

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

Consolidated Revenue Bill (No. 5).

3. ROYAL AGRICULTURAL SHOW-GROUNDS BILL.—The Acting-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.
4. UNEMPLOYMENT RELIEF AMENDMENT BILL.—The Acting-President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the Bill in Committee that the Assembly make certain amendments in such Bill, have made some of the amendments suggested by the Council, have decided not to make others of the said amendments, decline to entertain the amendment in clause 3 to omit the Schedule and insert a new Schedule as it is an infringement of sub-section (2) of section thirty-six of *The Constitution Act Amendment Act 1928* which provides that the Council may not suggest any omission or amendment the effect of which will be to increase any proposed charge or burden on the people, and have made one of the amendments with a modification, and desiring the concurrence of the Council therein.

Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.

5. UNEMPLOYMENT RELIEF AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Acting-President left the Chair.

House in Committee.

The Acting-President resumed the Chair; and the Honorable A. E. Chandler reported that the Committee had agreed to the Bill, including the amendments suggested by the Council which were made by the Assembly and the amendment suggested by the Council in Clause 9, line 37, as modified and made by the Assembly without amendment.

Ordered—That the Report be now taken into consideration.

The Honorable H. I. Cohen moved, That the following amendment suggested on the consideration of the Bill in Committee of the whole be again suggested to the Legislative Assembly, viz. :—

Clause 3, sub-clause (3), paragraph (b), omit the schedule and insert the following schedule :—

“ SCHEDULE.

The tax shall be calculated on the taxable income of each taxpayer as hereinafter provided.

The tax shall be payable on each £1 of the taxable income and shall be calculated as follows :—

Amount of Taxable Income.	Rates per £1.
Not less than £52 but not amounting to £104 ..	One and two-tenths pence
Not less than £104 but not amounting to £208 ..	Three and one-quarter pence
Not less than £208 but not exceeding £312 ..	Four pence
Exceeding £312 but not exceeding £400 ..	Four and one-quarter pence
Exceeding £400 but not exceeding £500 ..	Four and one-half pence
Exceeding £500 but not exceeding £600 ..	Four and three-quarter pence
Exceeding £600 but not exceeding £700 ..	Five pence
Exceeding £700 but not exceeding £750 ..	Five and one-third pence
Exceeding £750 but not exceeding £800 ..	Five and two-thirds pence
Exceeding £800 but not exceeding £900 ..	Six pence
Exceeding £900 but not exceeding £1,000 ..	Six and one-third pence
Exceeding £1,000 but not exceeding £1,100 ..	Six and two-thirds pence
Exceeding £1,100 but not exceeding £1,200 ..	Seven pence
Exceeding £1,200 but not exceeding £1,300 ..	Seven and one-third pence
Exceeding £1,300 but not exceeding £1,400 ..	Seven and two-thirds pence
Exceeding £1,400 but not exceeding £1,500 ..	Eight pence
Exceeding £1,500 but not exceeding £1,600 ..	Eight and one-third pence
Exceeding £1,600 but not exceeding £1,700 ..	Eight and two-thirds pence
Exceeding £1,700 but not exceeding £1,800 ..	Nine pence
Exceeding £1,800 but not exceeding £1,900 ..	Nine and one-third pence
Exceeding £1,900 but not exceeding £2,000 ..	Nine and two-thirds pence
Exceeding £2,000 but not exceeding £2,100 ..	Ten pence
Exceeding £2,100 but not exceeding £2,200 ..	Ten and one-third pence
Exceeding £2,200 but not exceeding £2,300 ..	Ten and two-thirds pence
Exceeding £2,300 but not exceeding £2,400 ..	Eleven pence
Exceeding £2,400 but not exceeding £2,500 ..	Eleven and one-third pence
Exceeding £2,500 but not exceeding £2,600 ..	Eleven and two-thirds pence
Exceeding £2,600 but not exceeding £2,700 ..	Twelve pence
Exceeding £2,700 but not exceeding £2,800 ..	Twelve and one-third pence
Exceeding £2,800 but not exceeding £2,900 ..	Twelve and two-thirds pence
Exceeding £2,900 but not exceeding £3,000 ..	Thirteen pence
Exceeding £3,000	Thirteen and two-thirds pence

Debate ensued.

Question—put.

The Council divided.

Ayes, 23.

The Hon. W. Angliss,
 F. W. Brawn,
 A. E. Chandler,
 Colonel Harold Cohen,
 H. I. Cohen,
 H. A. Currie,
 G. M. Davis,
 G. L. Goudie,
 Dr. J. R. Harris,
 H. Keck (*Teller*),
 R. Kilpatrick,
 Lieut.-Col. G. V. Lansell,
 G. S. McArthur,
 M. McGregor,
 H. H. Olney,
 A. J. Pittard,
 H. F. Richardson,
 M. Saltau,
 H. H. Smith,
 G. J. Tuckett,
 W. Tyner,
 W. J. Williamson (*Teller*),
 A. M. Zwar.

Noes, 4.

The Hon. W. L. R. Clarke (*Teller*),
 C. H. A. Eager (*Teller*),
 D. L. McNamara,
 R. Williams.

And so it was resolved in the affirmative.

The Honorable Dr. J. R. Harris moved, That, in the opinion of this House, the amendment suggested to the Legislative Assembly in clause 3 of the Unemployment Relief Amendment Bill is not an infringement of the provisions of sub-section (2) of section thirty-six of *The Constitution Act Amendment Act 1928* which provides that the Council may not suggest any omission or amendment the effect of which will be to increase any proposed charge or burden on the people.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable H. I. Cohen moved, That the following amendment suggested on the consideration of the Bill in Committee of the whole be again suggested to the Legislative Assembly, viz. :—

Clause 4, at the end of the clause insert the following new sub-clause :—

“(5) Every such advance shall be subject to the following conditions :—

(a) The rates of pay in respect of any such works as are referred to in subparagraph (c) of sub-section (2) of this section shall be those prescribed by sub-section (6) of section nine of the *Unemployment Relief Amendment Act 1930* as amended by this Act ;

(b) Upon any breach of the foregoing condition the whole of such advance shall immediately become payable to the Permanent Unemployment Relief Fund referred to in sub-section (3) of this section and shall be recoverable summarily before any court of petty sessions.”

Debate ensued.

Question—put.

The Council divided.

Ayes, 22.

The Hon. W. Angliss,
A. E. Chandler,
W. L. R. Clarke,
Colonel Harold Cohen,
H. I. Cohen,
H. A. Currie,
G. M. Davis,
C. H. A. Eager,
G. L. Goudie,
Dr. J. R. Harris,
H. Keck,
R. Kilpatrick,
Lieut.-Col. G. V. Lansell,
G. S. McArthur,
M. McGregor,
H. F. Richardson,
M. Saltau (*Teller*),
H. H. Smith,
G. J. Tuckett,
W. Tyner (*Teller*),
W. J. Williamson,
A. M. Zwar.

Noes, 7.

The Hon. F. W. Brawn,
J. H. Disney (*Teller*),
J. P. Jones,
D. L. McNamara,
H. H. Olney (*Teller*),
A. J. Pittard,
R. Williams.

And so it was resolved in the affirmative.

The Honorable Dr. J. R. Harris, moved, That the following amendment suggested on the consideration of the Bill in Committee of the whole be again suggested to the Legislative Assembly, viz. :—

Clause 7, lines 20–21, omit “twenty-one years receiving instruction” and insert “eighteen years receiving from a farmer practical instruction”.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable H. I. Cohen moved, That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 10, at the end of the clause insert—

“Provided that during the year ending on the thirtieth day of June One thousand nine hundred and thirty-two not more than forty-five per centum of the total sum paid out of the Unemployment Relief Fund shall be expended in providing sustenance for persons out of employment”.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable H. I. Cohen moved, That the following amendment suggested on the consideration of the Bill in Committee of the whole be again suggested to the Legislative Assembly, viz. :—

Clause 16, omit this clause and insert—

“16. For sub-section (6) of section nine of the *Unemployment Relief Amendment Act 1930* there shall be substituted the following sub-section :—

“(6) (a) The work allotted to persons employed on any works for the relief of unemployment shall in all cases be as recommended by the Board.

(b) Notwithstanding any determination of any wages board or the Court of Industrial Appeals and subject to the provisions of section eighteen of the *Unemployment Relief Amendment Act 1931* the rates of pay for such work shall not be greater than as hereinafter specified—

(i) in the case of married men on whose earnings other persons are ordinarily dependent—

Fifty-two shillings per week of forty-eight hours or, in any week in which less than forty-eight hours is worked, One shilling and twopence per hour up to twenty-four hours' work and One shilling per hour thereafter;

(ii) in the case of married women on whose earnings other persons are ordinarily dependent—

Forty shillings per week of forty-eight hours or, in any week in which less than forty-eight hours is worked, Elevenpence per hour up to twenty-four hours' work and Ninepence per hour thereafter;

(iii) in the case of all adult male persons other than those specified in sub-paragraph (i) hereof—

Thirty-six shillings per week of forty-eight hours or, in any week in which less than forty-eight hours is worked, Tenpence per hour up to twenty-four hours' work and Eightpence per hour thereafter;

(iv) in the case of all adult female persons other than those specified in sub-paragraph (ii) hereof—

Twenty-four shillings per week of forty-eight hours or, in any week in which less than forty-eight hours is worked, Sevenpence per hour up to twenty-four hours' work and Fivepence per hour thereafter;

(v) in the case of male persons and female persons under the age of twenty-one years—

not more than two-thirds of the amounts specified in sub-paragraphs (iii) and (iv) hereof respectively.

(c) Overtime work shall be avoided as far as possible but where unavoidable shall be paid for at the ordinary rates hereinbefore specified.

(d) In any case in which it is necessary to do so for the purpose of giving effect to any of the provisions of the *Unemployment Relief Acts*, the Minister shall make application or cause application to be made as soon as practicable to the Commonwealth Court of Conciliation and Arbitration for the suspension or variation of any award of such Court or of any industrial agreement under any Commonwealth Act.

(e) In any case in which the rate of pay under any award of the Commonwealth Court of Conciliation and Arbitration or any industrial agreement under any Commonwealth Act or any determination of a wages board or the Court of Industrial Appeals is lower than the corresponding rate of pay hereinbefore specified the lower rate of pay shall be paid."

Debate ensued:

Question—put and resolved in the affirmative.

The Honorable A. E. Chandler moved, That the following amendment suggested on the consideration of the Bill in Committee of the whole be again suggested to the Legislative Assembly, viz. :—

Clause 18, line 37, omit "developmental."

Question—put and resolved in the affirmative.

Colonel the Honorable Harold Cohen moved, That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 9, sub-clause (1), after "*Gazette*" omit "but not being work which before the passing of this Act was being performed by members of the regular staff of any municipality or was part of the current year's programme of work of any such municipality" (*being words inserted by the Assembly as a modification of an amendment suggested by the Council*) and insert—

"but not including—

(a) any such work as was when this Act came into force being performed by workmen regularly employed by the municipality for which such person shall so perform such work; or

(b) any such work as in the programme of work for the year One thousand nine hundred and thirty-one and One thousand nine hundred and thirty-two is set out for performance by workmen regularly employed by such municipality."

Debate ensued.

The Council ordered the question to be divided.

Question—That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 9, sub-clause (1), after "Gazette" omit "but not being work which before the passing of this Act was being performed by members of the regular staff of any municipality or was part of the current year's programme of work of any such municipality" (being words inserted by the Assembly as a modification of an amendment suggested by the Council)—

put and resolved in the affirmative.

Question—That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 9, sub-clause (1), after "Gazette" insert—
"but not including—

(a) any such work as was when this Act came into force being performed by workmen regularly employed by the municipality for which such person shall so perform such work ; or

(b) any such work as in the programme of work for the year One thousand nine hundred and thirty-one and One thousand nine hundred and thirty-two is set out for performance by workmen regularly employed by such municipality"—

put and negatived.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolutions, and also acquainting the Assembly that, in the opinion of the Council, the amendment suggested to the Assembly in clause 3 of the Bill is not an infringement of the provisions of sub-section (2) of section thirty-six of *The Constitution Act Amendment Act 1928* which provides that the Council may not suggest any omission or amendment the effect of which will be to increase any proposed charge or burden on the people.

Ordered—That the further consideration of the Report from the Committee of the whole be postponed until to-morrow.

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

7. WRONGS BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable C. H. A. Eager moved, That this Bill be now read a second time, and debate arising thereupon, it was ordered, on the motion of the Honorable Dr. J. R. Harris, that the debate be adjourned until Wednesday, the 14th instant.

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

Debate ensued.

Question—put and resolved in the affirmative.

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

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

No. 37.

WEDNESDAY, 7TH OCTOBER, 1931.

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

2. STAMPS (UNEMPLOYMENT RELIEF) BILL (No. 2).—The Acting-President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend the Stamps (Unemployment Relief) Acts and to provide for the Temporary Continuation thereof*" and desiring the concurrence of the Council therein.

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

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

Fire Brigades Act 1928—Report of the Country Fire Brigades Board for the year 1930-31, together with Statements of Receipts and Expenditure and Assets and Liabilities for that period.

Health Act 1928—Report of the Commission of Public Health for the year 1930-31.

State Accident Insurance Office—Report, Profit and Loss Account, and Balance-sheet for the year 1930-31.

4. STAMPS (UNEMPLOYMENT RELIEF) BILL (No. 2).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.

The Acting-President resumed the Chair, and the Honorable G. L. Goudie 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. UNEMPLOYMENT RELIEF AMENDMENT BILL.—The Acting-President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the Report of the Committee that the Assembly make certain amendments in such Bill, have made one of the amendments suggested by the Council, have decided not to make others of the said amendments, decline to entertain the amendment in clause 3 to omit the Schedule and insert a new Schedule as it is an infringement of sub-section (2) of section thirty-six of *The Constitution Act Amendment Act 1928* which provides that the Council may not suggest any omission or amendment the effect of which will be to increase any proposed charge or burden on the people, and have made one of the amendments with modifications, and desiring the concurrence of the Council therein.

Ordered—That the foregoing Message be considered in conjunction with the Order of the Day for the further consideration of the Report from the Committee of the whole on the Bill.

6. UNEMPLOYMENT RELIEF AMENDMENT BILL.—The Order of the Day for the further consideration of the Report from the Committee of the whole on this Bill having been read—

The Honorable R. Williams moved, That the Report be now adopted.

Question—put and resolved in the affirmative.

The Honorable R. Williams moved, That the Bill be now read a third time.

Debate ensued.

The Honorable H. I. Cohen moved, That the following amendment suggested on the consideration of the Report from the Committee of the whole be again suggested to the Legislative Assembly, viz. :—

Clause 3, sub-clause (3), paragraph (b), omit the schedule and insert the following schedule :—

“ SCHEDULE.

The tax shall be calculated on the taxable income of each taxpayer as hereinafter provided.

The tax shall be payable on each £1 of the taxable income and shall be calculated as follows :—

Amount of Taxable Income.	Rates per £.
Not less than £52 but not amounting to £104 ..	One and two-tenths pence
Not less than £104 but not amounting to £208 ..	Three and one-quarter pence
Not less than £208 but not exceeding £312 ..	Four pence
Exceeding £312 but not exceeding £400 ..	Four and one-quarter pence
Exceeding £400 but not exceeding £500 ..	Four and one-half pence
Exceeding £500 but not exceeding £600 ..	Four and three-quarter pence
Exceeding £600 but not exceeding £700 ..	Five pence
Exceeding £700 but not exceeding £750 ..	Five and one-third pence
Exceeding £750 but not exceeding £800 ..	Five and two-thirds pence
Exceeding £800 but not exceeding £900 ..	Six pence
Exceeding £900 but not exceeding £1,000 ..	Six and one-third pence
Exceeding £1,000 but not exceeding £1,100 ..	Six and two-thirds pence
Exceeding £1,100 but not exceeding £1,200 ..	Seven pence
Exceeding £1,200 but not exceeding £1,300 ..	Seven and one-third pence
Exceeding £1,300 but not exceeding £1,400 ..	Seven and two-thirds pence
Exceeding £1,400 but not exceeding £1,500 ..	Eight pence
Exceeding £1,500 but not exceeding £1,600 ..	Eight and one-third pence
Exceeding £1,600 but not exceeding £1,700 ..	Eight and two-thirds pence
Exceeding £1,700 but not exceeding £1,800 ..	Nine pence
Exceeding £1,800 but not exceeding £1,900 ..	Nine and one-third pence
Exceeding £1,900 but not exceeding £2,000 ..	Nine and two-thirds pence
Exceeding £2,000 but not exceeding £2,100 ..	Ten pence
Exceeding £2,100 but not exceeding £2,200 ..	Ten and one-third pence
Exceeding £2,200 but not exceeding £2,300 ..	Ten and two-thirds pence
Exceeding £2,300 but not exceeding £2,400 ..	Eleven pence
Exceeding £2,400 but not exceeding £2,500 ..	Eleven and one-third pence
Exceeding £2,500 but not exceeding £2,600 ..	Eleven and two-thirds pence
Exceeding £2,600 but not exceeding £2,700 ..	Twelve pence
Exceeding £2,700 but not exceeding £2,800 ..	Twelve and one-third pence
Exceeding £2,800 but not exceeding £2,900 ..	Twelve and two-thirds pence
Exceeding £2,900 but not exceeding £3,000 ..	Thirteen pence
Exceeding £3,000	Thirteen and two-thirds pence

Question—put and resolved in the affirmative.

The Honorable Dr. J. R. Harris moved, That the Legislative Assembly be informed that the Legislative Council are still of the opinion that the amendment suggested in clause 3 of the Bill is not an infringement of the provisions of sub-section (2) of section thirty-six of *The Constitution Act Amendment Act 1928* which provides that the Council may not suggest any omission or amendment the effect of which will be to increase any proposed charge or burden on the people.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable H. I. Cohen moved, That the following amendment suggested on the consideration of the Report from the Committee of the whole be again suggested to the Legislative Assembly, viz. :—

Clause 4, at the end of the clause insert the following new sub-clause :—

“(5) Every such advance shall be subject to the following conditions :—

- (a) The rates of pay in respect of any such works as are referred to in subparagraph (c) of sub-section (2) of this section shall be those prescribed by sub-section (6) of section nine of the *Unemployment Relief Amendment Act 1930* as amended by this Act ;
- (b) Upon any breach of the foregoing condition the whole of such advance shall immediately become payable to the Permanent Unemployment Relief Fund referred to in sub-section (3) of this section and shall be recoverable summarily before any court of petty sessions.”

Question—put and resolved in the affirmative.

The Honorable Dr. J. R. Harris moved, That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 7, line 21, after “receiving” insert “from a farmer practical” (*being words omitted by the Assembly as a modification of an amendment suggested by the Council*).

Question—put and resolved in the affirmative.

The Honorable Dr. J. R. Harris moved, That the following amendment suggested on the consideration of the Report from the Committee of the whole be again suggested to the Legislative Assembly, viz. :—

Clause 9, sub-clause (1) omit “but not being work which before the passing of this Act was being performed by members of the regular staff of any municipality or was part of the current year’s programme of work of any such municipality.”

Debate ensued.

Motion, by leave, withdrawn.

The Honorable R. Williams moved, That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 9, in sub-clause (1) omit “but not being work which before the passing of this Act was being performed by members of the regular staff of any municipality or was part of the current year’s programme of work of any such municipality” and at the end of the clause insert the following sub-clause :—

“(5) If the Governor in Council is satisfied that in order to provide work to be performed as aforesaid by any such male person or in consequence of the performance of any such work as aforesaid by any such male person, any person ordinarily employed by any municipality is dismissed from his employment the Governor in Council may by Order published in the *Government Gazette* order that for such period as the Governor in Council thinks fit no work shall be demanded to be performed as aforesaid by any such male person for that municipality.”

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable H. I. Cohen moved, That the following amendment suggested on the consideration of the Report from the Committee of the whole be again suggested to the Legislative Assembly, viz. :—

Clause 16, omit this clause and insert—

“16. For sub-section (6) of section nine of the *Unemployment Relief Amendment Act 1930* there shall be substituted the following sub-section :—

- (6) (a) The work allotted to persons employed on any works for the relief of unemployment shall in all cases be as recommended by the Board.
- (b) Notwithstanding any determination of any wages board or the Court of Industrial Appeals and subject to the provisions of section eighteen of the *Unemployment Relief Amendment Act 1931* the rates of pay for such work shall not be greater than as hereinafter specified—
 - (i) in the case of married men on whose earnings other persons are ordinarily dependent—

Fifty-two shillings per week of forty-eight hours or, in any week in which less than forty-eight hours is worked, One shilling and twopence per hour up to twenty-four hours’ work and One shilling per hour thereafter ;

(ii) in the case of married women on whose earnings other persons are ordinarily dependent—

Forty shillings per week of forty-eight hours or, in any week in which less than forty-eight hours is worked, Elevenpence per hour up to twenty-four hours' work and Ninepence per hour thereafter ;

(iii) in the case of all adult male persons other than those specified in sub-paragraph (i) hereof—

Thirty-six shillings per week of forty-eight hours or, in any week in which less than forty-eight hours is worked, Tenpence per hour up to twenty-four hours' work and Eightpence per hour thereafter ;

(iv) in the case of all adult female persons other than those specified in sub-paragraph (ii) hereof—

Twenty-four shillings per week of forty-eight hours or, in any week in which less than forty-eight hours is worked, Sevenpence per hour up to twenty-four hours' work and Fivepence per hour thereafter ;

(v) in the case of male persons and female persons under the age of twenty-one years—

not more than two-thirds of the amounts specified in sub-paragraphs (iii) and (iv) hereof respectively.

(c) Overtime work shall be avoided as far as possible but where unavoidable shall be paid for at the ordinary rates hereinbefore specified.

(d) In any case in which it is necessary to do so for the purpose of giving effect to any of the provisions of the Unemployment Relief Acts, the Minister shall make application or cause application to be made as soon as practicable to the Commonwealth Court of Conciliation and Arbitration for the suspension or variation of any award of such Court or of any industrial agreement under any Commonwealth Act.

(e) In any case in which the rate of pay under any award of the Commonwealth Court of Conciliation and Arbitration or any industrial agreement under any Commonwealth Act or any determination of a wages board or the Court of Industrial Appeals is lower than the corresponding rate of pay hereinbefore specified the lower rate of pay shall be paid."

Question—put and resolved in the affirmative.

The Honorable A. E. Chandler moved, That the following amendment suggested on the consideration of the Report from the Committee of the whole be again suggested to the Legislative Assembly, viz. :—

Clause 18, line 37, omit "developmental."

Question—put and resolved in the affirmative.

The Honorable R. Williams moved, That it be a suggestion to the Legislative Assembly that they make the following amendments in the Bill, viz. :—

Clause 21, line 38, after "1931" insert "and the *Stamps (Unemployment Relief) Act 1931 (No. 2)*".

Clause 27, line 39, after "1931" insert "and section two of the *Stamps (Unemployment Relief) Act 1931 (No. 2)*".

Clause 27, omit "eleventh day of October" and insert "eighth day of November".

Clause 28, line 5, after "1931" insert "and section four of the *Stamps (Unemployment Relief) Act 1931 (No. 2)*".

Clause 29, line 15, after "1931" (where firstly occurring) insert "and the *Stamps (Unemployment Relief) Act 1931 (No. 2)*".

Clause 29, line 15, omit "1931" (where secondly occurring) and insert "1931 (No. 2)".

Question—put and resolved in the affirmative.

The Honorable R. Williams moved, That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 11, paragraph (a), at the end of the paragraph insert—

"(iii) safeguarding the Unemployment Relief Fund and generally preventing fraudulent or dishonest claims against the said Fund and prescribing penalties for any wilful breach of such regulations".

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolutions, and also acquainting the Assembly that the Council are still of the opinion that the amendment suggested in clause 3 of the Bill is not an infringement of the provisions of sub-section (2) of section thirty-six of *The Constitution Act Amendment Act 1928* which provides that the Council may not suggest any omission or amendment the effect of which will be to increase any proposed charge or burden on the people.

Ordered—That the debate be adjourned until Tuesday next.

7. FINANCIAL EMERGENCY (AMENDMENT) BILL.—The Acting-President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend Part III. of the ‘ Financial Emergency Act 1931’* ” and desiring the concurrence of the Council therein.

The Honorable J. P. Jones moved, That this Bill be now read a first time.

Question—put and resolved in the affirmative.

The Honorable J. P. Jones moved, by leave, That the Bill be printed and the second reading made an Order of the Day for later this day.

Debate ensued.

Motion, by leave, withdrawn.

The Honorable J. P. Jones moved, That the Bill be printed and the second reading made an Order of the Day for Tuesday next.

Debate ensued.

Motion, by leave, withdrawn.

The Honorable J. P. Jones moved, by leave, That the Bill be printed and the second reading made an Order of the Day for later this day.

Question—put and resolved in the affirmative.

The Order of the Day for the second reading of this Bill having been read, the Honorable J. P. Jones moved, That this Bill be now read a second time, and debate arising thereupon, it was ordered, on the motion of the Honorable Dr. J. R. Harris, and after debate, that the debate be adjourned until Tuesday next.

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

Question—put and resolved in the affirmative.

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

Debate ensued.

Question—put and resolved in the affirmative.

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

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

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VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 38.

TUESDAY, 13TH OCTOBER, 1931.

1. The Acting-President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. P. Jones presented a Message from His Excellency the Lieutenant-Governor informing the Council that he had given the Royal Assent to the undermentioned Bill presented to him by the Clerk of the Parliaments, viz. :—
Royal Agricultural Show-grounds Bill.
Stamps (Unemployment Relief) Bill (No. 2).
3. 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—Remuneration of Medical Officers—Regulation rescinded, regulation made.
Justices Act 1928 and Acts Interpretation Act 1928—Justices Act Rules 1931.
Unemployed Occupiers and Farmers Relief Act 1931—Unemployed Occupiers and Farmers Relief Act Regulations 1931.
4. THE LATE GENERAL SIR JOHN MONASH.—The Honorable J. P. Jones moved, by leave, That this House place on record its deep sense of the great public loss sustained by the death of General Sir John Monash, G.C.M.G., K.C.B., V.D., B.A., D.Eng., D.C.L., LL.D. His distinguished leadership in time of war and his self-sacrifice in the service of the people and the State of Victoria in times of peace caused him to be regarded by all classes of the community with honour, respect, and affection.

And other honorable members having addressed the House—

The Acting-President said—

Before putting the motion, I should like to add my tribute to a great General and a great Australian. It was my privilege occasionally to come into contact with him, and the evening that I spent with him when he related some of the incidents connected with the Great War will remain with me as a sacred memory. He had the power of effacing himself, and giving credit to all of the men with whom he was associated. He took to himself no distinction, but referred with remarkable eloquence to the courage, devotion, and fidelity of every man who fought with him. That night he gave me a wonderful insight into the nobility of his character, and how he was able to recognize the best in other men. Could we misinterpret the feelings of the people who lined both sides of the route of the impressive procession that passed from Parliament House to the Brighton Cemetery? What pleased me was that those feelings seemed to be the expression of the family life of this community. Whole families, schools, and colleges were present, and they all appeared to appreciate the fact that they were witnessing what was no ordinary event, or military festival; they understood that a great man had passed away, and that it was their duty to pay reverence, respect, and devotion to his memory. I felt, after all, that our nation is safe when such a concourse of people will gather together to express in so decided a way their admiration, their love, and their affection for a great man.

His brilliant achievements at the front, which hastened Germany's "dark day," proved that his military genius was of a very eminent character, and entitled him to be called to the full command of the Allied Forces. The breaking of the Hindenburg line was the turning point of the war. Without that bold and decisive stroke, the conflict might have been prolonged for another year. The achievement of the 8th of August, 1918, which was planned with such boldness, thoroughness, and decision, is now recognized as the greatest single feat of the war, and placed our own General amongst the greatest of recent military leaders—Field-Marshal Foch, Field-Marshal Haig, and others. His outstanding abilities were not of the battlefield only. He possessed the qualifications and vision of the statesman and a forceful eloquence in addition to the keen

insight of the man of affairs. In culture and education, in the field of literature, he has left his impress on the minds of all those who think imperially and internationally. By the fitting alliance of a tolerant and sympathetic feeling toward the brave men who served under him, he entrenched himself in their hearts. He loved his native Australia, and won the affection of its people. On his return from the war, he might have risen to the office of political leader of the Commonwealth had he chosen, but he elected to become the directing power of that vast organization which supplies, from our brown coal fields, light, transport, and other services for a great part of our State. Of the many great Australians of the war period, and after, no man appealed more impressively than did Sir John Monash to the imagination and affection of his country, which he loved so well and served so nobly. The greatest contribution which Sir John Monash made was his own noble personality and his life of sacrificial service. Such a life surely argues for the immortality of the soul, and his God-given gifts now find fuller expression in higher service.

The question was then put and, honorable members signifying their assent by rising in their places, unanimously resolved in the affirmative.

5. ADJOURNMENT.—The Honorable J. P. Jones moved, That the House, out of respect to the memory of the late General Sir John Monash, 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-five minutes past five o'clock, adjourned until a quarter to eight o'clock this day.

1. The Acting-President resumed the Chair.

2. FINANCIAL EMERGENCY (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 Acting-President resumed the Chair; and the Honorable G. L. Goudie reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

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

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

No. 39.

WEDNESDAY, 14TH OCTOBER, 1931.

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

2. WRONGS 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, the debate was resumed and, on the motion of the Honorable G. S. McArthur, and after debate, further adjourned until Wednesday, the 11th November next.

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

Question—put and resolved in the affirmative.

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

Debate ensued.

Question—put and resolved in the affirmative.

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

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

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 40.

TUESDAY, 20TH OCTOBER, 1931.

1. The President took the Chair and read the Prayer.
2. DECLARATION OF MEMBER.—The Honorable E. L. Kiernan 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, **ESMOND LAWRENCE KIERNAN**, 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 Fifty 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 house and land in Waldemar-road, 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 £122.

“ 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.

“ ESMOND L. KIERNAN.”

3. CAMBERWELL LOANS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to authorize the City of Camberwell to expend the Balances of certain Moneys for purposes other than the purposes for which the said Moneys were borrowed by the said City* ” and desiring the concurrence of the Council therein.

The Honorable J. P. Jones moved, That this Bill be dealt with as a Public Bill.

Question—put and resolved in the affirmative.

The Honorable J. P. Jones moved, That this Bill be now read a first time.

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

4. THE QUEEN VICTORIA MEMORIAL HOSPITAL LAND BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act relating to the Revocation of the Reservation of certain Land in the City of Melbourne permanently reserved as a Site for the purposes of the Incorporated Institution called the Queen Victoria Memorial Hospital and the Revocation of the Crown Grant of the said Land and to provide for the Grant of the said Land and certain other Land in the said City to the said Institution* ” and desiring the concurrence of the Council therein.

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

5. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend Section Twenty-one of the ‘ Unemployed Occupiers and Farmers Relief Act 1931 ’* ” and desiring the concurrence of the Council therein.

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

6. DAIRY PRODUCE BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend the Law relating to Dairy Produce* ” and desiring the concurrence of the Council therein.

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

7. **PAPERS.**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 Fisheries Act 1928—Notice of Intention to issue a Proclamation to revoke a Proclamation prohibiting all Fishing in Ault Berg and Kalaitha Creeks.
 Geelong Waterworks and Sewerage Trust—Twenty-fourth Balance-sheet as at 30th June, 1931.
 Public Service Act 1928—Copy of Papers in connexion with the promotion of Arthur Tennison Smithers from the Third Class to the Second Class, Department of Treasurer.
 River Murray Waters Act 1915—Report of the River Murray Commission for the year 1930–31.
8. **NURSES BILL.**—On the motion of the Honorable D. L. McNamara, a Bill to amend section Eleven and section Fourteen of the *Nurses Act* 1928 was read a first time, ordered to be printed and to be read a second time on Tuesday next.
9. **FINANCIAL EMERGENCY (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 W. H. Edgar 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. **CAMBERWELL LOANS 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 W. H. Edgar 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. **UNEMPLOYED OCCUPIERS AND FARMERS 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 W. H. Edgar 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.
12. **THE QUEEN VICTORIA MEMORIAL HOSPITAL 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 W. H. Edgar 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. **DAIRY PRODUCE BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
 House in Committee.
 The Deputy-President resumed the Chair ; and the Honorable G. L. Goudie 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, after debate, 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.
14. **ADJOURNMENT.**—The Honorable J. P. Jones 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-three minutes past nine o'clock, adjourned until Tuesday next.

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

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 41.

TUESDAY, 27TH OCTOBER, 1931.

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

*Camberwell Loans Bill.**The Queen Victoria Memorial Hospital Land Bill.*

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

The State Governor's Office,
Melbourne,

24th October, 1931.

The Honorable Sir Frank Clarke, K.B.E., M.L.C.,
President of the Legislative Council.

MR. PRESIDENT,

I have the honour to transmit to you the attached communication which I received this day from the Honorable William John McCann resigning his seat as a member of the Legislative Council representing the North-Western Province of Victoria.

I have the honour to be,

Sir,

Your obedient servant,

W. H. IRVINE,

Lieutenant-Governor.

Coonil-crescent,
Malvern,

24th October, 1931.

To His Excellency
the Lieutenant-Governor of Victoria.

YOUR EXCELLENCY,

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

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

I have the honour to be,

Your Excellency's most obedient servant,

WILLIAM J. McCANN.

Received this resignation on this the 24th day of October, 1931.

W. H. IRVINE,

Lieutenant-Governor.

Coonil-crescent,
Malvern,

24th October, 1931.

To the Honorable the President
of the Legislative Council.

DEAR MR. PRESIDENT,

I have to inform you that I have resigned my seat in the Legislative Council for the purpose of seeking election for the Parliament of the Commonwealth of Australia, and I hereby notify you (pursuant to the provisions of section 196 of *The Constitution Act Amendment Act 1928*) that it is my intention to seek such election and that it is my intention, in the event of my failing to secure such election, to become again a candidate for the vacancy in the Legislative Council created by my resignation.

Yours faithfully,

WILLIAM J. McCANN.

4. **THE TITLE OF "HONORABLE".**—The President announced that he had received from the Honorable the Premier a copy of a despatch from the Secretary of State for Dominion Affairs intimating that His Majesty the King had been pleased to approve of the retention of the title of "Honorable" by Mr. Edward James White, who had served continuously as a member of the Legislative Council of Victoria for a period of more than ten years.
5. **FINANCIAL EMERGENCY (AMENDMENT) BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to some of the amendments made in such Bill by the Council, and have agreed to the amendment to insert new clause BB with a consequential amendment, and desiring the concurrence of the Council therein. Ordered—That the foregoing Message be taken into consideration later this day.
6. **DAIRY PRODUCE 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.
7. **FREE CONFERENCE—UNEMPLOYMENT RELIEF AMENDMENT BILL.**—The President announced the receipt of a Message from the Assembly acquainting the Council that they desire a Free Conference on the subject-matter of the amendments suggested by the Council on the consideration of the question that this Bill be read a third time, and that they have appointed six members of the Assembly to be Managers of the said Conference.

The Honorable R. Williams moved, That the desire of the Assembly for a Free Conference on the subject-matter of the amendments suggested by the Council in this Bill be complied with.

Question—put and resolved in the affirmative.

The Honorable Dr. J. R. Harris moved, That the following members be appointed Managers of the Conference:—The Honorables A. E. Chandler, Colonel Harold Cohen, H. I. Cohen, H. A. Currie, G. L. Goudie, and the Mover.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable R. Williams moved, That the Conference meet at eleven o'clock to-morrow morning in the Legislative Council Committee Room.

Question—put and resolved in the affirmative.

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

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

Melbourne and Metropolitan Board of Works—Statements of Accounts and Balance-sheet, together with Schedule of Contracts for the year 1930-31.

State Rivers and Water Supply Commission—Twenty-sixth Annual Report, 1930-31.

9. **FINANCIAL EMERGENCY (AMENDMENT) BILL.**—The Order of the Day for the consideration of the amendment to insert new clause BB made in this Bill by the Council and agreed to by the Assembly with a consequential amendment having been read, the said amendment was read and is as follows:—

Amendment made by the
Legislative Council.

How dealt with by the Legislative Assembly.

INSERT THE FOLLOWING NEW
CLAUSE:—

To follow clause 3—

4. BB. In sub-section (1) of section twenty-eight of the Principal Act for the words "in respect of the property comprised in the mortgage any power of sale or foreclosure or other remedy" there shall be substituted the words "any power of sale or foreclosure or repossession in respect of the property comprised in the mortgage or any other remedy."

Agreed to with the following consequential amendment:—

At the end of new clause BB insert the following sub-clause:—

"(2) In sub-section (2) of section twenty-eight of the Principal Act for the words 'or other remedy for enforcing payment of such principal moneys or interest shall without leave of the court be exercised by the mortgagee in respect of the property comprised in the mortgage' there shall be substituted the words 'or repossession in respect of the property comprised in the mortgage and no other remedy for enforcing payment of such principal moneys or interest shall without leave of the court be exercised by the mortgagee.'"

On the motion of the Honorable J. P. Jones, and after debate, the Council agreed to the consequential amendment made by the Assembly on the amendment to insert new clause BB made by the Council in this Bill, and ordered that a Message be sent to the Assembly acquainting them therewith.

10. **UNEMPLOYED OCCUPIERS AND FARMERS RELIEF (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 W. H. Edgar 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.

11. NURSES BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable D. L. McNamara moved, That this Bill be now read a second time and, debate arising thereupon, it was ordered, on the motion of the Honorable Dr. J. R. Harris, that the debate be adjourned until to-morrow.

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

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

No. 42.

WEDNESDAY, 28TH OCTOBER, 1931.

1. The President took the Chair and read the Prayer.
2. PAPERS.—The Honorable J. P. Jones presented, by command of His Excellency the Lieutenant-Governor—
Superannuation Act 1928—Report of Actuary (H. M. Jackson, Esq., F.I.A., F.S.S.) on his Investigation at the expiration of First Quinquennium (31st December, 1930).
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:—
Charities Board of Victoria—Report for the year 1930–31.
Closer Settlement Act 1928—Report of the Closer Settlement Board for the year 1930–31.
3. CONSOLIDATED REVENUE BILL (No. 6).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to apply out of the Consolidated Revenue the sum of Nine hundred and thirty-six thousand three hundred and sixty-three pounds to the service of the year One thousand nine hundred and thirty-one and One thousand nine hundred and thirty-two*” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
4. UNEMPLOYED OCCUPIERS AND FARMERS RELIEF (AMENDMENT) 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.
5. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the Order of the Day, General Business, be postponed until Wednesday, the 25th November next.
6. CONSOLIDATED REVENUE BILL (No. 6).—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 W. L. R. Clarke 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.—ALTERATION OF HOUR OF MEETING.—The Honorable J. P. Jones moved, That the House do now adjourn.
Debate ensued.
Motion, by leave, withdrawn.
The Honorable J. P. Jones moved, by leave, That the Council, at its rising, adjourn until to-morrow at eleven o'clock.
Debate ensued.
Question—put and resolved in the affirmative.

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

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

No. 43.

THURSDAY, 29TH OCTOBER, 1931.

1. The President took the Chair and read the Prayer.
2. FREE CONFERENCE—UNEMPLOYMENT RELIEF AMENDMENT BILL.—The Honorable Dr. J. R. Harris reported, on behalf of the Managers for the Council, that they had met the Managers for the Assembly yesterday and to-day on the subject-matter of the amendments suggested by the Council in this Bill and that, after discussion, the Conference had concluded without arriving at an agreement.
3. WHEAT AND FLOUR ACQUISITION BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act relating to Wheat and Flour and to make provision against Undue Restriction of the Supply of Flour and Bread or the Undue Raising of the Prices thereof, and for other purposes* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable E. L. Kiernan, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time on Tuesday, the 10th November next.
4. STAMPS (UNEMPLOYMENT RELIEF) BILL (No. 3).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend the Stamps (Unemployment Relief) Acts and to provide for the Temporary Continuation thereof* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, 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 G. L. Goudie 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. ADJOURNMENT.—The Honorable J. P. Jones moved, by leave, That the Council, at its rising, adjourn until Tuesday, the 10th November next.
Question—put and resolved in the affirmative.

And then the Council, at four minutes past four o'clock, adjourned until Tuesday, the 10th November next.

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

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 44.

TUESDAY, 10TH NOVEMBER, 1931.

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

Dairy Produce Bill.
Financial Emergency (Amendment) Bill.
Unemployed Occupiers and Farmers Relief (Amendment) Bill.
Consolidated Revenue Bill (No. 6).
Stamps (Unemployment Relief) Bill (No. 3).

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

Financial Emergency Acts 1931—Supreme Court Rules.
 Fisheries Act 1928—Notices of Intention to issue Proclamations to prohibit all Fishing in or the Taking of Fish from—
 Portion of the Broken River near Benalla.
 Portion of the Bunyip River and its tributaries from 1st May to 15th December in each year.

- 4. WHEAT AND FLOUR ACQUISITION BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable E. L. Kiernan moved, That this Bill be now read a second time.

Debate ensued.
 Question—put.
 The Council divided.

Ayes, 8.

The Hon. J. H. Disney,
 G. L. Goudie,
 J. P. Jones,
 E. L. Kiernan,
 R. Kilpatrick (*Teller*),
 D. L. McNamara,
 G. J. Tuckett (*Teller*),
 R. Williams.

Noes, 21.

The Hon. W. Angliss,
 E. G. Bath,
 A. E. Chandler,
 W. L. R. Clarke,
 Colonel Harold Cohen,
 H. I. Cohen,
 H. A. Currie,
 G. M. Davis,
 C. H. A. Eager (*Teller*),
 W. H. Edgar,
 Dr. J. R. Harris,
 H. Keck,
 Lieut.-Col. G. V. Lansell,
 G. S. McArthur,
 M. McGregor,
 A. J. Pittard,
 H. F. Richardson,
 M. Saltau,
 H. H. Smith (*Teller*),
 W. Tyner,
 A. M. Zwar.

And so it passed in the negative.

5. **NURSES 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 W. H. Edgar reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
6. **NURSES (CHILDREN'S) BILL.**—On the motion of the Honorable D. L. McNamara, a Bill to make provision with respect to the Training Qualifications and Registration of Nurses for Sick Children and to amend the *Nurses Act 1928* was, by leave, read a first time, ordered to be printed and to be read a second time to-morrow.
7. **ADJOURNMENT.**—The Honorable J. P. Jones moved, That the House do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.

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

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

No. 45.

WEDNESDAY, 11TH NOVEMBER, 1931.

1. The President took the Chair and read the Prayer.
2. **LANDLORD AND TENANT (RENT REDUCTION) BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to provide for the Reduction for a certain Period of the Rent payable in respect of certain Leases, and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
3. **UNEMPLOYMENT RELIEF AMENDMENT BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the question that the Bill be read a third time that the Assembly make certain amendments in such Bill, have declined to entertain the amendment suggested in clause 3 to omit the Schedule and insert a new Schedule as it is an infringement of sub-section (2) of section thirty-six of *The Constitution Act Amendment Act 1928* which provides that the Council may not suggest any omission or amendment the effect of which will be to increase any proposed charge or burden on the people, have decided not to make the suggested amendment in clause 7, have decided not to make the suggested amendment in clause 18 but have made other amendments in the said clause, and have made the others of the said suggested amendments with modifications, and desiring the concurrence of the Council therein.
Ordered—That the foregoing Message be considered in conjunction with the Order of the Day for the resumption of the debate on the third reading of the Bill.
4. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of the Order of the Day, General Business, be postponed until Wednesday, the 25th instant.
5. **MINISTRY OF HEALTH BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable E. L. Kiernan moved, That this Bill be now read a second time and, debate arising thereupon, it was ordered, on the motion of the Honorable Dr. J. R. Harris, that the debate be adjourned until Tuesday next.
6. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of Order of the Day, Government Business, No. 2 be postponed until after No. 4.
7. **NURSES 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 W. H. Edgar having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

8. LANDLORD AND TENANT (RENT REDUCTION) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. P. Jones moved, That this Bill be now read a second time and, debate arising thereupon, it was ordered, on the motion of the Honorable Dr. J. R. Harris, that the debate be adjourned until Tuesday next.
9. POLICE OFFENCES (CONSORTING) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the Law relating to Vagrancy*” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
10. UNEMPLOYMENT RELIEF AMENDMENT BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a third time, having been read—
Debate resumed.
The Honorable Dr. J. R. Harris moved, as an amendment, that the words “be now read a third time” be omitted with the view of inserting in place thereof the words “be laid aside.”
Debate ensued.
Question—That the words proposed to be omitted stand part of the question—put.
The Council divided.

Ayes, 10.

The Hon. W. Angliss (*Teller*),
F. W. Brawn (*Teller*),
H. A. Currie,
J. H. Disney,
J. P. Jones,
E. L. Kiernan,
D. L. McNamara,
H. H. Olney,
A. J. Pittard,
R. Williams.

Noes, 21.

The Hon. E. G. Bath (*Teller*),
A. E. Chandler,
W. L. R. Clarke,
Colonel Harold Cohen,
H. I. Cohen (*Teller*),
G. M. Davis,
C. H. A. Eager,
W. H. Edgar,
G. L. Goudie,
Dr. J. R. Harris,
H. Keck,
R. Kilpatrick,
G. S. McArthur,
M. McGregor,
H. F. Richardson,
M. Saltau,
H. H. Smith,
G. J. Tuckett,
W. Tyner,
W. J. Williamson,
A. M. Zwar.

And so it passed in the negative.

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative

Question—That this Bill be laid aside—put and resolved in the affirmative.

11. POLICE OFFENCES (CONSORTING) 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 W. H. Edgar 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. P. Jones 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 eleven o'clock, adjourned until Tuesday next.

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

VICTORIA.

LEGISLATIVE COUNCIL.

MINUTES OF THE PROCEEDINGS.

No. 46.

TUESDAY, 17TH NOVEMBER, 1931.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. P. Jones presented a Message from His Excellency the Lieutenant-Governor informing the Council that he had given the Royal Assent to the undermentioned Bill presented to him by the Clerk of the Parliaments, viz. :—
Police Offences (Consorting) Bill.
3. NORTHCOTE LOAN BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to approve adopt authorize and ratify an Agreement between the Mayor Councillors and Citizens of the City of Northcote and the Trustees for the time being of the Victorian Board of Directors of the Australian Natives Association and to provide for the Form of the Debentures to be issued pursuant to the said Agreement* ” and desiring the concurrence of the Council therein.
The Honorable J. P. Jones moved, That this Bill be dealt with as a Public Bill.
Question—put and resolved in the affirmative.
The Honorable J. P. Jones moved, That this Bill be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and, by leave, to be read a second time later this day.
4. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
Education—Report of the Council of Public Education for the year 1930–31.
Fire Brigades Act 1928—Metropolitan Fire Brigades Board—Report of the Board for the year 1930–31.
Justices Act 1928 and Acts Interpretation Act 1928—Rules—Proceedings under Part III. of the Financial Emergency Act 1931.
Libraries Act 1928—Public Library Museums and National Gallery of Victoria—Rules and Regulations (Consolidated).
Poor Persons Legal Assistance Act 1928—Part I., Poor Prisoners Defence—Regulations.
Unemployed Occupiers and Farmers Relief Act 1931—Additional Regulation.
5. ADJOURNMENT—MOTION UNDER STANDING ORDER NO. 53.—The Honorable W. H. Edgar moved, That the Council do now adjourn, and said he proposed to speak on the subject of the sewerage of country towns ; and six members having risen in their places and required the motion to be proposed, the question was put and, after debate, negatived.
6. LANDLORD AND TENANT (RENT REDUCTION) 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 W. L. R. Clarke reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
7. NORTHCOTE LOAN BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. P. Jones moved, That this Bill be now read a second time and, debate arising thereupon, it was ordered, on the motion of the Honorable H. H. Olney, that the debate be adjourned until Tuesday next.
8. ADJOURNMENT.—The Honorable J. P. Jones 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 one minute past ten o'clock, adjourned until Tuesday next.

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

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 47.

TUESDAY, 24TH NOVEMBER, 1931.

1. The President took the Chair and read the Prayer.
2. HAWKERS AND PEDLERS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend the Hawkers and Pedlers Acts* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable E. L. Kiernan, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time to-morrow.
3. STOCK FOODS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act relating to Stock Foods* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable D. L. McNamara, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time to-morrow.
4. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
Companies Act 1928—Summary of Statements for the year 1930 made by Companies transacting Life Assurance business in Victoria.
Country Roads Board—Report for the year 1930–31.
Financial Emergency Act 1931—County Court Rules.
State Electricity Commission of Victoria—Report for the year 1930–31, together with Appendices.
Victorian Mining Accident Relief Fund—Statement of Receipts and Expenditure for the year 1930.
5. LANDLORD AND TENANT (RENT REDUCTION) 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 W. H. Edgar 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.
6. FINANCIAL EMERGENCY (AMENDMENT) BILL (No. 2).—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend Sub-section (2) of Section Eleven of the ‘Financial Emergency Act 1931’* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
7. NORTHCOTE LOAN 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. L. Goudie 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. **NURSES (CHILDREN'S) BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable W. H. Edgar reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
9. **FINANCIAL EMERGENCY (AMENDMENT) 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 W. H. Edgar 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 one minute past ten o'clock adjourned until to-morrow.

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

No. 48.

WEDNESDAY, 25TH NOVEMBER, 1931.

1. The President took the Chair and read the Prayer.
2. **UNEMPLOYMENT RELIEF AMENDMENT BILL (No. 2).**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend and continue the Unemployment Relief Acts and the Stamps (Unemployment Relief) Acts and to make provision with respect to Collections for Unemployment*” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
3. **POSTPONEMENT OF ORDERS OF THE DAY.**—
Ordered—That the consideration of Order of the Day, General Business, No. 1, be postponed until Tuesday, the 8th December next.
Ordered—That the consideration of Order of the Day, General Business, No. 2, be postponed until to-morrow.
4. **LANDLORD AND TENANT (RENT REDUCTION) 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 W. L. R. Clarke reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
5. **COMPANIES BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the ‘Companies Act 1928’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time to-morrow.
6. **ADJOURNMENT.**—The Honorable J. P. Jones 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.

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

No. 49.

THURSDAY, 26TH NOVEMBER, 1931.

1. The President took the Chair and read the prayer.
2. **LEGAL PROFESSION PRACTICE BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the Law regulating the Practice of the Legal Profession and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time on Tuesday next.
3. **CONSOLIDATED REVENUE BILL (No. 7).**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to apply out of the Consolidated Revenue the sum of One million three hundred and one thousand five hundred and eighty-six pounds to the service of the year One thousand nine hundred and thirty-one and One thousand nine hundred and thirty-two*” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
4. **LANDLORD AND TENANT (RENT REDUCTION) 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 W. H. Edgar 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.
5. **UNEMPLOYMENT RELIEF AMENDMENT BILL (No. 2).**—The Order of the Day for the second reading of this Bill having been read, the Honorable R. Williams moved, That this Bill be now read a second time.
Debate ensued.
The Honorable H. I. Cohen moved, as an amendment, That the words “be now read a second time” be omitted with the view of inserting in place thereof the words “be laid aside”.
Debate ensued.

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

FRIDAY, 27TH NOVEMBER, 1931.

Debate continued.

The Honorable H. H. Olney moved, That the debate be now adjourned.

Debate ensued.

Question—That the debate be now adjourned—put and negatived.

Question—That the words proposed to be omitted from the question, That this Bill be now read a second time, stand part of the question—put.

The Council divided.

Ayes, 13.

The Hon. E. G. Bath,
W. L. R. Clarke,
Colonel Harold Cohen,
H. A. Currie,
J. H. Disney,
Dr. J. R. Harris,
J. P. Jones,
E. L. Kiernan,
M. McGregor,
D. L. McNamara,
H. H. Olney (*Teller*),
A. J. Pittard (*Teller*),
R. Williams.

Noes, 15.

The Hon. A. E. Chandler,
H. I. Cohen,
C. H. A. Eager (*Teller*),
G. L. Goudie,
H. Keck,
R. Kilpatrick,
Lieut.-Col. G. V. Lansell,
G. S. McArthur,
H. F. Richardson,
M. Saltau,
H. H. Smith,
G. J. Tuckett,
W. Tyner (*Teller*),
W. J. Williamson,
A. M. Zwar.

And so it passed in the negative.

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

Question—That this Bill be laid aside—put and resolved in the affirmative.

6. **ADJOURNMENT.**—The Honorable J. P. Jones moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-four minutes past twelve o'clock in the morning, adjourned until Tuesday next.

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

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 50.

TUESDAY, 1st DECEMBER, 1931.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. P. Jones presented a Message from His Excellency the Lieutenant-Governor informing the Council that he had given the Royal Assent to the undermentioned Bills presented to him by the Clerk of the Parliaments, viz. :—
Northcote Loan Bill.
Financial Emergency (Amendment) Bill (No. 2).
3. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the Orders of the Day, Government Business, be postponed until after the Notice of Motion, General Business.
4. UNEMPLOYMENT RELIEF.—The Honorable Dr. J. R. Harris moved, That, in the opinion of this House, a Joint Select Committee of the Legislative Council and the Legislative Assembly consisting of ten members of each House representing all parties should be appointed with the object of formulating proposals for a Bill to make provision for the relief of unemployment that will be acceptable to both Houses.
 Debate ensued.
 Question—put and resolved in the affirmative.
 Ordered—That a Message be sent to the Assembly acquainting them with the foregoing resolution and desiring their concurrence therein.
5. 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.
6. CONSOLIDATED REVENUE BILL (No. 7).—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
 House in Committee.
 The President resumed the Chair; and the Honorable W. 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.
7. 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 to amend the ‘ Treasury Bonds Act 1930 ’* ” and desiring the concurrence of the Council therein.
 On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time to-morrow.
8. PUBLIC WORKS 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 under Loan Acts or in the State Loans Repayment Fund for Public Works and other purposes* ” and desiring the concurrence of the Council therein.
 On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time to-morrow.

9. LANDLORD AND TENANT (RENT REDUCTION) 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 W. L. R. Clarke reported that the Committee had agreed to the Bill with amendments.

On the motion of the Honorable J. P. Jones, the Bill was re-committed to a Committee of the whole in respect of clause 3 and new clause B.

House in Committee.

The President resumed the Chair; and the Honorable W. L. R. Clarke having reported that the Committee had agreed to the Bill with further 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.

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

P. T. POOK,

Clerk of the Legislative Council.

No. 51.

WEDNESDAY, 2ND DECEMBER, 1931.

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

2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. P. Jones presented a Message from His Excellency the Lieutenant-Governor informing the Council that he had given the Royal Assent to the undermentioned Bill presented to him by the Clerk of the Parliaments, viz. :—

Consolidated Revenue Bill (No. 7).

3. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the Order of the Day, General Business, be postponed until Wednesday next.

4. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. P. Jones moved, That this Bill be now read a second time and, debate arising thereupon, it was ordered, on the motion of the Honorable Dr. J. R. Harris, that the debate be adjourned until Tuesday next.

5. WAREEK LAND BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to provide for the Revocation of the Permanent Reservation of Portions of certain Land in the Parish of Wareek permanently reserved for Public Purposes and for dealing with the said Portions of the said Land in accordance with Section One hundred and seventy-two of the ‘Land Act 1928’*” and desiring the concurrence of the Council therein. On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.

6. 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 W. H. Edgar 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. CLOSER SETTLEMENT (FINANCIAL) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to further amend Section Nineteen and Section One hundred and ninety-seven of the ‘Closer Settlement Act 1928’*” and desiring the concurrence of the Council therein.

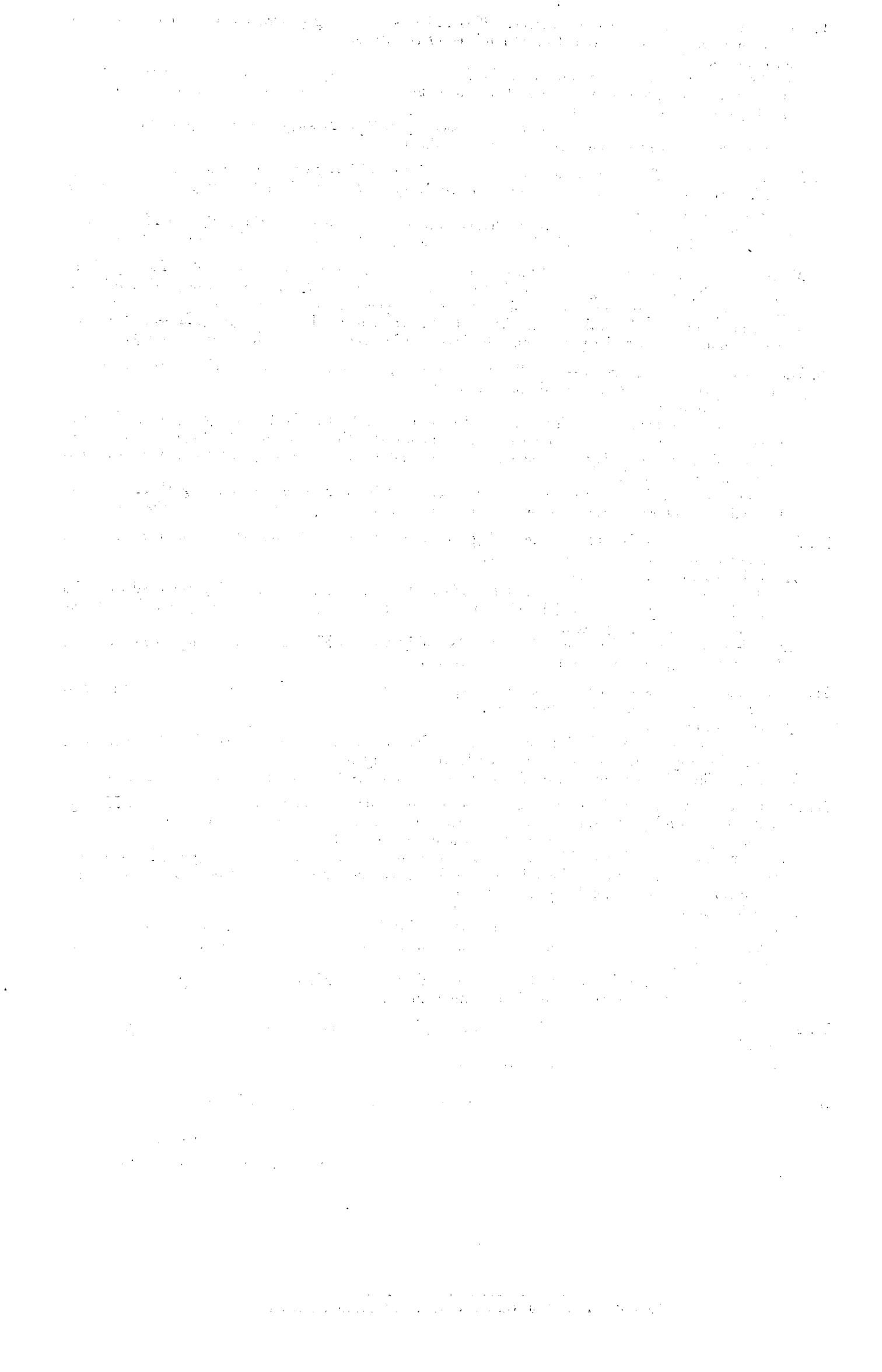
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time on Tuesday next.

8. NURSES 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. **PUBLIC WORKS LOAN APPLICATION BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable W. L. R. Clarke 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. **MOTOR CAR BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to the Registration of Motor Cars*” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
11. **MILDURA VINEYARDS PROTECTION BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to repeal the Mildura Vineyards Protection Acts and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
12. **HAWKERS AND PEDLERS 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 W. L. R. Clarke 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. **MOTOR CAR 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 W. L. R. Clarke 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. **WAREEK 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 W. L. R. Clarke reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
15. **STAMPS (UNEMPLOYMENT RELIEF) BILL (No. 4).**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend and continue the Stamps (Unemployment Relief) Acts*” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, 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 W. L. R. Clarke 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. **ADJOURNMENT.**—The Honorable J. P. Jones 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-four minutes past ten o'clock, adjourned until Tuesday next.

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



VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 52.

TUESDAY, 8TH DECEMBER, 1931.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.—The Honorable J. P. Jones presented a Message from His Excellency the Lieutenant-Governor informing the Council that he had given the Royal Assent to the undermentioned Bills presented to him by the Clerk of the Parliaments, viz. :—
 - Treasury Bonds Bill.*
 - Nurses Bill.*
 - Public Works Loan Application Bill.*
 - Motor Car Bill.*
 - Stamps (Unemployment Relief) Bill (No. 4).*
3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Apprenticeship Acts—Apprenticeship Commission of Victoria—Further amendment of Plumbing and Gasfitting Regulations (No. 3).
 - Fisheries Act 1928—Notice of Intention to issue Proclamations to prohibit—
 - All Fishing in or the Taking of Fish from O'Mahony's and Pheasant Creeks and tributaries.
 - Boats with nets on board, &c., on the North Arm at Lakes Entrance.
 - Hospitals for the Insane—Report of the Inspector-General of the Insane for the year 1930.
 - Marriage Act 1928—Additional Regulation.
 - University of Melbourne—Annual Report 1930–31, together with Statutes and Regulations and Amendments allowed by His Excellency the Governor of Victoria.
4. COMPANIES 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 W. H. Edgar reported that the Committee had made progress in the Bill, and asked leave to sit again.
 - Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
5. UNEMPLOYMENT RELIEF.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have concurred with the Council in agreeing to the following resolution, viz. :—That, in the opinion of this House, a Joint Select Committee of the Legislative Council and the Legislative Assembly consisting of ten members of each House representing all parties should be appointed with the object of formulating proposals for a Bill to make provision for the relief of unemployment that will be acceptable to both Houses.
 - The Honorable Dr. J. R. Harris moved, by leave; That a Select Committee be appointed to join with a Committee of the Legislative Assembly to formulate proposals for a Bill to make provision for the relief of unemployment that will be acceptable to both Houses, such Committee to consist of ten members with power to send for persons, papers, and records, and to sit during the sittings of the Legislative Council; five to be the quorum of the Legislative Council Committee.
 - Debate ensued.
 - Question—put and resolved in the affirmative.
 - The Honorable Dr. J. R. Harris moved, That the Committee be appointed by ballot forthwith.
 - Question—put and resolved in the affirmative.
 - The Council then proceeded to the ballot.
 - The President appointed the Honorables W. H. Edgar and E. L. Kiernan to be scrutineers.
 - The Honorables Dr. J. R. Harris, Colonel Harold Cohen, J. P. Jones, R. Williams, G. L. Goudie, A. E. Chandler, H. I. Cohen, C. H. A. Eager, H. F. Richardson, and G. J. Tuckett being reported by the Scrutineers to have the greatest number of votes, were declared by the President to be the members of the Committee.

The Honorable Dr. J. R. Harris moved, That a Message be sent to the Legislative Assembly acquainting them that the Legislative Council have appointed a Committee of ten members to join with a Committee of the Legislative Assembly to formulate proposals for a Bill to make provision for the relief of unemployment that will be acceptable to both Houses, five to be the quorum of the Legislative Council Committee; and requesting the Legislative Assembly to appoint an equal number of members to join with the members of the Legislative Council.

Question—put and resolved in the affirmative.

6. CLOSER SETTLEMENT (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 J. H. Disney reported that the Committee had made progress in the Bill, and had agreed to the following resolution:—

That it be a suggestion to the Legislative Assembly that they make the following amendments in the Bill, viz.:—

1. Clause 2, line 17, omit “nine hundred and fifty thousand” and insert “eight hundred thousand.”
2. Clause 3, lines 5-6, omit “nine hundred and twenty-five thousand” and insert “eight hundred and seventy-five thousand”—

and asked leave to sit again.

On the motion of the Honorable R. Williams, the Council adopted the resolution reported from the Committee of the whole.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

Resolved—That the Council will, to-morrow, again resolve itself into a Committee of the whole.

7. UNEMPLOYMENT RELIEF.—The President announced the receipt of a Message from the Assembly acquainting the Council that they have appointed a Committee of ten members to join with the Committee of the Legislative Council with the object of formulating proposals for a Bill to make provision for the relief of unemployment that will be acceptable to both Houses; such Committee to meet in the first instance in the Committee Room on Wednesday, 9th December instant, at two o'clock.

8. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 3, be postponed until to-morrow.

9. MILDURA VINEYARDS PROTECTION 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. L. Goudie 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 fourteen minutes past ten o'clock, adjourned until to-morrow.

P. T. POOK,

Clerk of the Legislative Council.

No. 53.

WEDNESDAY, 9TH DECEMBER, 1931.

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

2. LANDLORD AND TENANT (RENT REDUCTION) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly have agreed to some of the amendments made in such Bill by the Council, have disagreed with others, have agreed to others of the said amendments with amendments, have disagreed with the amendment in clause 7, but have made an amendment in the said clause and a consequential amendment in clause 9, and have disagreed with certain amendments in clauses 12 and 13, but have made other amendments in the said clauses, and desiring the concurrence of the Council therein.

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

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

Unemployed Occupiers and Farmers Relief Act 1931—Part II.—Further Regulations.

4. POSTPONEMENT OF ORDERS OF THE DAY.—

Ordered—That consideration of Order of the Day, General Business, No. 1, be postponed until Wednesday next.

Ordered—That the consideration of Order of the Day, General Business, No. 2, be postponed until to-morrow.

5. COMPANIES 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 W. H. Edgar reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

6. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until Tuesday next.

7. LEGAL PROFESSION PRACTICE 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, the debate was resumed and, on the motion of Colonel the Honorable Harold Cohen, and after debate, further adjourned until Tuesday next.

8. STOCK FOODS BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable D. L. McNamara moved, That this Bill be now read a second time, and debate arising thereupon, it was ordered, on the motion of the Honorable M. Saltau, that the debate be adjourned until to-morrow.

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

P. T. POOK,

Clerk of the Legislative Council.

No. 54.

THURSDAY, 10TH DECEMBER, 1931.

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

2. UNEMPLOYMENT RELIEF.—The Honorable R. Williams brought up a Report from the Select Committee of the Legislative Council appointed to join with a Committee of the Legislative Assembly to formulate proposals for a Bill to make provision for the relief of unemployment that will be acceptable to both Houses.

The Honorable R. Williams moved, That the Report, together with the Minutes of the Proceedings of the Committee, do lie on the Table.

Debate ensued.

The Honorable Dr. J. R. Harris moved as an amendment, That the words "and that they be read" be added to the question.

Debate ensued.

Question—That the words proposed to be added be so added—put and resolved in the affirmative.

Question—That the Report, together with the Minutes of the Proceedings of the Committee, do lie on the Table and that they be read—put and resolved in the affirmative.

The Report and the Minutes of the Proceedings were then read by the Clerk.

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

State Coal Mines—Annual Report of the General Manager, including the State Coal Mine Balance-sheet and Statement of Accounts, duly audited, &c., for the year 1930-31.

4. ALTERATION OF SESSIONAL ORDERS.—The Honorable J. P. Jones 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, except the postponement of business on the Notice-paper, shall be taken after the hour of eleven 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.

5. LANDLORD AND TENANT (RENT REDUCTION) BILL.—The Order of the Day for the consideration of the amendments made in this Bill by the Council and disagreed with by the Assembly or agreed to 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.

PART I.

2. Clause 5, sub-clause (1), paragraph (a), line 25, after "Act" omit all words to the end of the paragraph and insert—
"the rent reserved by the lease (if not then already reduced to or to less than an amount equivalent to Fifteen shillings and sixpence for every One pound of such rent) should be reduced or further reduced to such amount and the rent payable under the lease shall by virtue of this paragraph be so reduced accordingly.
Provided that as regards a lease entered into after the thirtieth day of June One thousand nine hundred and twenty-nine the decrease (if any) in the rent reserved by the lease from the rent lastly paid under the immediately preceding lease for the same premises shall be regarded as a previous reduction of rent."
- Agreed to with the following amendments:—
After "equivalent to" insert "the rate of".
Omit "lastly paid under the immediately preceding lease for" and insert "last payable under the last preceding lease of".
4. Clause 5, sub-clause (2), line 22, after "lessor" insert "or where the lessor be in default under any mortgage any mortgagee in possession".
- Agreed to with the following amendment:—
Omit "be" and insert "is".
8. Clause 5, sub-clause (2), insert the following paragraphs to follow paragraph (b):—
"() that an order for relief has already been granted pursuant to any other Act of Parliament;
() that there are other factors and circumstances either generally or in any particular case which to the court may seem such as should be entertained in order to allow justice to be done in respect to any such application".
- Agreed to with the following amendments:—
After "granted" insert "to the lessee".
After "court" omit "may".
11. Clause 5, sub-clause (2), line 40, after "lessee" insert "or in default of agreement as the court may think fit".
- Agreed to with the following amendment:—
Omit "as the court may think" and insert "upon such terms as the court thinks".
13. Clause 5, sub-clause (2), at the end of the sub-clause insert "Provided that where there be a mortgagee of the freehold or of such lease the agreement of any such mortgagee shall be obtained to such terms before the order be made".
- Disagreed with.
14. Clause 5, sub-clause (2), at the end of the sub-clause insert the following new paragraphs:—
"(2b) Any mortgagee of the freehold or of any such lease shall be served with such summons and shall be at liberty to appear and be heard.
(2c) On application to the court on summons by any such lessor or mortgagee and in order to avoid any hardship that may result from any such order the court may amend or alter any order previously made by it."
- Agreed to, with the following amendments:—
Omit "(2b) Any" and insert "(3) Every".
Omit "(2c)" and insert "(4)".
After "lessor" insert "lessee".
Omit "amend or alter" and insert "revoke or vary";
and the following amendment made in the clause:—
Clause 5, page 4, sub-clause (4), line 12, before "Every" insert "Subject to the Part".

Amendments made by the Legislative Council.

How dealt with by the
Legislative Assembly.

18. Clause 5, sub-clause (3), line 6, after "section" insert the following new paragraphs:—

"(b) If any lessee holds as a trustee the property which is the subject of the lease such lessee shall not except in the case of bad faith be deemed to be guilty of a breach of trust by reason of any agreement made between him and the lessor as hereinbefore provided.

(c) If any mortgagee of any such land or lease be a trustee he shall not except in case of bad faith be deemed to be guilty of a breach of trust by reason of his failure to make any application or to appear on any summons or if he make any such agreement".

Agreed to with the following amendments:—

Omit "as a trustee the property which is the subject of the lease" and insert "the lease as a trustee".

Omit "of any agreement made" and insert "only of making any agreement".

After "lease" omit "be" and insert "is".

After "reason" insert "only".

Omit "if he make" and insert "by reason only of making".

20. Clause 5, sub-clause (3), line 9, after "lessor" insert "or lessee".

Agreed to with the following amendment:—After "lessee" insert "or mortgagee".

21. Clause 5, insert the following new sub-clause to follow sub-clause (3):—

"() The directors of any company which is a lessor or lessee of any property shall not except in the case of bad faith be deemed to be guilty of a breach of duty by reason only of their failure to make an application under this section or if they make an agreement in relation to such lease as is hereinbefore provided".

Agreed to with the following amendments:—

Omit "of any company" and insert "or members of the governing body of any corporation".

Omit "if they make" and insert "by reason only of making".

24. Clause 6, line 32, after "shall" insert "subject to any order made upon any appeal".

Agreed to with the following amendment:—After "upon" omit "any".

25. Clause 7, at the end of the clause insert—

"Provided that the lessor and the lessee may with the consent of any mortgagee of the freehold or of the lease make an agreement as to any payment of rent but such agreement shall not be effective unless the consent is in writing and witnessed by a solicitor of the Supreme Court who certifies in writing that the consent is given by his advice and that he is not the solicitor for such lessor or mortgagee as aforesaid".

Disagreed with, but the following amendment made in the clause:—

Clause 7, line 11, at the end of the clause insert the following sub-clauses:—

"(2) After the commencement of this Act no agreement shall be made for the purposes of this Part between the lessor and the lessee of any lease whereby the rent payable under the lease is reduced or the term of the lease is extended or the value of the property is ascertained unless every mortgagee of the freehold or of the lease consents in writing.

(3) If in the opinion of the court any such mortgagee has unreasonably withheld consent to any such agreement the costs of the application to the court or the costs and charges of the sworn valuer (as the case may be) shall be paid by such mortgagee";

and the following consequential amendment made in clause 9:—

Clause 9, page 7, sub-clause (5), line 41, before "The court" insert "Subject to this Part".

Insert the following New Clauses:—
(To follow clause 3.)

26. A. This Part shall apply to any lease of which the Crown or any Government Department or any person or body of persons acting for or on behalf of the Crown or any Government Department is or are the landlord in respect to any shop factory or store or of any land used for any of such purposes.

Disagreed with.

(To follow clause 5.)

27. F. (1) For the purpose of this section "Rent" shall include payments by a lessee to a lessor for the exclusive right or licence to sell goods on any part of the land on which the premises leased to such lessee are included.

(2) Any lessee who pays rent as defined by sub-section (1) of this section may in substitution for the reduction provided for in the last preceding section within one month after the coming into operation of this Act give to the lessor notice in writing that he desires that—

(a) the amount of the rent under the lease be reduced as provided for in the last preceding section; or

(b) in lieu of or in addition to such reduction the term of the lease be extended.

(3) If the said lessee and the said lessor do not agree to such reduction or extension the said lessee within three months after the coming into operation of this Act may make application in writing to the court to reduce the amount of the rent or in lieu of or in addition to such reduction to extend the term of the lease.

(4) Upon making such application the said lessee shall forthwith serve on the said lessor and on any other person whom the court directs to be served notice in writing that such application has been made.

(5) The court shall entertain inquire into and determine the matter of the application and may subject to the provisions of this Part order such reduction (if any of the amount of the rent as in the opinion of the court having regard to the circumstances is fair and equitable or may in lieu of or in addition to making such reduction make an order extending the term of the lease, and the lease shall be read and construed and take effect accordingly.

(6) No order shall be made as aforesaid whereby the term of any lease is extended beyond the period of three years immediately following the coming into operation of this Act.

Agreed to with the following amendments:—

Omit sub-clauses (1) and (2) and insert:—

"(1) Any lessee who as part of or in addition to the rent payable under the lease makes payments to the lessor for the exclusive right or licence to sell goods on any part of the land within which the premises leased to such lessee are included may within one month after the coming into operation of this Act give to the lessor notice in writing that, in lieu of the reduction of the amount of rent as provided in the last preceding section, he desires—

(a) that the total amount of the rent and other payments aforesaid becoming due after the coming into operation of this Act be reduced at the rate provided in the last preceding section; or

(b) that, in lieu of or in addition to the reduction of such total amount, the term of the lease or of such exclusive right or licence or of both be extended."

In sub-clause (3)—

After "court" insert "on notice to the lessor and any mortgagee."

Omit "the amount of the rent or in lieu of or in addition to such reduction to extend the term of the lease" and insert "such total amount or in lieu thereof or in addition thereto to extend any such term".

In sub-clause (5), omit "amount of the rent" and insert "total amount of the rent and other payments aforesaid"; and omit "and the lease shall be read and construed and take effect accordingly" and insert "or of such exclusive right or licence or of both; and thereupon the total amount of such rent and other payments aforesaid shall be reduced or the term of the lease or of such exclusive right or licence or of both shall be extended or such total amount shall be reduced and the term of such lease or of such exclusive right or licence or of both shall be extended accordingly".

In sub-clause (6), omit "the term of any lease" and insert "any such term".

At the end of the clause insert—

"() Any reference to rent or to leases in any provisions of this Part which are applicable to lessors or lessees under this section shall be read and construed as if it included a reference to other payments aforesaid and to exclusive rights or licences aforesaid."

Amendments made by the Legislative Council.

23. B. (1) The provisions of this Part shall not operate so as to reduce the rent under any lease to an amount less than is sufficient to return to the lessor a fair equivalent for the same.
- (2) The fair equivalent shall be deemed to be Five per centum per annum upon the value of the leased property ascertained in manner hereinafter appearing.
- (3) The value of the leased property shall be ascertained as follows:—
- (a) The value of such property shall be such as is mutually agreed between the lessor and lessee with the consent of any mortgagee of the freehold or of the lease and failing agreement shall be ascertained by a sworn valuer appointed on the application of such lessor lessee or mortgagee made to a court of petty sessions consisting of a police magistrate sitting without any other justice or justices upon summons within six months after the coming into operation of this Act.
- (b) In making his valuation such sworn valuer shall have regard to the value of the property at the time of his valuing the same and to the nature and condition of the improvements thereon.
- (c) There shall be no appeal from the valuation so made during the currency of the lease or for the period of three years immediately following the coming into operation of this Act whichever be the less.
- (d) If any lessee be the lessee of a portion of the premises less than the whole the provisions of this section shall be applied to that portion of the premises leased by taking the fair value of the whole property ascertained as aforesaid and allocating to the portion leased such portion of the same as the sworn valuer may declare to be fair in all the circumstances.
- (e) The costs and charges of the sworn valuer in making such determination shall be paid by the lessor unless the court upon such summons otherwise order.
- (f) If the lessor and lessee be lessor and lessee in respect of a sub-lease then the value of the lease for the purposes aforesaid shall be taken as the basis of the value of such sub-lease ascertained in manner aforesaid.

PART II.

30. Clause 12, line 14, omit "mortgagee thereof" and insert "the mortgagee of the freehold and/or of the lease".

31. Clause 12, line 17, after "rent" omit "or" and insert "and/or".

32. Clause 12, line 20, after "lessor" insert "and any such mortgagee or mortgagees".

How dealt with by the
Legislative Assembly.

Agreed to with the following amendments:—

In paragraph (a) of sub-clause (3), omit "with the consent of any mortgagee of the freehold or of the lease".

In paragraph (c) of sub-clause (3), after "whichever" omit "be" and insert "is".

In paragraph (d) of sub-clause (3)—

After "any lessee" omit "be" and insert "is";

After "taking the" omit "fair";

Omit "may declare to be fair in all" and insert "declares to be fair in."

In paragraph (e) of sub-clause (3) before "The costs" insert "Subject to this Part" and omit "unless the court upon such summons otherwise order".

Omit paragraph (f) of sub-clause (3).

Agreed to with the following amendments:—

Before "mortgagee" omit "the" and insert "every."

Omit "and/or" and insert "or."

Disagreed with but the following amendment made in the clause:—

Clause 12, sub-clause (1), line 17, after "bonus" insert "or all or some of them."

Agreed to with the following amendment:—

Omit "or mortgagees."

Amendments made by the Legislative Council.

How dealt with by the
Legislative Assembly.

36. Clause 12, line 25, after "aforesaid" omit "or" and insert "and/or". } Disagreed with.
37. Clause 12, line 28, omit "mortgagee" and insert "such mortgagee or mortgagees". } Agreed to with the following amendments:—
Before "such" insert "every".
Omit "or mortgagees";
and the following amendment made in the clause:—
Clause 12, at the end of the clause insert the following new sub-clause:—
" (5) If in the opinion of the Board any such mortgagee has unreasonably withheld his agreement to any such adjustment or extension the costs of the application shall be paid by such mortgagee ".
39. Clause 13, page 9, line 1, omit "court" and insert "Board".
40. Clause 13, page 9, line 1, before "may" insert "shall take into consideration any reductions or allowances of rent bonus or other consideration payable or paid as aforesaid which have been made by the lessor or his predecessor in title during the currency of such lease or any preceding lease made since the thirtieth day of June One thousand nine hundred and twenty-nine and ". } Disagreed with but the following amendment made in the clause:—
Clause 13, pages 8-9, omit all words beginning "In making its determination" and ending "subject to this Act."
41. Clause 13, page 9, line 1, before "such amount" insert "only".
42. Clause 13, page 9, line 2, after "paid" insert "to the lessor or his predecessor in title".
43. Clause 13, page 9, line 3, after "paid" insert "by such lessee or his predecessor in title".
45. Clause 13, add the following new sub-clauses:—
" (2) Where as the result of any adjustment under this section the amount of any rent bonus or other consideration payable or paid as aforesaid to the lessor is reduced and the lessor is himself a tenant of another person who is within the meaning of the Licensing Acts the owner of the licensed premises the amount of the rent bonus or other consideration in the nature of rent or bonus payable by the said first mentioned lessor to such other person shall be reduced by such an amount as in default of agreement between the lessor and such other person and any mortgagee the Board determines to be fair and equitable and in addition and under similar circumstances as are hereinbefore provided the Board may make an adjustment by extending the term of such lease to the lessor from such other person as aforesaid.
(3) In considering the circumstances in respect to the matter the Board shall have regard to the extent to which the tenant is in arrear with the payment of his rent and to any breach by him of any of the terms covenants and conditions contained in the lease to him from the lessor ".
46. Clause 14, line 10, after "lessee" insert "and any mortgagee of the land or lease". } Disagreed with.
47. Clause 14, line 17, after "Act" insert "and". } Agreed to with the following amendment:—
Omit "any" and insert "every."
49. Clause 15, page 10, line 15, omit "to whom the same was paid" and insert "whom the Board shall in such certificate direct to pay the same as being the lessor in receipt of such rent bonus or other consideration as aforesaid". } Disagreed with.

Amendments made by the Legislative Council.

How dealt with by the
Legislative Assembly.

50. Clause 15, page 10, line 18, after "jurisdiction" insert "unless the Board in such certificate shall order that the same be set off against rent thereafter to become due under the lease or that the same be paid by instalments".

Insert the following New Clauses :—
(To follow clause 13.)

51. G. On application to the Board on summons by any lessor or mortgagee and in order to avoid any hardship that may result from any order made by it the Board may amend or alter any order previously made by it.

52. D. (1) Where a lease contains an option to renew the same for a term of not less than one year the lessee may within one month after exercising such option give notice to the lessor and any mortgagee of the freehold or of such lease in writing that he desires the rent bonus or other consideration in the nature of rent or bonus for such renewed lease to be adjusted and/or in lieu of or in addition to such adjustment the term of the lease to be extended and if within fourteen days thereafter the lessee and the lessor and any such mortgagee as aforesaid do not agree as to such adjustment or extension the lessee within fourteen days after such last mentioned period of fourteen days may make application in writing to the Board to adjust the amount of rent bonus or other consideration payable as aforesaid and/or in lieu of or in addition to such adjustment to extend the term of the lease.

(2) The extended lease shall be construed and take effect as if it were also a term thereof that the rent payable under the renewed lease should be for such portion of the term of the renewal as falls within the period of three years immediately following the coming into operation of this Act be reduced and the bonus or other consideration for such renewed lease shall so far if at all as in the opinion of the Board be fair and equitable upon application to it in manner aforesaid be adjusted and the rent bonus and other consideration payable under the renewed lease shall by virtue of this paragraph be so reduced accordingly.

(3) The provisions of this Part as to extending the term of the lease in lieu of or in addition to making an adjustment shall apply to any such application.

(To follow clause 14.)

53. C. For the purpose of this Part all persons or corporations whether trustees or not are hereby authorized notwithstanding anything to the contrary in any Act or instrument to enter into any agreement to adjust or reduce the amount of rent bonus or other consideration payable by any lessee to any lessor or extend the term of any lease pursuant to this Part.

Agreed to with the following amendments :—

Omit all words after "certificate" and insert "orders that such excess be set off against rent thereafter becoming payable under the lease"; and the following amendments made in the clause :—

Clause 15, sub-clause (3), line 14, omit "which" and insert "and whether the same is to be paid in one amount or by instalments and such amount and every such instalment".

Clause 15, sub-clause (3), line 15, omit "the same" and insert "such excess".

Clause 15, sub-clause (3), line 16, after "amount" insert "or instalment".

Disagreed with.

Amendment 2—Amendments of the Assembly on this amendment of the Council, after debate, agreed to.

Amendments 4, 8, and 11—Amendments of the Assembly on these amendments of the Council agreed to.

Amendment 13, after debate, not insisted on.

Amendment 14—Amendments of the Assembly on this amendment of the Council and also the amendment made by the Assembly in the clause agreed to with the following amendment, viz. :—

Omit "the Part" and insert "this Part".

Amendments 18, 20, 21, and 24—Amendments of the Assembly on these amendments of the Council agreed to.

Amendment 25 not insisted on and the amendment in the clause and the consequential amendment in clause 9 made by the Assembly agreed to.

Amendment 26—The Honorable J. P. Jones moved, That the Council do not insist on this amendment.

Debate ensued.

Motion, by leave, withdrawn.

The Honorable Dr. J. R. Harris moved, That the Council insist on their amendment to insert new clause A but make the following amendments in the new clause, viz. :—

Before "This Part" insert "So far as relates to leases of any land used for the purposes of a shop factory or store".

After "shall" omit all words to the end of the new clause and insert "bind the Crown".

Question—put and resolved in the affirmative.

Amendment 27—Amendments of the Assembly on the amendment of the Council to insert new clause F, after debate, agreed to except the following amendment, viz. :—In sub-clause (3), after "Court" insert "on notice to the lessor and any mortgagee", and this amendment disagreed with but the following amendment made in the new clause, viz. :—

In sub-clause (4), after "lessor" insert "and every mortgagee of the freehold or of the lease".

Amendment 28—Amendments of the Assembly on this amendment of the Council, after debate, agreed to.

Amendment 30—Amendments of the Assembly on this amendment of the Council agreed to.

Amendment 31 not insisted on and the amendment made by the Assembly in the clause agreed to.

Amendment 32—Amendment of the Assembly on this amendment of the Council agreed to.

Amendment 36, after debate, not insisted on.

Amendment 37—Amendments of the Assembly on this amendment of the Council and the amendment made by the Assembly in the clause agreed to but the following consequential amendment made in the Bill, viz. :—

Clause 17, page 11, line 1, before "The Board" insert "Subject to this Part".

Amendments 39 to 43 inclusive, after debate, not insisted on and the amendment made by the Assembly in the clause agreed to.

Amendment 45, after debate, not insisted on.

Amendment 46—Amendment of the Assembly on this amendment of the Council agreed to.

Amendments 47 and 49 not insisted on.

Amendment 50—Amendment of the Assembly on this amendment of the Council and the amendments made by the Assembly in the clause agreed to.

Amendment 51, after debate, not insisted on.

Amendments 52 and 53, after debate, insisted on.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have disagreed with one of the amendments of the Assembly on the amendment of the Council to insert new clause F but have made an amendment in the said new clause, have agreed to the other amendments of the Assembly on the amendments of the Council and to the amendments and consequential amendments made by the Assembly (one with an amendment and one with a consequential amendment in the Bill) and do not insist on some of their amendments disagreed with by the Assembly but insist on their amendments to insert new clauses C and D, and insist on their amendment to insert new clause A but have made amendments in the said new clause, and desiring the concurrence of the Assembly therein.

6. HAWKERS AND PEDLERS 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. LOCAL GOVERNMENT (TEMPORARY REDUCTION OF INTEREST) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to reduce temporarily the Rate of Interest payable by certain Owners in accordance with Section Five hundred and eighty-two of the 'Local Government Act 1928'*" and desiring the concurrence of the Council therein.

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

8. SEWERAGE DISTRICTS (TEMPORARY REDUCTION OF INTEREST) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to reduce temporarily the Rate of Interest payable by certain Owners in accordance with Section Ninety-one of the 'Sewerage Districts Act 1928'*" and desiring the concurrence of the Council therein.

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

9. COMPANIES 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 W. L. R. Clarke reported that the Committee had made progress in the Bill, and asked leave to sit again.

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

10. STOCK FOODS 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. Tyner moved, That the debate be now adjourned.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered, after debate—That the debate be adjourned until Tuesday next.

11. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of Order of the Day, Government Business, No. 4, be postponed until Tuesday next.

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

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

VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 55.

TUESDAY, 15TH DECEMBER, 1931.

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

Mildura Vineyards Protection Bill.
Hawkers and Pedlers Bill.
3. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—

Public Service Act 1928—Stores and Transport—Chapter XIV.—Regulations.
4. ADJOURNMENT.—MOTION UNDER STANDING ORDER No. 53.—The Honorable W. Angliss moved, That the Council do now adjourn, and said he proposed to speak on the subject of the export position of this State in connexion with the pastoral industry ; and six members having risen in their places and required the motion to be proposed, the question was put and, after debate, negatived.
5. STOCK FOODS 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 W. L. R. Clarke reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
6. LANDLORD AND TENANT (RENT REDUCTION) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they agree to the amendment of the Council on the amendments of the Assembly on the amendments of the Council in clause 5, do not insist on disagreeing with the amendment of the Council to insert new clause A and have agreed to the said new clause as now amended by the Council, do not insist on their amendment in sub-clause (3) of new clause F disagreed with by the Council and have agreed to the amendment of the Council in sub-clause (4) of the said new clause, have agreed to the consequential amendment made by the Council in clause 17, do not insist on disagreeing with the amendment of the Council to insert new clause D but have made amendments in the said new clause, and insist on disagreeing with the amendment of the Council to insert new clause C but have inserted a new clause to follow clause 14 of the Bill, and desiring the concurrence of the Council therein.
Ordered—That the foregoing Message be now taken into consideration.

And the said amendments were read and are as follow :—

Amendments made by the Legislative Council.

Insert the following New Clauses :—

(To follow Clause 13.)

52. D. (1) Where a lease contains an option to renew the same for a term of not less than one year the lessee may within one month after exercising such option give notice to the lessor and any mortgagee of the freehold or of such lease in writing that he desires the rent bonus or other consideration in the nature of rent or bonus for such renewed lease to be adjusted and/or in lieu of or in addition to such adjustment the term of the lease to be extended and if within fourteen days thereafter, the lessee and the lessor and any such mortgagee as aforesaid do not agree as to such adjustment or extension the lessee within fourteen days after such last mentioned period of fourteen days may make application in writing to the Board to adjust the amount of rent bonus or other consideration payable as aforesaid and/or in lieu of or in addition to such adjustment to extend the term of the lease.

(2) The extended lease shall be construed and take effect as if it were also a term thereof that the rent payable under the renewed lease should be for such portion of the term of the renewal as falls within the period of three years immediately following the coming into operation of this Act be reduced and the bonus or other consideration for such renewed lease shall so far if at all as in the opinion of the Board be fair and equitable upon application to it in manner aforesaid be adjusted and the rent bonus and other consideration payable under the renewed lease shall by virtue of this paragraph be so reduced accordingly.

(3) The provisions of this Part as to extending the term of the lease in lieu of or in addition to making an adjustment shall apply to any such application.

(To follow clause 14.)

53. C. For the purpose of this Part all persons or corporations whether trustees or not are hereby authorized notwithstanding anything to the contrary in any Act or instrument to enter into any agreement to adjust or reduce the amount of rent bonus or other consideration payable by any lessee to any lessor or extend the term of any lease pursuant to this Part.

How dealt with.

Disagreed with by Assembly—Insisted on by Council—Disagreement not insisted on by Assembly but the following amendments made in the new clause :—

Sub-clause (1), omit all words after “notice” and insert “in writing to the lessor and every mortgagee of the freehold or of such lease that he desires the rent bonus or other consideration in the nature of rent or bonus payable under the renewed lease to be adjusted or in lieu of or in addition to such adjustment the term of the renewed lease to be extended, and if within the period of fourteen days thereafter the lessee and the lessor and any such mortgagee as aforesaid do not agree as to such adjustment or extension the lessee within fourteen days after the expiration of such period may make application in writing to the Board to adjust the amount of rent bonus or other consideration payable as aforesaid or in lieu of or in addition to such adjustment to extend the term of such renewed lease.”

Sub-clauses (2) and (3), omit these sub-clauses and insert :—

“(2) The Board shall inquire into and determine the matter of the application and subject to the provisions of this Part in any such determination may make such adjustment (if any) of the amount of rent bonus or other consideration payable as aforesaid as in the opinion of the Board having regard to the circumstances is fair and equitable or may in lieu of or in addition to making such adjustment extend the term of the renewed lease; and such lease shall be read and construed and take effect accordingly :

Provided that the Board on the application of the lessor or any such mortgagee and upon proof of due notice to the lessee may in a subsequent determination vary or revoke any previous determination of the Board.”

and the following amendment made in the Bill :—

Clause 14, sub-clause (2), omit “with the date of the coming into operation of this Act” and insert “(as the case may be) with the date of the coming into operation of this Act or the date of the renewal of the lease”.

Disagreed with by Assembly—Insisted on by Council—Disagreement insisted on by Assembly but the following new clause inserted in the Bill to follow clause 14 :—

“ . Notwithstanding anything to the contrary in any Act or in any instrument—

(a) any lessee lessor or mortgagee who is a trustee shall not except in case of bad faith be deemed to be guilty of a breach of trust by reason only of making any agreement for the purposes of this Part; and

Amendments made by the Legislative Council.

How dealt with.

(b) the directors or members of the governing body of any corporation shall not except in the case of bad faith be deemed to be guilty of a breach of duty by reason only of making any agreement for the purposes of this Part."

Amendment 52—Amendments of the Assembly on the amendment of the Council to insert new clause D and the amendment made by the Assembly in clause 14 of the Bill, after debate, agreed to.

Amendment 53 not now insisted on and the new clause inserted by the Assembly to follow clause 14 of the Bill agreed to.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the amendments of the Assembly on the amendment of the Council to insert new clause D and to the amendment made by the Assembly in clause 14 of the Bill, do not now insist on their amendment to insert new clause C and agree to the new clause inserted by the Assembly to follow clause 14.

7. ADJOURNMENT.—ALTERATION OF HOUR OF MEETING.—The Honorable J. P. Jones moved, That the House do now adjourn.

Debate ensued.

Motion, by leave, withdrawn.

The Honorable J. P. Jones moved, by leave, That the Council, at its rising, adjourn until to-morrow at three o'clock.

Question—put and resolved in the affirmative.

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

P. T. POOK,

Clerk of the Legislative Council.

No. 56.

WEDNESDAY, 16TH DECEMBER, 1931.

1. The President took the Chair and read the Prayer.
2. COMPANIES 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. L. Goudie 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. LOCAL GOVERNMENT (TEMPORARY REDUCTION OF INTEREST) 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. L. Goudie 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. SEWERAGE DISTRICTS (TEMPORARY REDUCTION OF INTEREST) 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. L. Goudie 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. **WAREEK LAND 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. L. Goudie 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. **STOCK FOODS 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. L. Goudie reported that the Committee had agreed to the Bill with amendments.
On the motion of the Honorable D. L. McNamara, the Bill was re-committed to a Committee of the whole in respect of clauses 3 and 9.
House in Committee.
The President resumed the Chair; and the Honorable G. L. Goudie having reported that the Committee had agreed to the Bill with a further amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.
7. **VACUUM OIL COMPANY BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to the Vacuum Oil Company Proprietary Limited*” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time to-morrow.
8. **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 for Irrigation Works Water Supply Works Drainage and Flood Protection Works in Country Districts and for Works under the River Murray Waters Acts and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
9. **FACTORIES AND SHOPS 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 Supervision and Regulation of Factories and Shops and to other Industrial Matters*” and desiring the concurrence of the Council therein.
On the motion of the Honorable E. L. Kiernan, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time to-morrow.
10. **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 under Loan Acts for Railways and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time to-morrow.
11. **LEGAL PROFESSION PRACTICE 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, the debate was resumed and, on the motion of the Honorable R. Kilpatrick, and after debate, further adjourned until Tuesday next.
12. **COMPANIES 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 J. H. Disney 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. **ADJOURNMENT.—ALTERATION OF HOUR OF MEETING.**—The Honorable J. P. Jones moved, by leave, That the Council, at its rising, adjourn until to-morrow at half-past two o'clock.
Question—put and resolved in the affirmative.

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

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

No. 57.

THURSDAY, 17TH DECEMBER, 1931.

1. The President took the Chair and read the Prayer.
2. ADDITIONAL DAY OF BUSINESS.—The Honorable J. P. Jones moved, That the Council meet for the despatch of business on Monday next and that half-past four o'clock be the hour of meeting.
Debate ensued.
Question—put and resolved in the affirmative.
3. 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.
4. 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 W. H. Edgar 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. PAPER.—The Honorable J. P. Jones presented, by command of His Excellency the Lieutenant-Governor—
Reports (Interim and Final) of the Board of Inquiry into certain matters concerning the Education Department.
Ordered to lie on the Table.
6. CLOSER SETTLEMENT (FINANCIAL) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the Bill in Committee that the Assembly make certain amendments in such Bill, have decided not to make the amendments suggested by the Council.
Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.
7. SEWERAGE DISTRICTS (TEMPORARY REDUCTION OF INTEREST) 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.
8. ELECTRICITY 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 for Works and Undertakings of the State Electricity Commission of Victoria*" and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
9. CAULFIELD LOANS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to authorize the City of Caulfield to expend the Balances of certain Moneys for purposes other than the purposes for which the said Moneys were borrowed by the said City*" and desiring the concurrence of the Council therein.
The Honorable J. P. Jones moved, That this Bill be dealt with as a Public Bill.
Question—put and resolved in the affirmative.
The Honorable J. P. Jones moved, That this Bill be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed and, by leave, to be read a second time later this day.
10. SOUTH MELBOURNE LOAN BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to authorize the City of South Melbourne to expend the Balance of certain Moneys for purposes other than the purposes for which the said Moneys were borrowed by the said City*" and desiring the concurrence of the Council therein.
The Honorable J. P. Jones moved, That this Bill be dealt with as a Public Bill.
Question—put and resolved in the affirmative.
The Honorable J. P. Jones moved, That this Bill be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and, by leave, to be read a second time later this day.
11. DRIED FRUITS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled "*An Act to amend Section Six of the 'Dried Fruits Act 1928' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.

12. **CEMETERIES BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the Law relating to Cemeteries*” and desiring the concurrence of the Council therein.
On the motion of the Honorable D. L. McNamara, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
13. **STAMPS BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the Law relating to Stamps and Stamp Duties*” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
14. **INSTRUMENTS BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend Part VII. of the ‘Instruments Act 1928’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
15. **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 thirty-two*” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
16. **FISHERIES BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the ‘Fisheries Act 1928’*” and desiring the concurrence of the Council therein.
On the motion of the Honorable E. L. Kiernan, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
17. **VACUUM OIL COMPANY 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 W. H. Edgar 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. **UNEMPLOYMENT RELIEF AMENDMENT BILL (No. 3).**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend and continue the Unemployment Relief Acts and to continue the Stamps (Unemployment Relief) Acts and to make provision with respect to Collections for Unemployment*” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
19. **MELBOURNE AND METROPOLITAN TRAMWAYS BOARD BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act relating to the Melbourne and Metropolitan Tramways Board*” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams (for the Hon. J. P. Jones), the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time on Monday next.
20. **UNEMPLOYMENT RELIEF AMENDMENT 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 W. H. Edgar 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. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered—That the consideration of the Orders of the Day, Government Business, Nos. 3 to 7 inclusive, be postponed until after No. 8.
22. **HEALTH BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable D. L. McNamara moved, That this Bill be now read a second time.
Debate ensued.
The Honorable Dr. J. R. Harris moved, That the debate be now adjourned.
Motion, by leave, withdrawn.
Debate on the main question continued.
Question—That this Bill be now read a second time—put and resolved in the affirmative.—Bill 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, 18TH DECEMBER, 1931.

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

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

23. COMPANIES BILL.—The Deputy-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.

24. STOCK FOODS BILL.—The Deputy-President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to some of the amendments made in such Bill by the Council, have disagreed with others of the said amendments, and have agreed to the amendment in line 2 of clause 6 but have made an amendment in clause 7, and desiring the concurrence of the Council therein.

Ordered—That the foregoing Message be taken into consideration on Monday next.

25. ADJOURNMENT.—The Honorable J. P. Jones 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 twelve o'clock in the morning, adjourned until Monday next.

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



VICTORIA.

LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS.

No. 58.

MONDAY, 21ST DECEMBER, 1931.

- 1, The President took the Chair and read the Prayer.
2. FEDERAL AID ROADS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to approve adopt authorize and ratify an Agreement between the Commonwealth of Australia and the State of Victoria relating to the varying of the Agreement set out in the Schedule to the ‘ Federal Aid Roads Act 1926 ’ and approved adopted authorized and ratified by that Act* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
3. LICENSING (FEES) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend Sections Nineteen and Thirty-nine of the ‘ Licensing Act 1928 ’* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time to-morrow.
4. MILDURA IRRIGATION AND WATER TRUSTS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to relieve the First Mildura Irrigation Trust of Part of its Indebtedness for Moneys borrowed from the State for Water Supply and for other purposes* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
5. INCOME TAX BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to declare the Rates of Income Tax for the year ending on the thirtieth day of June One thousand nine hundred and thirty-two and to continue the Income Tax Acts* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
6. ADMINISTRATION AND PROBATE DUTIES BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to continue Part III. of the ‘ Finance Act 1930 ’ and to increase the Duties payable under Part VI. of the ‘ Administration and Probate Act 1928 ’ and under the ‘ Administration and Probate Duties Act 1929 ’ and under the said Part III.* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
7. CULTIVATION ADVANCES BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to enable Advances to be made on certain Terms to Cultivators of Land and for other purposes* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.

8. **LANDLORD AND TENANT (RENT REDUCTION) BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Message from His Excellency the Lieutenant-Governor, pursuant to the provisions of section XXXVI. of The Constitution Act, recommending the following amendments which he desires to be made in this Bill, and acquainting the Council that the Assembly have agreed to such amendments, and desiring the concurrence of the Council therein :—

Clause 6, at the end of sub-clause (8) insert the following proviso :—

“ Provided that if default in payment of rent has continued for a period of more than three months at the time of making such application or the lessee has committed a substantial breach of the terms conditions or covenants of the lease the onus of proof that the lessee had not the means and ability to pay shall be upon the lessee.”

Clause 6, sub-clause (9), omit this sub-clause.

On the motion of the Honorable J. P. Jones, and after debate, the Council agreed to the amendments recommended by His Excellency the Lieutenant-Governor, and ordered His Excellency's Message to be returned to the Assembly with a Message acquainting them therewith.

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

Forests Commission of Victoria—Twelfth Annual Report, Financial Year 1930-31.

Public Service Act 1928—Regulations—Professional Division, Chapter II., Department of Chief Secretary.

10. **FACTORIES AND SHOPS BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable J. P. Jones moved, That this Bill be now read a second time.

Debate ensued.

The Honorable H. I. Cohen moved, That the debate be now adjourned.

Debate ensued.

Question—That the debate be now adjourned—put.

The Council divided.

Ayes, 14.

The Hon. A. E. Chandler,
H. I. Cohen,
H. A. Currie,
G. M. Davis,
C. H. A. Eager,
G. L. Goudie,
Lieut.-Col. G. V. Lansell,
A. J. Pittard,
H. F. Richardson (*Teller*),
M. Saltau,
H. H. Smith,
G. J. Tuckett,
W. Tyner,
W. J. Williamson (*Teller*).

Noes, 9.

The Hon. W. Angliss (*Teller*),
Colonel Harold Cohen (*Teller*),
J. H. Disney,
Dr. J. R. Harris,
J. P. Jones,
E. L. Kiernan,
M. McGregor,
D. L. McNamara,
R. Williams.

And so it was resolved in the affirmative.

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

The Honorable H. I. Cohen moved, as an amendment, That the words “ the next day of meeting ” be omitted with the view of inserting in place thereof the words “ this day two months.”

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

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

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

11. **CAULFIELD LOANS BILL.**—This Bill was, according to Order, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair ; and the Honorable G. L. Goudie 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. **SOUTH MELBOURNE LOAN BILL.**—This Bill was, according to Order, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair ; and the Honorable G. L. Goudie 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. 4, be postponed until after No. 5.

14. **RAILWAY LOAN APPLICATION BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable G. L. Goudie 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. **DRIED FRUITS 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. L. Goudie 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. **CEMETERIES BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable D. L. McNamara moved, That this Bill be now read a second time.
Debate ensued.
Question—put and negatived.
17. **ELECTRICITY 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. L. Goudie 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.—ALTERATION OF HOUR OF MEETING.**—The Honorable J. P. Jones moved, by leave, That the Council, at its rising, adjourn until to-morrow at half-past two o'clock.
Question—put and resolved in the affirmative.

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

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

No. 59.

TUESDAY, 22ND DECEMBER, 1931.

1. The President took the Chair and read the Prayer.
2. **PAPER.**—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
Railways—Report of the Victorian Railways Commissioners for the quarter ended 30th September, 1931.
3. **FISHERIES 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. L. Goudie 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. **STOCK FOODS BILL.**—The Order of the Day for the consideration of the amendments made in this Bill by the Council and disagreed with by the Assembly or agreed to with an amendment having been read, the said amendments were read and are as follow :—

Amendments made by the Legislative Council.	How dealt with by the Legislative Assembly.
4. Clause 3, sub-clause (1), paragraph (d), omit this paragraph.	} Disagreed with.
5. Clause 3, page 3, lines 17-18, omit "and the respective forms in which they occur".	
8. Clause 4, omit this clause.	
9. Clause 6, line 1, omit "vendor" and insert "manufacturer or importer".	
10. Clause 6, line 2, omit "or of mixed grain".	} Agreed to but the following amendment made in clause 7 :— Clause 7, line 29, after "by-product" insert "or mixed grain."

Amendments made by the Legislative Council.

11. Clause 7, lines 35-6, omit "and (d) such other particulars as are prescribed".
15. Clause 15, paragraph (e), omit this paragraph.
17. Clause 17, paragraph (a), insert the following new sub-paragraph to follow sub-paragraph (iii) :—
“() prescribing the method of collecting samples of bran and pollard from flour mills for the purposes of the Stock Foods Acts”.
19. *Insert the following New Clause to follow clause 10 :—*
A. (1) For sub-section (3) of section ten of the Principal Act there shall be substituted the following sub-section :—
“(3) The respective standards for bran and pollard shall be prescribed in each year in accordance with the chemical and physical analyses carried out by the chemist of the Department of Agriculture upon samples collected as prescribed from flour mills in various parts of Victoria and which in the opinion of the said chemist represent a fair average quality of bran and pollard for that year and such standards shall be published in the *Government Gazette* not later than the last day of February in that year and shall continue in force until the next following publication of standards for bran and pollard”.
- (2) In sub-section (2) of section ten of the Principal Act the words “in the second Schedule to this Act” are hereby repealed.
- (3) The Second Schedule to the Principal Act is hereby repealed.

Disagreed with.

Amendments 4, 5, 8, and 9, after debate, insisted on.

Amendment 10—Amendment of the Assembly in clause 7 of the Bill agreed to.

Amendments 11, 15, 17, and 19, after debate, insisted on.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the amendment made by the Assembly in clause 7 of the Bill and insist on their amendments disagreed with by the Assembly.

5. MELBOURNE AND METROPOLITAN TRAMWAYS BOARD BILL.—This Bill was, according to Order, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair, and the Honorable J. H. Disney 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. CLOSER SETTLEMENT (FINANCIAL) 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. L. Goudie having reported that the Committee had agreed to the Bill without amendment, the Report was adopted.

The Honorable R. Williams moved, That the Bill be now read a third time.

The Honorable Dr. J. R. Harris moved, That the following amendments suggested on the consideration of the Bill in Committee of the whole be again suggested to the Legislative Assembly, viz. :—

1. Clause 2, line 17, omit “nine hundred and fifty thousand” and insert “eight hundred thousand”.
2. Clause 3, lines 5-6, omit “nine hundred and twenty-five thousand” and insert “eight hundred and seventy-five thousand”.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

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

7. INSTRUMENTS 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. L. Goudie 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. FEDERAL AID ROADS 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. L. Goudie 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. APPOINTMENT OF TEMPORARY CHAIRMAN OF COMMITTEES AS DEPUTY-PRESIDENT.—The Honorable J. P. Jones moved, by leave, That during the absence of the Chairman of Committees, the Honorable G. L. Goudie perform the duties of the Chairman of Committees as Deputy-President provided for in Standing Order No. 35, 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.

10. UNEMPLOYMENT RELIEF AMENDMENT BILL (No. 3).—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 clerical errors in this Bill, viz. :—In clause 5, page 7, line 7, after the word “referred” the word “to” has been omitted; and in clause 16, page 11, line 3, the word “seventeen” has been inserted instead of the word “eighteen”, and acquainting the Council that they have agreed that such errors be corrected by the insertion of the word “to” after the word “referred” in clause 5, page 7, line 7, and by the insertion of the word “eighteen” instead of the word “seventeen” in clause 16, page 11, line 3, and desiring the concurrence of the Council therein.

On the motion of the Honorable R. Williams, the Council concurred with the Assembly in the correction of the clerical errors discovered in this Bill, and ordered that the communication from the Clerk of the Parliaments be returned to the Assembly with a Message acquainting them therewith.

11. MALVERN LOANS BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “An Act to authorize the City of Malvern to expend the Balances of certain Moneys for purposes other than the purposes for which the said Moneys were borrowed by the said City” and desiring the concurrence of the Council therein.

The Honorable R. Williams for the Honorable J. P. Jones moved, That this Bill be dealt with as a Public Bill.

Question—put and resolved in the affirmative.

The Honorable R. Williams for the Honorable J. P. Jones moved, That this Bill be now read a first time.

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

12. LICENSING (FEES) BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable R. Williams moved, That this Bill be now read a second time.

Debate ensued.

The Honorable H. F. Richardson moved, That the debate be now adjourned.

Debate ensued.

Question—That the debate be now adjourned—put and negatived.

Debate on the main question continued.

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

The Council divided.

Ayes, 23.

- The Hon. W. Angliss,
- W. L. R. Clarke,
- Colonel Harold Cohen,
- H. I. Cohen,
- H. A. Currie,
- G. M. Davis,
- J. H. Disney,
- C. H. A. Eager,
- G. L. Goudie,
- Dr. J. R. Harris,
- J. P. Jones,
- H. Keck,
- E. L. Kiernan,
- R. Kilpatrick,
- Lieut.-Col. G. V. Lansell,
- G. S. McArthur,
- M. McGregor (Teller),
- D. L. McNamara,
- M. Saltau,
- H. H. Smith,
- G. J. Tuckett (Teller),
- R. Williams,
- A. M. Zwar.

Noes, 7.

- The Hon. E. G. Bath,
- A. E. Chandler (Teller),
- H. H. Olney,
- A. J. Pittard (Teller),
- H. F. Richardson,
- W. Tyner,
- W. J. Williamson.

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 G. L. Goudie 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. **INCOME TAX BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable J. P. Jones moved, That this Bill be now read a second time and, debate arising thereupon, it was ordered, on the motion of the Honorable Dr. J. R. Harris, that the debate be adjourned until to-morrow.

14. **MOTOR CAR BILL (No. 2).**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend Sections Four and Ten of the ‘ Motor Car Act 1928 ’ and to make Provision with respect to Refunds in certain Cases* ” and desiring the concurrence of the Council therein.

On the motion of the Honorable J. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and to be read a second time to-morrow.

15. **MILDURA IRRIGATION AND WATER TRUSTS 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. L. Goudie 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. **ADJOURNMENT.—ALTERATION OF HOUR OF MEETING.**—The Honorable J. P. Jones moved, by leave, That the Council, at its rising, adjourn until to-morrow at half-past eleven o’clock.

Question—put and resolved in the affirmative.

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

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

No. 60.

WEDNESDAY, 23RD DECEMBER, 1931.

1. The President took the Chair and read the Prayer.
2. **HEALTH 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.
3. **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 thirty-two 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. P. Jones, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
4. **PAPERS.**—The Honorable J. P. Jones presented, by command of His Excellency the Lieutenant-Governor—
Charitable Institutions—Statistics for the year 1930–31.
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—
Superannuation Act 1928—Report of the State Superannuation Board for the year 1930–31.
5. **CEMETERIES BILL.**—The Honorable D. L. McNamara moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable G. L. Goudie 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. **MOTOR CAR 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. L. Goudie 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.

7. **DEBT CONVERSION AGREEMENT BILL (No. 2).**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to approve an Agreement between the Commonwealth of Australia of the First Part and the States of New South Wales, Victoria, Queensland, South Australia, Western Australia and Tasmania of the Second, Third, Fourth, Fifth, Sixth, and Seventh Parts respectively relating to the Compulsory Conversion of the Internal Debts of the Commonwealth and the States in certain cases and to refer to the Parliament of the Commonwealth a certain Matter in connexion with the Compulsory Conversion of such Debts, and for other purposes*” and desiring the concurrence of the Council therein.

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

8. **CEMETERIES BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to some of the amendments made in such Bill by the Council, and have disagreed with one of the said amendments, and desiring the concurrence of the Council therein.

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

9. **MALVERN LOANS 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. L. Goudie 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. **INCOME TAX BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

Question—put.

The Council divided.

Ayes, 16.

The Hon. W. L. R. Clarke (*Teller*),
Colonel Harold Cohen,
H. I. Cohen,
H. A. Currie,
G. M. Davis,
Dr. J. R. Harris,
J. P. Jones,
H. Keck,
E. L. Kiernan,
R. Kilpatrick,
Lieut.-Col. G. V. Lansell,
D. L. McNamara,
A. J. Pittard,
G. J. Tuckett,
R. Williams,
W. J. Williamson (*Teller*).

Noes, 12.

The Hon. W. Angliss,
E. G. Bath,
A. E. Chandler,
C. H. A. Eager,
G. L. Goudie,
G. S. McArthur,
M. McGregor,
H. H. Olney,
M. Saltau (*Teller*),
H. H. Smith (*Teller*),
W. Tyner,
A. M. Zwar.

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 G. L. Goudie reported that the Committee had made progress in the Bill, and had agreed to the following resolution:—

That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz:—

Clause 3, at the end of the clause insert—

“Provided that in respect of any income tax payable under the said Income Tax Acts and remaining unpaid the Income Tax Acts shall be read and construed as if in paragraph (d) of section seventy-one of the *Income Tax Act 1928* for the words ‘Ten pounds per centum’ there were substituted the words ‘Eight pounds per centum.’”

and asked leave to sit again.

On the motion of the Honorable J. P. Jones, the Council adopted the resolution reported from the Committee of the whole.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

Resolved—That the Council will, later this day, again resolve itself into a Committee of the whole.

11. **CULTIVATION ADVANCES BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable G. L. Goudie 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. **FIREARMS BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to amend the ‘ Firearms Act 1928’* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
13. **POLICE OFFENCES (SPORTS GROUNDS) BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act relating to Betting by way of Wagering on certain Sports Grounds* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
14. **CLOSER SETTLEMENT (FINANCIAL) BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the question that the Bill be read a third time that the Assembly make certain amendments in such Bill, have made the suggested amendments with modifications, and desiring the concurrence of the Council therein.
Ordered—That the foregoing Message be taken into consideration in conjunction with the Order of the Day for the resumption of the debate on the third reading of the Bill.
15. **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 J. H. Disney reported that the Committee had made progress in the Bill, and had agreed to the following resolution :—
That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. —
Clause 3, omit this clause—
and asked leave to sit again.
On the motion of the Honorable J. P. Jones, the Council adopted the resolution reported from the Committee of the whole.
Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.
Resolved—That the Council will, later this day, again resolve itself into a Committee of the whole.
16. **STOCK FOODS BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they insist on disagreeing with the amendments made and insisted on by the Council.
Ordered—That the foregoing Message be taken into consideration later this day.
17. **LICENSING (HALF-YEARLY PAYMENTS) BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “ *An Act to make Provision with respect to certain Payments under the Licensing Acts* ” and desiring the concurrence of the Council therein.
On the motion of the Honorable R. Williams, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
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 G. L. Goudie reported that the Committee had made progress in the Bill, and had agreed to the following resolution :—
That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—
Clause 2, sub-clause (1), at the end of the sub-clause insert—
“ Provided further that in respect of any such tax or super-tax remaining unpaid sub-section (1) of section Fifty-five of the *Land Tax Act 1928* shall be read and construed as if after the words ‘ Eight per centum ’ there were inserted the words ‘ per annum from the due date to the date of payment ’ ”—
and asked leave to sit again.
On the motion of the Honorable R. Williams, the Council adopted the resolution reported from the Committee of the whole.
Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.
Resolved—That the Council will, later this day, again resolve itself into a Committee of the whole.

19. **FIREARMS 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. L. Goudie 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.
20. **STAMPS BILL.**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable W. L. R. Clarke reported that the Committee had made progress in the Bill, and had agreed to the following resolution:—
That it be a suggestion to the Legislative Assembly that they make the following amendments in the Bill, viz.:—
1. Clause 2, page 2, omit “1935” (where secondly occurring) and insert “1932”.
2. Clause 3, omit this clause—
and asked leave to sit again.
On the motion of the Honorable J. P. Jones, the Council adopted the resolution reported from the Committee of the whole.
Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.
Resolved—That the Council will, later this day, again resolve itself into a Committee of the whole.
21. **COMPANIES BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Message from His Excellency the Lieutenant-Governor, pursuant to the provisions of section XXXVI. of The Constitution Act, recommending the following 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:—
Clause 7, page 8, after “at the time of the passing of” omit “this Act” and insert “the *Companies Act 1931*”.
On the motion of the Honorable J. P. Jones the Council agreed to the amendment recommended by His Excellency the Lieutenant-Governor, and ordered His Excellency’s Message to be returned to the Assembly with a Message acquainting them therewith.
22. **INCOME TAX BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the Bill in Committee that the Assembly make a certain amendment in such Bill, have made the suggested amendment.
Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.
23. **APPROPRIATION BILL.**—This Bill was, according to Order, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable G. L. Goudie reported that the Committee had made progress in the Bill, and had agreed to the following resolution:—
That it be a suggestion to the Legislative Assembly that they make the following amendments in the Bill, viz.:—
1. In the Second Schedule, Part I., page 12, Division No. 41, Item No. 9, after “on” insert “interest and other payments in”.
2. In the Second Schedule, Part II., Division No. 25, page 42, after “Subdivision No. 7” insert “MISCELLANEOUS”.
3. In the Second Schedule, Part II., page 57, Division No. 41, Item No. 8, after “on” insert “interest and other payments in”—
and asked leave to sit again.
On the motion of the Honorable J. P. Jones, the Council adopted the resolution reported from the Committee of the whole.
Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.
Resolved—That the Council will, later this day, again resolve itself into a Committee of the whole.
24. **POLICE OFFENCES (SPORTS GROUNDS) 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—

THURSDAY, 24TH DECEMBER, 1931.

The President resumed the Chair; and the Honorable W. Angliss 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.

25. CEMETERIES BILL.—The Order of the Day for the consideration of the amendment made in this Bill by the Council and disagreed with by the Assembly having been read, the said amendment was read and is as follows :—

Amendment made by the Legislative Council.

How dealt with by the Legislative Assembly.

4. Clause 6, omit this clause Disagreed with.

On the motion of the Honorable D. L. McNamara, the Council insisted on its amendment disagreed with by the Assembly and ordered that the Bill be returned to the Assembly with a Message acquainting them therewith.

26. CLOSER SETTLEMENT (FINANCIAL) BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a third time, having been read—
Debate resumed.

The Honorable Dr. J. R. Harris moved, as an amendment, That the words “ be now read a third time ” be omitted with the view of inserting in place thereof the words “ be laid aside ”.

Debate ensued.

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

The Council divided.

Ayes, 20.

The Hon. E. G. Bath (*Teller*),
W. L. R. Clarke,
Colonel Harold Cohen,
H. I. Cohen,
H. A. Currie,
G. M. Davis,
G. L. Goudie,
J. P. Jones,
H. Keck,
E. L. Kiernan,
R. Kilpatrick (*Teller*),
Lieut.-Col. G. V. Lansell,
G. S. McArthur,
M. McGregor,
D. L. McNamara,
H. H. Olney,
A. J. Pittard,
M. Saltau,
G. J. Tuckett,
R. Williams.

Noes, 7.

The Hon. W. Angliss,
A. E. Chandler,
C. H. A. Eager (*Teller*),
Dr. J. R. Harris,
H. H. Smith,
W. Tyner (*Teller*),
W. J. Williamson.

And so it was resolved in the affirmative.

Question—That the Bill be now read a third time—put and resolved in the affirmative.—Bill 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, including the amendments suggested by the Council, as modified and made by the Assembly, without amendment.

27. DEBT CONVERSION AGREEMENT BILL (No. 2).—The Order of the Day for the second reading of this Bill having been read, the Honorable J. P. Jones moved, That this Bill be now read a second time.
Debate ensued.

Question—put.

The Council divided.

Ayes, 15.

The Hon. W. Angliss (*Teller*),
E. G. Bath,
A. E. Chandler,
W. L. R. Clarke,
G. M. Davis,
G. L. Goudie,
Dr. J. R. Harris,
J. P. Jones,
H. Keck,
Lieut. Col. G. V. Lansell (*Teller*),
M. McGregor,
D. L. McNamara,
A. J. Pittard,
G. J. Tuckett,
R. Williams.

Noes, 10.

The Hon. Colonel Harold Cohen,
H. A. Currie (*Teller*),
C. H. A. Eager,
R. Kilpatrick,
G. S. McArthur,
H. H. Olney (*Teller*),
M. Saltau,
H. H. Smith,
W. Tyner,
W. J. Williamson.

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 W. L. R. Clarke 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. **INCOME TAX ACTS AMENDMENT BILL.**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to amend the Income Tax Acts*” and desiring the concurrence of the Council therein.

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

29. **LAND TAX BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the Bill in Committee that the Assembly make a certain amendment in such Bill, have made the suggested amendment with a modification.

Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.

30. **ADMINISTRATION AND PROBATE DUTIES BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the Bill in Committee that the Assembly make a certain amendment in such Bill, have decided not to make the amendment suggested by the Council.

Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.

31. **CEMETERIES BILL.**—The President announced the receipt of a Message from the Assembly acquainting the Council that they do not insist on disagreeing with the amendment made and insisted on by the Council in this Bill.

32. **POLICE OFFENCES (SPORTS GROUNDS) 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.

33. **STAMPS BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the Bill in Committee that the Assembly make certain amendments in such Bill, have made the suggested amendments.

Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.

34. **CONSOLIDATED REVENUE BILL (No. 8).**—The President announced the receipt of a Message from the Assembly transmitting a Bill intituled “*An Act to apply out of the Consolidated Revenue the sum of Three million nine hundred and twenty-one thousand nine hundred and twenty-eight pounds to the service of the year One thousand nine hundred and thirty-one and One thousand nine hundred and thirty-two*” and desiring the concurrence of the Council therein.

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

35. **HEALTH 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, omit this clause.
2. Clause 8, omit this clause.
3. Clause 14, omit this clause.
4. Clause 16, omit this clause.

Insert the following New Clauses :—

(To follow clause 6.)

5. A. At the end of sub-section (2) of section eighty-two of the Principal Act there shall be inserted the following proviso :—

“Provided that the council, in the case of any abattoir or slaughter-house, shall not give consent to any works being commenced until the plans and specifications have been approved by the medical officer of health and the municipal engineer, and registration of such abattoir or slaughter-house shall not be granted until the medical officer of health and the municipal engineer have certified that the abattoir or slaughter-house has been erected in accordance with the plans and specifications approved as aforesaid.”

(To follow clause 16.)

6. B. The Governor in Council may under and in accordance with the Principal Act make regulations for or with respect to the training and examination of sanitary plumbers carrying on work under the supervision of the Melbourne and Metropolitan Board of Works the Geelong Waterworks and Sewerage Trust or any sewerage authority within the meaning of the Sewerage Districts Acts.

Amendments 1 and 2, after debate, agreed to.

Amendments 3, 4, and 5 agreed to.

Amendment 6, after debate, agreed to.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the amendments made by the Assembly in this Bill.

36. **LICENSING (HALF-YEARLY PAYMENTS) BILL.**—This Bill was, according to Order, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable G. L. Goudie 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.

37. **INCOME TAX 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. L. Goudie having reported that the Committee had agreed to the Bill, including the amendment made by the Assembly which was suggested by the Council, without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same, including the amendment made by the Assembly which was suggested by the Council, without amendment.
38. **ADMINISTRATION AND PROBATE DUTIES 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. L. Goudie having reported that the Committee had agreed to the Bill without amendment, the Report was adopted.
The Honorable J. P. Jones moved, That the Bill be now read a third time.
The Honorable C. H. A. Eager moved, That the following amendment suggested on the consideration of the Bill in Committee of the whole be again suggested to the Legislative Assembly, viz. :—
Clause 3, omit this clause.
Question—put and resolved in the affirmative.
Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.
Ordered—That the debate be adjourned until later this day.
39. **LAND TAX 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 W. L. R. Clarke having reported that the Committee had agreed to the Bill, including the amendment suggested by the Council as modified and made by the Assembly, 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, including the amendment suggested by the Council as modified and made by the Assembly, without amendment.
40. **STAMPS 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 W. L. R. Clarke having reported that the Committee had agreed to the Bill, including the amendments made by the Assembly which were suggested by the Council, 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, including the amendments made by the Assembly which were suggested by the Council, without amendment.
41. **INCOME TAX ACTS 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 W. L. R. Clarke 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.
42. **CONSOLIDATED REVENUE BILL (No. 8).**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable G. L. Goudie 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.
43. **ADMINISTRATION AND PROBATE DUTIES BILL.**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the question that the Bill be read a third time that the Assembly make a certain amendment in such Bill, have made the suggested amendment.
Ordered—That the foregoing Message be taken into consideration in conjunction with the Order of the Day for the resumption of the debate on the third reading of the Bill.
44. **ADMINISTRATION AND PROBATE DUTIES BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a third time, having been read—
Debate resumed.
Question—put and resolved in the affirmative.—Bill 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, including the amendment made by the Assembly which was suggested by the Council, without amendment.

45. ADJOURNMENT.—The Honorable J. P. Jones moved, by leave, That the Council, at its rising, adjourn until Wednesday, the 20th January next.

Question—put and resolved in the affirmative.

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

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at eight minutes past five o'clock in the morning, adjourned until Wednesday, the 20th January next.

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



QUESTIONS ASKED BY HONORABLE MEMBERS, AND REPLIES THERETO.

Subject-matter, and Name of Member.	No. of Notice-Paper. (Question.)	Page in <i>Hansard</i> . (Reply.)
ADVANCES to settlers—		
Amount advanced this year, and total amount advanced to date (<i>Hon. G. L. Goudie</i>)	7	1040
Amount paid weekly as sustenance to Mallee farmers, number receiving same, and fund from which paid (<i>Hon. H. A. Currie</i>)	31	2993
Amount paid during past 12 months as sustenance to Mallee farmers from loan money and proceeds of crop, and number receiving such advances (<i>Hon. H. A. Currie</i>)	32	3083
BUTTER substitutes— Legislation to restrict sales (<i>Hon. H. F. Richardson</i>) ..	16	1784
CENSORSHIP of Films— Complaint that films rejected by the Censorship Board are passed by the Commonwealth and State censorship appeal authorities (<i>Hon. H. F. Richardson</i>)	17	2009-10
Communism. <i>See</i> "Russia."		
Convicted persons—Cases, since 12th December, 1929, in which sentences were remitted in whole or in part (<i>Hon. H. H. Smith</i>)	47 51	4453-4 4787-8, 4859-61
Country Roads Board Fund—Amount expended for purposes other than provided by statute, or used by Railway Department (<i>Hon. W. L. R. Clarke</i>)	48	4519
EDUCATION DEPARTMENT—		
Closing of small country schools (<i>Hon. W. L. R. Clarke</i>)	13	1535
Government requesting Inquiry Board to call on Mr. Donald Clark to give evidence as to possible savings (<i>Hon. H. F. Richardson</i>)	4	736
"Elcho" Training Farm—Utilization for the training, as farmers, of boys leaving school (<i>Hon. H. F. Richardson</i>)	10	1277
Electricity. <i>See</i> "State Electricity Commission."		
FILMS. See "Censorship of Films."		
Freezing Works—Profits or losses on last season's operations at Ballarat—Value of lambs processed and not sold (<i>Hon. R. Kilpatrick</i>)	4	736
LAND and Income Tax— Reduction of maximum penalty unpaid tax—Fixing penalty on unpaid land tax at a rate per centum per annum (<i>Hon. A. J. Pittard</i>)	44	4123
OLD Treasury Building. See "Unemployment Relief."		
POLICE— Increase in numbers to meet increase in crime (<i>Hon. H. F. Richardson</i>)	1	52
PRIMARY Products. See "Wheat Pool."		
RAILWAYS—		
Affiliation of Australian Railways Union with the Red International Labour Union of Moscow (<i>Hon. W. L. R. Clarke</i>)	48	4520
Application of penal rates to a person transferring goods from one of his stores to another (<i>Hon. W. L. R. Clarke</i>)	48	4520
Appointment of a board of business and financial experts to inquire into increasing losses in revenue (<i>Hon. W. H. Edgar</i>)	47	4454
Authority for employing espionage and penal rates against producers and traders using motor transport (<i>Hon. W. L. R. Clarke</i>)	47	4454
Cost per ton-mile of hauling wheat (<i>Hon. W. J. Williamson</i>)	51	4786-7
Leasing the Chalet at Mt. Buffalo to avoid losses under Departmental management (<i>Hon. H. F. Richardson</i>)	51	4786
Power of Governor in Council to alter freights and fares under by-law No. 305 (<i>Hon. W. L. R. Clarke</i>)	48	4520
Toolondo Railway line—Cost of re-grading to enable it to effectively serve as the Wimmera to Portland wheat line—Amount which would be spent on unskilled labour (<i>Hon. W. J. Williamson</i>)	51	4786-7
RETURNED Soldiers— Number settled on farms, number since displaced, and number likely to be successful; particulars as to amount advanced by Governments and arrears of repayments (<i>Hon. H. F. Richardson</i>)	39	3699

QUESTIONS ASKED BY HONORABLE MEMBERS, AND REPLIES THERETO—*continued.*

Subject-matter, and Name of Member.	No. of Notice-Paper. (Question.)	Page in Hansard. (Reply.)
RUSSIA—		
Communism—Preventing agents of the Russian Soviet from spreading doctrines throughout Victoria and preventing the circulation of documents found on a communist agent arrested in China (<i>Hon. H. F. Richardson</i>)	21	2281
Red International Labour Union of Moscow—Affiliation of Australian Railways Union (<i>Hon. W. L. R. Clarke</i>)	48	4520
Timber from Russia—Request to Commonwealth Government to prevent landing in Australia (<i>Hon. H. F. Richardson</i>)	7	1040
SCHOOLS. See " Education Department."		
State Electricity Commission—		
Refusal to permit a country municipality to reduce its price for electricity supplied (<i>Hon. A. E. Chandler</i>)	22	2367
Salaries and allowances of officers receiving £800 or more per annum (<i>Hon. A. E. Chandler</i>)		
Sales of electrical appliances and fittings at depots during 1930–31 (<i>Hon. H. H. Smith</i>)	35	3389
Terms and conditions of purchase of premises in Flinders-street from Melbourne Electric Supply (<i>Hon. H. H. Smith</i>)		
Sustenance. See under " Advances to Settlers " and " Unemployment Relief."		
UNEMPLOYMENT RELIEF—		
Grants to country towns to provide work instead of sustenance (<i>Hon. W. L. R. Clarke</i>)	1	55
Number receiving sustenance and total amount paid during past 12 months in metropolitan area, Ballarat, Bendigo, Geelong, and rest of Victoria (<i>Hon. H. F. Richardson</i>)	58	5477
Old Treasury Building—Cost to date and estimated total cost of repairs to stone work—Wages paid and fund from which paid (<i>Hon. A. E. Chandler</i>)	36	3479
Rate of pay on works in and out of the metropolis—Cases where such rates were lower than the Arbitration Court rates in the A.W.U. Award (No. 70 of 1927) (<i>Hon. H. I. Cohen</i>)	33	3157
WAGES Boards—Boards which have provided in their Determinations for the Arbitration Court 10 per cent. reduction in wages (<i>Hon. W. Tyner</i>)	46	4367
Wheat-Pool—Ballot of wheatgrowers on question of compulsory pool in anticipation of passing of Marketing of Primary Products Bill (<i>Hon. G. J. Tuckett</i>)	6	954

BILLS ASSENTED TO AFTER THE FINAL ADJOURNMENT OF BOTH HOUSES OF
PARLIAMENT AND BEFORE THE PROROGATION.

The following Bills were assented to by His Excellency the Lieutenant-Governor on the dates mentioned hereunder, viz. :—

On the 24th December, 1931—

- Caulfield Loans.
- Dried Fruits.
- Electricity Supply Loans Application.
- Landlord and Tenant (Rent Reduction).
- Local Government (Temporary Reduction of Interest).
- Melbourne and Metropolitan Tramways Board.
- Sewerage Districts (Temporary Reduction of Interest).
- Vacuum Oil Company.
- Wareek Land.
- Water Supply Loans Application.

On the 30th December, 1931—

- Administration and Probate Duties.
- Cemeteries.
- Closer Settlement (Financial).
- Companies.
- Consolidated Revenue (No. 8).
- Cultivation Advances.
- Debt Conversion Agreement (No. 2).
- Federal Aid Roads.
- Fisheries.
- Health.
- Income Tax.
- Income Tax Acts Amendment.
- Instruments.
- Land Tax.
- Licensing (Fees).
- Licensing (Half-yearly Payments).
- Malvern Loans.
- Mildura Irrigation and Water Trust.
- Police Offences (Sports Grounds).
- Railway Loan Application.
- South Melbourne Loan.
- Stamps.
- Unemployment Relief Amendment (No. 3).



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VICTORIA
GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 10]

TUESDAY, JANUARY 19.

[1932

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 Wednesday, the twentieth day of January, 1932 :
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 first day of March, 1932.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this nineteenth day of January, in the year of our Lord One thousand nine hundred and thirty-two, and in the twenty-second year of the reign of His Majesty King George V.

(L.S.)

W. H. IRVINE.

By His Excellency's Command,

T. TUNNECLIFFE.

GOD SAVE THE KING!

SELECT COMMITTEES.

APPOINTED DURING THE SESSION 1931.

No. 1.—ELECTIONS AND QUALIFICATIONS.

Appointed (by President's Warrant) 6th May, 1931.

The Hon. H. I. Cohen*	The Hon. J. P. Jones
C. H. A. Eager	D. L. McNamara*
G. L. Goudie*	H. F. Richardson
Dr. J. R. Harris	

No. 2.—STANDING ORDERS.

Appointed 12th May, 1931.

The Hon. the President*	The Hon. Dr. J. R. Harris
F. W. Brawn	J. P. Jones
Col. Harold Cohen† (<i>vice</i> E. J. White)	M. McGregor
H. I. Cohen*	D. L. McNamara*
W. H. Edgar*	H. F. Richardson

No. 3.—HOUSE (JOINT).

Appointed 12th May, 1931, under Act No. 3660, s. 367.

The Hon. the President (<i>ex officio</i>)	The Hon. D. L. McNamara*
W. Angliss	R. Williams
A. E. Chandler*	A. M. Zwar*

No. 4.—LIBRARY (JOINT).

Appointed 12th May, 1931.

The Hon. the President*	The Hon. M. Saltau
W. L. R. Clarke*	W. Tynen
E. L. Kiernan† (<i>vice</i> W. J. Beckett)	

No. 5.—PRINTING.

Appointed 12th May, 1931.

The Hon. the President*	The Hon. R. Kilpatrick† (<i>vice</i> H. H. Hitchcock)
E. G. Bath*	Lieut.-Col. G. V. Lansell
H. A. Currie	W. J. McCann‡
H. Keck*	H. H. Smith
E. L. Kiernan	G. J. Tuckett*

No. 6.—STATUTE LAW REVISION (JOINT).

Appointed 12th May, 1931.

The Hon. H. I. Cohen*	The Hon. J. P. Jones
W. H. Edgar*	M. McGregor
G. L. Goudie*	H. F. Richardson

* Vacated office on retirement from the Council by effluxion of time; re-appointed 16th June, 1931, after re-election as a member of the Council.

† Appointed 16th June, 1931, in place of a member who vacated office on retirement from the Council by effluxion of time and who was not re-elected as a member of the Council.

‡ Resigned from the Council, 24th October, 1931.

No. 7.—UNEMPLOYMENT RELIEF (JOINT).

Appointed by ballot 8th December, 1931.

The Hon. A. E. Chandler
 Col. Harold Cohen
 H. I. Cohen
 C. H. A. Eager
 G. I. Goudie

The Hon. Dr. J. R. Harris (*Mover*)
 J. P. Jones
 H. F. Richardson
 G. J. Tuckett
 R. Williams

PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS (JOINT).

Appointed under Act No. 3761.

The Hon. M. McGregor
 (Appointed 11th December, 1929.)

The Hon. G. J. Tuckett
 (Appointed 12th May, 1931, *vice* Hon. A. Bell,
 deceased, but vacated office on retirement from
 the Council by effluxion of time; re-appointed
 16th June, 1931, after re-election as a member
 of the Council.)

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1931.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 1.

Extracted from the Minutes.

WEDNESDAY, 1st JULY, 1931.

No. 1.—LICENSING BILL.—Clause 2—

2. (1) In section one hundred and seventy-eight of the Principal Act after the word "Sunday" (wherever occurring) there shall be inserted the words "or on Christmas Day or on Good Friday."

* * * * *

—(Hon. W. Tyner.)

Amendment proposed—That the words "or on Christmas Day" be omitted.

—(Hon. Dr. J. R. Harris.)

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

Committee divided.

Ayes, 12.

Noes, 14.

- The Hon. E. G. Bath,
- F. W. Brawn,
- A. E. Chandler,
- G. M. Davis,
- W. H. Edgar,
- W. J. McCann,
- M. McGregor,
- H. H. Olney,
- H. F. Richardson (Teller),
- M. Saltau,
- W. Tyner,
- W. J. Williamson (Teller).

- The Hon. Colonel Harold Cohen,
- H. I. Cohen,
- H. A. Currie,
- J. H. Disney,
- C. H. A. Eager,
- G. L. Goudie (Teller),
- Dr. J. R. Harris,
- J. P. Jones,
- H. Keck,
- R. Kilpatrick,
- Lieut.-Col. G. V. Lansell,
- D. L. McNamara,
- G. J. Tuckett (Teller),
- R. Williams.

And so it passed in the negative.

No. 2.—LICENSING BILL.—Clause 2 (as amended)—

[Clause 2 had been amended by the omission of the words "or on Christmas Day" in sub-clause (1). See Division No. 1 above.]

—(Hon. W. Tyner.)

Amendment proposed—That the words "or after Twelve o'clock noon on Christmas Day" be inserted in sub-clause (1) in place of the words omitted.—(Hon. A. E. Chandler.)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

Ayes, 12.

The Hon. E. G. Bath (*Teller*),
 F. W. Brawn,
 A. E. Chandler,
 G. M. Davis,
 W. H. Edgar,
 W. J. McCann,
 M. McGregor,
 H. H. Olney (*Teller*),
 H. F. Richardson,
 M. Saltau,
 W. Tyner,
 W. J. Williamson.

Noes, 15.

The Hon. W. L. R. Clarke,
 Colonel Harold Cohen,
 H. I. Cohen,
 H. A. Currie,
 J. H. Disney,
 C. H. A. Eager,
 G. L. Goudie,
 Dr. J. R. Harris,
 J. P. Jones,
 H. Keck,
 R. Kilpatrick,
 Lieut.-Col. G. V. Lansell (*Teller*),
 D. L. McNamara (*Teller*),
 G. J. Tuckett,
 R. Williams.

And so it passed in the negative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1931.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 2.

Extracted from the Minutes.

TUESDAY, 14TH JULY, 1931.

No. 1.—UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—Clause 1—

1. This Act may be cited as the *Unemployed Occupiers and Farmers Relief Act 1931* and is divided into Parts as follows:—

Part I.—Provisions relating to Tenants Mortgagors and Purchasers under Contracts of Sale.

Part II.—Provisions relating to Relief to Farmers in respect of Debts.

Part III.—General.

—(Hon. R. Williams.)

Amendment proposed—That all the words and figures after “the” down to the end of the clause be omitted with the view of inserting in place thereof the words and figures “*Farmers Relief Act 1931.*”

—(Hon. C. H. A. Eager.)

Notice having been given of a proposed amendment to omit the word “Tenants”—

Question—That all the words and figures after “the” down to and including the words “relating to” (where firstly occurring) proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 19.

The Hon. E. G. Bath,
F. W. Brawn,
G. M. Davis,
J. H. Disney,
W. H. Edgar,
G. L. Goudie,
Dr. J. R. Harris,
J. P. Jones,
H. Keck,
R. Kilpatrick,
Lieut.-Col. G. V. Lansell,
W. J. McCann,
M. McGregor,
D. L. McNamara (Teller),
H. H. Olney,
A. J. Pittard,
G. J. Tuckett (Teller),
R. Williams,
W. J. Williamson.

Noes, 10.

The Hon. A. E. Chandler,
W. L. R. Clarke (Teller),
Colonel Harold Cohen,
H. I. Cohen,
H. A. Currie,
C. H. A. Eager,
G. S. McArthur,
H. F. Richardson,
M. Saltau,
W. Tyner (Teller).

And so it was resolved in the affirmative.

No. 2.—UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—Clause 1—

[For this clause see Division No. 1 above.]

—(Hon. R. Williams.)

Amendment proposed—That the word “Tenants” be omitted.—(Hon. A. E. Chandler.)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 4.

The Hon. J. H. Disney (*Teller*),
J. P. Jones,
D. L. McNamara (*Teller*),
R. Williams.

Noes, 25.

The Hon. E. G. Bath (*Teller*),
F. W. Brawn,
A. E. Chandler,
W. L. R. Clarke,
Colonel Harold Cohen,
H. I. Cohen,
H. A. Currie,
G. M. Davis,
C. H. A. Eager,
W. H. Edgar,
G. L. Goudie,
Dr. J. R. Harris,
H. Keck,
R. Kilpatrick,
Lieut.-Col. G. V. Lansell,
G. S. McArthur,
W. J. McCann,
M. McGregor (*Teller*),
H. H. Olney,
A. J. Pittard,
H. F. Richardson,
M. Saltau,
G. J. Tuckett,
W. Tyner,
W. J. Williamson.

And so it passed in the negative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1931.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 3.

Extracted from the Minutes.

THURSDAY, 23RD JULY, 1931.

No. 1.—UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—Clause 6, sub-clause (2)—

6. (2) Every application for a protection order under this Part shall—

* * * * *

(c) set out lists of all the assets and liabilities of the applicant;

(d) state the nature of his usual employment and the period or periods of his unemployment during the preceding twelve months;

* * * * *

—(Hon. R. Williams.)

Amendment proposed—That the words “and of his participation in any strike” be inserted after the word “unemployment” in paragraph (d).

—(Hon. W. J. Williamson.)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

Ayes, 7.

- The Hon. A. E. Chandler,
- H. I. Cohen,
- C. H. A. Eager,
- G. S. McArthur (Teller),
- H. H. Olney,
- W. Tynner,
- W. J. Williamson (Teller).

Noes, 14.

- The Hon. E. G. Bath (Teller),
- Colonel Harold Cohen,
- H. A. Currie,
- J. H. Disney,
- G. L. Goudie,
- Dr. J. R. Harris,
- J. P. Jones,
- H. Keck,
- Lieut.-Col. G. V. Lansell (Teller),
- W. J. McCann,
- M. McGregor,
- D. L. McNamara,
- G. J. Tuckett,
- R. Williams.

And so it passed in the negative.

No. 2.—UNEMPLOYED OCCUPIERS AND FARMERS RELIEF BILL.—Clause 8, sub-clause (3)—

8. (3) A protection order when made shall operate as on and from the date of the service of the copy of the application therefor, and after the making and during the operation of such a protection order—

* * * * *

(d) no proceedings shall be taken by the State Government or any local or public authority or any person against the landlord or mortgagee of the dwelling in respect of rates taxes interest or insurance premiums payable by such landlord or mortgagee in respect of the dwelling but such rates taxes interest or insurance premiums shall be paid out of the consolidated revenue (which is hereby appropriated for the purpose accordingly): Provided that on the expiration or cancellation of the protection order the Treasurer of Victoria may recover from such landlord or mortgagee such respective amounts of rates taxes interest and insurance premiums paid as aforesaid so far as the same are not respectively applicable to the period for which the protection order was in operation; and every such distress proceeding or remedy shall be stayed and suspended accordingly:

* * * * *

—(Hon. R. Williams.)

Motion made and question put—That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz.:—

Clause 8, sub-clause (3), paragraph (d), omit this paragraph.

—(Hon. Dr. J. R. Harris.)

Committee divided.

Ayes, 6.

The Hon. E. G. Bath,
A. E. Chandler,
Dr. J. R. Harris,
G. J. Tuckett (*Teller*),
W. Tyner,
W. J. Williamson (*Teller*).

Noes, 13.

The Hon. Colonel Harold Cohen,
H. I. Cohen,
H. A. Currie,
J. H. Disney,
W. H. Edgar,
G. L. Goudie,
J. P. Jones,
H. Keck (*Teller*),
Lieut.-Col. G. V. Lansell,
G. S. McArthur,
M. McGregor,
H. H. Olney (*Teller*),
R. Williams.

And so it passed in the negative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1931.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 4.

Extracted from the Minutes

TUESDAY, 18TH AUGUST, 1931.

No. 1.—FINANCIAL EMERGENCY BILL.—Clause 7—

7. In this Part unless inconsistent with the context or subject-matter—

“Officer” does not include—

The Governor; but—

(a) includes—

The President of the Legislative Council;

The Speaker;

The Responsible Ministers of the Crown;

The Leader of His Majesty's Opposition;

The Judges of the Supreme Court;

* * * * *

—(Hon. J. P. Jones.)

Motion made and question put—That it be a suggestion to the Legislative Assembly that they make the following amendments in the Bill, viz. :—

1. Clause 7, line 4, after “The Governor” insert—

“; or

The Judges of the Supreme Court”.

2. „ line 10, omit “The Judges of the Supreme Court”.

—(Hon. Dr. J. R. Harris.)

Committee divided.

Ayes, 21.

The Hon. W. Angliss,
 F. W. Brawn,
 A. E. Chandler,
 W. L. R. Clarke (*Teller*),
 Colonel Harold Cohen,
 H. I. Cohen,
 H. A. Currie,
 G. M. Davis,
 C. H. A. Eager,
 W. H. Edgar,
 Dr. J. R. Harris,
 H. Keck,
 R. Kilpatrick,
 Lieut.-Col. G. V. Lansell,
 G. S. McArthur,
 A. J. Pittard,
 H. F. Richardson,
 M. Saltau,
 G. J. Tuckett (*Teller*),
 W. Tyner,
 A. M. Zwar.

Noes, 3.

The Hon. J. H. Disney (*Teller*),
 J. P. Jones,
 D. L. McNamara (*Teller*).

And so it was resolved in the affirmative.

No. 2.—FINANCIAL EMERGENCY BILL.—Clause 8—

Motion made and question put—That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz.:—Clause 8, omit—

“ Provided further that, notwithstanding anything to the contrary in this Part and the First Schedule, in the case of any officer who is a married man—

- (a) where the rate of pay of any such officer is Two hundred and eight pounds per annum or less the rate of pay of such officer shall not be reduced ; and
 (b) where the rate of pay of any such officer is more than Two hundred and eight pounds per annum the rate of pay shall not be reduced to a rate of pay lower than Two hundred and eight pounds per annum.

This proviso shall apply to any widow or widower or other unmarried officer in respect of whom the Public Service Commissioner certifies that he is satisfied that by reason of the dependency of any person upon such unmarried officer such unmarried officer should for the purpose of this Part be treated as if he were married :

—(Hon. Dr. J. R. Harris).

Committee divided.

Ayes, 11.

The Hon. F. W. Brawn,
 H. I. Cohen (*Teller*),
 H. A. Currie,
 G. M. Davis,
 Dr. J. R. Harris,
 H. Keck,
 Lieut.-Col. G. V. Lansell,
 G. S. McArthur,
 A. J. Pittard,
 G. J. Tuckett,
 A. M. Zwar (*Teller*).

Noes, 15.

The Hon. W. Angliss,
 A. E. Chandler,
 W. L. R. Clarke,
 Colonel Harold Cohen,
 J. H. Disney,
 C. H. A. Eager (*Teller*),
 J. P. Jones,
 R. Kilpatrick (*Teller*),
 M. McGregor,
 D. L. McNamara,
 H. H. Olney,
 H. F. Richardson,
 M. Saltau,
 W. Tyner,
 R. Williams.

And so it passed in the negative.

WEDNESDAY, 19TH AUGUST, 1931.

No. 3.—FINANCIAL EMERGENCY BILL.—Clause 15—

15. So far as relates to mortgages given as security for moneys granted by a bank on overdraft this Division shall come into operation on such day (not being earlier than the first day of October One thousand nine hundred and thirty-one and hereinafter referred to in this Division as “ the appointed day ”) as is fixed by proclamation of the Governor in Council published in the *Government Gazette*.

—(Hon. J. P. Jones.)

Amendment proposed—That the words “ fixed by proclamation of the Governor in Council published in the *Government Gazette* ” be omitted with the view of inserting in place thereof the words “ fixed by resolution of each of the two Houses of Parliament ”—(Hon. Col. Harold Cohen.)

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

Committee divided.

Ayes, 7.

The Hon. J. H. Disney,
 Dr. J. R. Harris,
 J. P. Jones,
 W. J. McCann (*Teller*),
 D. L. McNamara,
 G. J. Tuckett (*Teller*),
 R. Williams.

Noes, 21.

The Hon. W. Angliss,
 F. W. Brawn,
 A. E. Chandler,
 W. L. R. Clarke,
 Colonel Harold Cohen,
 H. I. Cohen,
 H. A. Currie,
 G. M. Davis,
 C. H. A. Eager (*Teller*),
 W. H. Edgar,
 H. Keck,
 R. Kilpatrick,
 Lieut.-Colonel G. V. Lansell
 (*Teller*),
 G. S. McArthur,
 M. McGregor,
 H. H. Olney,
 A. J. Pittard,
 H. F. Richardson,
 M. Saltau,
 W. Tyner,
 A. M. Zwar.

And so it passed in the negative.

THURSDAY, 20TH AUGUST, 1931.

No. 4.—FINANCIAL EMERGENCY BILL.—Clause 18—

18. (1) Except as hereinafter provided every mortgage shall for a period of three years from the date of the coming into operation of this Division be construed and take effect as if it were a term of the mortgage that on and from the coming into operation of this Part or (in the case of a bank overdraft) on and from the appointed day the interest payable under the mortgage should be reduced at a rate equivalent to Four shillings and sixpence for every pound of such interest.

* * * * *

—(Hon. J. P. Jones.)

Amendment proposed—That sub-clause (1) be omitted—(Hon. Col. Harold Cohen.)

Notice having been given of a proposed amendment to insert words after the word "overdraft"—

Question—That the words in sub-clause (1) down to and including "overdraft" proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 11.

The Hon. G. M. Davis,
J. H. Disney,
Dr. J. R. Harris,
J. P. Jones,
H. Keck (*Teller*),
W. J. McCann,
D. L. McNamara,
H. H. Olney (*Teller*),
A. J. Pittard,
G. J. Tuckett,
R. Williams.

Noes, 13.

The Hon. W. Angliss,
A. E. Chandler (*Teller*),
W. L. R. Clarke,
Colonel Harold Cohen,
H. I. Cohen,
H. A. Currie,
C. H. A. Eager,
W. H. Edgar,
Lieut.-Col. G. V. Lansell,
H. F. Richardson,
M. Saltau,
W. Tyner (*Teller*),
A. M. Zwar.

And so it passed in the negative.

No. 5.—FINANCIAL EMERGENCY BILL.—New clause A, sub-clause (4)—(as amended)—

A. (4) Unless as is last hereinbefore provided the court shall otherwise order on any such application it shall direct that the mortgage shall for a period of three years from such date not earlier than the coming into operation of these provisions as the court may order be construed and take effect as if it were a term of the mortgage that on and from the date so ordered or (in the case of a bank overdraft or in the case of a mortgage given to a society registered under the *Building Societies Act 1928*) on and from the appointed day the interest payable under the mortgage shall be reduced at a rate which shall be not more than Four shillings and sixpence for every One pound of such interest.

* * * * *

—(Hon. Col. Harold Cohen.)

Amendment proposed—That the words "Four shillings and sixpence" be omitted with the view of inserting in place thereof the words "Three shillings."

—(Hon. C. H. A. Eager.)

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

Committee divided.

Ayes, 10.

The Hon. H. I. Cohen,
G. M. Davis,
Dr. J. R. Harris,
J. P. Jones,
H. Keck,
W. J. McCann (*Teller*),
D. L. McNamara,
H. F. Richardson,
G. J. Tuckett (*Teller*),
R. Williams.

Noes, 13.

The Hon. W. Angliss,
A. E. Chandler,
W. L. R. Clarke (*Teller*),
Colonel Harold Cohen,
H. A. Currie,
C. H. A. Eager,
W. H. Edgar,
Lieut.-Col. G. V. Lansell,
H. H. Olney,
A. J. Pittard,
M. Saltau (*Teller*),
W. Tyner,
A. M. Zwar.

And so it passed in the negative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1931.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 5.

Extracted from the Minutes.

TUESDAY, 25TH AUGUST, 1931.

No. 1.—FINANCIAL EMERGENCY BILL.—Clause 28—

28. (1) Where the rate of interest provided in any mortgage given before the coming into operation of this Division to the Commissioners of the State Savings Bank of Victoria exceeds Five pounds per centum per annum, such rate of interest shall be hereby reduced in accordance with the following table:—

Rate per centum per annum of interest provided in mortgage.	Rate per centum per annum to which interest is reduced.
5½	5
5¾	5
6	5
6¼	5
6½	5¼
6¾	5¼
7	5½
7¼	5¾

* * * * *

—(Hon. J. P. Jones.)

Amendment proposed—That the figures in the second column of the table set out in sub-clause (1) be omitted with the view of inserting in place thereof the figures “5, 5, 5¼, 5½, 5¾, 6, 6.”

—(Hon. C. H. A. Eager.)

Question—That the figures proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 12.

The Hon. E. G. Bath,
 F. W. Brawn,
 W. L. R. Clarke,
 Dr. J. R. Harris,
 J. P. Jones,
 R. Kilpatrick (*Teller*),
 W. J. McCann,
 M. McGregor,
 D. L. McNamara,
 H. F. Richardson (*Teller*),
 G. J. Tuckett,
 R. Williams.

Noes, 11.

The Hon. A. E. Chandler,
 Colonel Harold Cohen,
 H. A. Currie,
 C. H. A. Eager,
 Lieut.-Col. G. V. Lansell,
 G. S. McArthur,
 H. H. Olney,
 A. J. Pittard,
 M. Saltau,
 H. H. Smith (*Teller*),
 W. Tyner (*Teller*).

And so it was resolved in the affirmative.

13

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1931.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 6.

Extracted from the Minutes

TUESDAY, 15TH SEPTEMBER, 1931.

No. 1.—POLICE OFFENCES (TROTTING RACES) BILL.—Clause 2—

2. Notwithstanding anything to the contrary in the Police Offences Acts—

(a) the holding of not more than two trotting races on any one day at the annual show of any Agricultural Society approved for the purpose by the Chief Secretary shall not be unlawful if—

* * * * *

—(Hon. R. Williams.)

Amendment proposed—That the word “two” be omitted with the view of inserting in place thereof the word “three”.

—(Hon. G. S. McArthur.)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 17.

The Hon. E. G. Bath,
A. E. Chandler,
H. A. Currie,
G. M. Davis,
C. H. A. Eager,
W. H. Edgar,
Dr. J. R. Harris,
H. Keck,
M. McGregor,
D. L. McNamara,
H. H. Olney (*Teller*),
M. Saltau,
H. H. Smith,
W. Tyner,
R. Williams,
W. J. Williamson (*Teller*),
A. M. Zwar.

Noes, 9.

The Hon. W. Angliss,
W. L. R. Clarke,
Colonel Harold Cohen,
G. L. Goudie,
R. Kilpatrick (*Teller*),
Lieut.-Col. G. V. Lansell (*Teller*),
G. S. McArthur,
A. J. Pittard,
G. J. Tuckett.

And so it was resolved in the affirmative.

STATEMENT

of the

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1931.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 7.

Extracted from the Minutes.

TUESDAY, 22ND SEPTEMBER, 1931.

No. 1.—UNEMPLOYMENT RELIEF AMENDMENT BILL.—Clause 4—

4. (1) Notwithstanding anything in the Unemployment Relief Acts there may be made out of the Unemployment Relief Fund to any municipality advances in accordance with this section.

(2) Such advances shall—

(a) be free of interest ;

(b) be repaid by such municipality in five equal annual instalments the first of which shall be due and payable on the first day of January One thousand nine hundred and thirty-three ;

(c) be expended by such municipality on any works approved by the Board.

(3) The moneys repaid by such municipality in respect of such advances shall be paid into a fund to be established in the Treasury and called the "Permanent Unemployment Relief Fund."

(4) Any moneys standing to the credit of such fund shall be used only for the purpose of the relief or prevention of unemployment.

—(Hon. R. Williams.)

Motion made and question put—That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 4, sub-clause (4), omit "the relief or prevention of unemployment" and insert "making advances to municipalities in accordance with this section".

—(Hon. A. E. Chandler.)

Committee divided.

Ayes, 5.

- The Hon. A. E. Chandler,
- H. Keck (*Teller*),
- Lieut.-Col. G. V. Lansell,
- H. F. Richardson (*Teller*),
- W. Tyner.

Noes, 23.

- The Hon. W. Angliss,
- F. W. Brawn,
- W. L. R. Clarke,
- Colonel Harold Cohen,
- H. I. Cohen,
- H. A. Currie,
- G. M. Davis,
- J. H. Disney,
- C. H. A. Eager,
- W. H. Edgar,
- Dr. J. R. Harris,
- R. Kilpatrick,
- G. S. McArthur,
- W. J. McCann,
- M. McGregor (*Teller*),
- D. L. McNamara,
- A. J. Pittard,
- M. Saltau,
- H. H. Smith,
- G. J. Tuckett,
- R. Williams,
- W. J. Williamson (*Teller*),
- A. M. Zwar.

And so it passed in the negative.

No. 2.—UNEMPLOYMENT RELIEF AMENDMENT BILL.—Clause 9—

9. (1) Every male person to whom any sum of money is paid by way of sustenance pursuant to the provisions of the Unemployment Relief Acts shall on demand and in return for such sustenance perform work for the municipality within whose boundaries such sustenance is received.

* * * * *

—(Hon. R. Williams.)

Motion made and question put—That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 9, sub-clause (1), after “work” insert “(of such a class as is approved by the Unemployment Relief Works Board)”.

—(Hon. R. Williams.)

Committee divided.

Ayes, 12.

The Hon. F. W. Brawn (*Teller*),
Colonel Harold Cohen,
H. A. Currie,
G. M. Davis,
J. H. Disney (*Teller*),
C. H. A. Eager,
H. Keck,
W. J. McCann,
M. McGregor,
D. L. McNamara,
M. Saltau,
R. Williams.

Noes, 16.

The Hon. A. E. Chandler,
W. L. R. Clarke (*Teller*),
H. I. Cohen,
W. H. Edgar,
G. L. Goudie,
Dr. J. R. Harris,
R. Kilpatrick,
Lieut.-Col. G. V. Lansell,
G. S. McArthur,
A. J. Pittard,
H. F. Richardson,
H. H. Smith (*Teller*),
G. J. Tuckett,
W. Tyner,
W. J. Williamson,
A. M. Zwar.

And so it passed in the negative.

WEDNESDAY, 23RD SEPTEMBER, 1931.

No. 3.—UNEMPLOYMENT RELIEF AMENDMENT BILL.—Clause 15—

15. At the end of sub-section (5) of section nine of the *Unemployment Relief Amendment Act 1930* there shall be inserted the word “and” and the following paragraph :—

“(e) as soon as may be after the thirtieth day of September the thirty-first day of December the thirty-first day of March and the thirtieth day of June in each year cause to be prepared a report containing a detailed statement setting out the activities of the Board during the preceding quarter and any comments which the Board thinks desirable to make relating to the operation of the Unemployment Relief Acts; and the Minister shall cause such report to be circulated forthwith among the members of both Houses of Parliament.”

—(Hon. R. Williams.)

Motion made and question put—That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 15, omit “detailed”.

—(Hon. R. Williams.)

Committee divided.

Ayes, 12.

The Hon. Colonel Harold Cohen,
H. I. Cohen,
J. H. Disney,
C. H. A. Eager,
H. Keck,
Lieut.-Col. G. V. Lansell,
G. S. McArthur,
M. McGregor (*Teller*),
D. L. McNamara,
H. H. Olney,
M. Saltau (*Teller*),
R. Williams.

Noes, 13.

The Hon. E. G. Bath,
A. E. Chandler,
W. L. R. Clarke,
H. A. Currie,
G. M. Davis,
W. H. Edgar,
Dr. J. R. Harris,
R. Kilpatrick (*Teller*),
H. F. Richardson,
H. H. Smith,
G. J. Tuckett,
W. Tyner,
W. J. Williamson (*Teller*).

And so it passed in the negative.

No. 4.—UNEMPLOYMENT RELIEF AMENDMENT BILL.—Clause 16—

16. In sub-section (6) of section nine of the *Unemployment Relief Amendment Act 1930* the words beginning "Provided further that" and ending "four days' work in any one week" are hereby repealed.

—(Hon. R. Williams.)

Motion made and question put—That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 16, omit this clause and insert—

" 16. For sub-section (6) of section nine of the *Unemployment Relief Amendment Act 1930* there shall be substituted the following sub-section :—

(6) (a) The work allotted to persons employed on any works for the relief of unemployment shall in all cases be as recommended by the Board.

(b) Notwithstanding any determination of any wages board or the Court of Industrial Appeals and subject to the provisions of section eighteen of the *Unemployment Relief Amendment Act 1931* the rates of pay for such work shall not be greater than as hereinafter specified—

(i) in the case of married men on whose earnings other persons are ordinarily dependent—

Fifty-two shillings per week of forty-eight hours or, in any week in which less than forty-eight hours is worked, one shilling and twopence per hour up to twenty-four hours' work and one shilling per hour thereafter ;

(ii) in the case of married women on whose earnings other persons are ordinarily dependent—

Forty shillings per week of forty-eight hours or, in any week in which less than forty-eight hours is worked, elevenpence per hour up to twenty-four hours' work and ninepence per hour thereafter ;

(iii) in the case of all adult male persons other than those specified in sub-paragraph (i) hereof—

Thirty-six shillings per week of forty-eight hours or, in any week in which less than forty-eight hours is worked, tenpence per hour up to twenty-four hours' work and eightpence per hour thereafter ;

(iv) in the case of all adult female persons other than those specified in sub-paragraph (ii) hereof—

Twenty-four shillings per week of forty-eight hours or, in any week in which less than forty-eight hours is worked, sevenpence per hour up to twenty-four hours' work and fivepence per hour thereafter ;

(v) in the case of male persons and female persons under the age of twenty-one years—

not more than two-thirds of the amounts specified in sub-paragraphs (iii) and (iv) hereof respectively.

(c) Overtime work shall be avoided as far as possible but where unavoidable shall be paid for at the ordinary rates hereinbefore specified.

(d) In any case in which it is necessary to do so for the purpose of giving effect to any of the provisions of the *Unemployment Relief Acts*, the Minister shall make application or cause application to be made as soon as practicable to the Commonwealth Court of Conciliation and Arbitration for the suspension or variation of any award of such Court or of any industrial agreement under any Commonwealth Act.

(e) In any case in which the rate of pay under any award of the Commonwealth Court of Conciliation and Arbitration or any industrial agreement under any Commonwealth Act or any determination of a wages board or the Court of Industrial Appeals is lower than the corresponding rate of pay hereinbefore specified the lower rate of pay shall be paid."

—(Hon. H. I. Cohen.)

Committee divided.

Ayes, 22.

The Hon. E. G. Bath,
A. E. Chandler (*Teller*),
Colonel Harold Cohen,
H. I. Cohen,
H. A. Currie,
G. M. Davis,
C. H. A. Eager,
W. H. Edgar,
G. L. Goudie,
Dr. J. R. Harris,
H. Keck,
R. Kilpatrick,
Lieut.-Col. G. V. Lansell,
G. S. McArthur,
M. McGregor,
H. F. Richardson,
M. Saltau,
H. H. Smith,
G. J. Tuckett (*Teller*),
W. Tyner,
W. J. Williamson,
A. M. Zwar.

Noes, 6.

The Hon. F. W. Brawn,
J. H. Disney,
D. L. McNamara,
H. H. Olney (*Teller*),
A. J. Pittard (*Teller*),
R. Williams.

And so it was resolved in the affirmative.

THURSDAY MORNING, 24TH SEPTEMBER, 1931.

No. 5.—UNEMPLOYMENT RELIEF AMENDMENT BILL.—Clause 9—

9. (1) Every male person to whom any sum of money is paid by way of sustenance pursuant to the provisions of the Unemployment Relief Acts shall on demand and in return for such sustenance perform work for the municipality within whose boundaries such sustenance is received.

* * * * *

—(*Hon. R. Williams.*)

Motion made and question put—That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 9, sub-clause (1), after “ work ” insert “ (of such a class as is prescribed either generally or in any particular case by Order of the Governor in Council published in the *Government Gazette*) ”.

—(*Hon. R. Williams.*)

Committee divided.

Ayes, 19.

The Hon. E. G. Bath,
Colonel Harold Cohen,
H. I. Cohen,
H. A. Currie,
G. M. Davis,
C. H. A. Eager (*Teller*),
W. H. Edgar,
G. L. Goudie,
Dr. J. R. Harris,
H. Keck,
R. Kilpatrick,
Lieut.-Col. G. V. Lansell,
G. S. McArthur,
M. McGregor,
D. L. McNamara,
H. H. Olney,
M. Saltau (*Teller*),
H. H. Smith,
R. Williams.

Noes, 4.

The Hon. A. E. Chandler,
H. F. Richardson,
W. Tyner (*Teller*),
W. J. Williamson (*Teller*).

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1931.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 8.

Extracted from the Minutes

TUESDAY, 24TH NOVEMBER, 1931.

No. 1.—LANDLORD AND TENANT (RENT REDUCTION) BILL.—Clause 5—

5. (1) (a) Every lease shall for such portion of the term of such lease as falls within the period of three years immediately following the coming into operation of this Act be construed and take effect as if it were a term of the lease that on and from the coming into operation of this Act the rent payable under the lease should be reduced at a rate equivalent to Four shillings and sixpence for every One pound of such rent; and the rent payable under the lease shall by virtue of this paragraph be so reduced accordingly:

* * * * *

—(Hon. J. P. Jones.)

Amendment proposed—That the words “three years” be omitted with the view of inserting in place thereof the words “two years”.

—(Hon. G. L. Goudie.)

Question—That the words proposed to be omitted stand part of the clause—put.
Committee divided.

Ayes, 15.

The Hon. E. G. Bath,
Sir Frank Clarke,
Colonel Harold Cohen,
H. I. Cohen,
H. A. Currie,
J. H. Disney,
Dr. J. R. Harris,
J. P. Jones,
E. L. Kiernan,
R. Kilpatrick (*Teller*),
M. McGregor,
D. L. McNamara,
H. H. Olney,
G. J. Tuckett (*Teller*),
R. Williams.

Noes, 13.

The Hon. A. E. Chandler,
W. L. R. Clarke (*Teller*),
C. H. A. Eager,
G. L. Goudie,
H. Keck,
Lieut.-Col. G. V. Lansell,
G. S. McArthur,
A. J. Pittard,
H. F. Richardson,
M. Saltau,
H. H. Smith,
W. Tyner,
W. J. Williamson (*Teller*).

And so it was resolved in the affirmative.

WEDNESDAY, 25TH NOVEMBER, 1931.

No. 2.—LANDLORD AND TENANT (RENT REDUCTION) BILL.—Proposed new clause B—

B. (1) The provisions of this Part shall not operate so as to reduce the rent under any lease to an amount less than is sufficient to return to the lessor a fair equivalent for the same.

(2) The fair equivalent shall be deemed to be Five per centum per annum exclusive of rates and taxes upon the value of the leased property ascertained in manner hereinafter appearing.

(3) The value of the leased property shall be ascertained as follows:—

(a) The value of such property shall be such as is mutually agreed between the lessor and lessee with the consent of any mortgagee of the freehold or of the lease and failing agreement shall be ascertained by a sworn valuer appointed on the application of such lessor lessee or mortgagee made to a court of petty sessions consisting of a police magistrate sitting without any other justice or justices upon summons within six months after the coming into operation of this Act.

(b) In making his valuation such sworn valuer shall have regard to the value of the property at the time of his valuing the same and to the nature and condition of the improvements thereon.

(c) There shall be no appeal from the valuation so made during the currency of the lease or for the period of three years immediately following the coming into operation of this Act whichever be the less.

(d) If any lessee be the lessee of a portion of the premises less than the whole the provisions of this section shall be applied to that portion of the premises leased by taking the fair value of the whole property ascertained as aforesaid and allocating to the portion leased such portion of the same as the sworn valuer may declare to be fair in all the circumstances.

(e) The costs and charges of the sworn valuer in making such determination shall be paid by the lessor unless the court upon such summons otherwise order.

(f) If the lessor and lessee be lessor and lessee in respect of a sub-lease then the value of the lease for the purposes aforesaid shall be taken as the basis of the value of such sub-lease ascertained in manner aforesaid.

—(Hon. Col. Harold Cohen.)

Motion made and question put —That new clause B be added to the Bill.

Committee divided.

Ayes, 18.

The Hon. F. W. Brawn,
A. E. Chandler,
Sir Frank Clarke,
Colonel Harold Cohen,
C. H. A. Eager,
G. L. Goudie,
Dr. J. R. Harris,
H. Keck,
Lieut.-Col. G. V. Lansell,
G. S. McArthur,
H. H. Olney,
A. J. Pittard,
H. F. Richardson (*Teller*),
M. Saltau (*Teller*),
H. H. Smith,
G. J. Tuckett,
W. Tyner,
A. M. Zwar.

Noes, 12.

The Hon. E. G. Bath,
H. I. Cohen,
H. A. Currie,
J. H. Disney,
W. H. Edgar,
J. P. Jones,
E. L. Kiernan,
R. Kilpatrick (*Teller*),
M. McGregor,
D. L. McNamara,
R. Williams,
W. J. Williamson (*Teller*).

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1931.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 9.

Extracted from the Minutes.

WEDNESDAY, 16TH DECEMBER, 1931.

No. 1.—STOCK FOODS BILL.—Clause 3—

3. (1) Every manufacturer or importer of any mixed concentrated or prepared stock food or any by-product shall within thirty days after the commencement of this Act or within thirty days after the date of his commencing in business or trade as a manufacturer or importer of such stock food or by-product (whichever is the later date) and thereafter in each year on or before the last day of February in that year make to the Director of Agriculture an application for registration of such stock food or by-product in writing in the prescribed form setting out—

* * * * *

(d) the specific names of the grains salts or other materials from which such stock food or by-product was prepared and the names and proportions of the foreign ingredients (if any); and

* * * * *

—(Hon. D. L. McNamara.)

Amendment proposed—That paragraph (d) of sub-clause (1) be omitted.—(Hon. H. I. Cohen.)

Question—That the paragraph proposed to be omitted stand part of the clause—put.
Committee divided.

Ayes, 12.

- The Hon. E. G. Bath (*Teller*),
- W. H. Edgar,
- Dr. J. R. Harris,
- J. P. Jones,
- E. L. Kiernan,
- R. Kilpatrick (*Teller*),
- M. McGregor,
- D. L. McNamara,
- H. H. Olney,
- G. J. Tuckett,
- R. Williams,
- A. M. Zwar.

Noes, 15.

- The Hon. F. W. Brawn,
- A. E. Chandler,
- Colonel Harold Cohen,
- H. I. Cohen,
- H. A. Currie,
- G. M. Davis,
- C. H. A. Eager,
- H. Keck,
- Lieut.-Col. G. V. Lansell,
- G. S. McArthur,
- A. J. Pittard,
- H. F. Richardson,
- H. H. Smith (*Teller*),
- W. Tyner,
- W. J. Williamson (*Teller*).

And so it passed in the negative.

No. 2.—STOCK FOODS BILL.—Clause 15 (*as amended*)—

[*Note.—The clause had been amended by omitting paragraphs (c) and (e).*]

15. Where an analysis of any sample or part of a sample of any stock food is made under the Stock Foods Acts there may be published in the newspaper known as *The Journal of the Department of Agriculture of Victoria, Australia*, or in such other manner as the Minister directs or as is prescribed—

- (a) the result of the analysis ;
- (b) the name and address or place of business of the manufacturer or importer of the stock food ;
- (d) a copy of any particulars set out in the application for registration hereinbefore provided for.

—(*Hon. D. L. McNamara.*)

Question—That clause 15 as amended stand part of the Bill—put.
Committee divided.

Ayes, 15.

The Hon. E. G. Bath,
A. E. Chandler (*Teller*),
Sir Frank Clarke,
J. H. Disney,
G. L. Goudie,
J. P. Jones,
E. L. Kiernan,
R. Kilpatrick (*Teller*),
G. S. McArthur,
M. McGregor,
D. L. McNamara,
H. H. Olney,
G. J. Tuckett,
R. Williams,
W. J. Williamson.

Noes, 15.

The Hon. W. Angliss,
F. W. Brawn,
Colonel Harold Cohen,
H. I. Cohen,
H. A. Currie,
G. M. Davis,
C. H. A. Eager (*Teller*),
Dr. J. R. Harris,
H. Keck,
Lieut.-Col. G. V. Lansell,
A. J. Pittard (*Teller*),
H. F. Richardson,
H. H. Smith,
W. Tyner,
A. M. Zwar.

The Tellers having declared the numbers for the "Ayes" and for the "Noes" to be respectively fifteen, or equal, the Chairman gave his voice with the "Ayes" in order to allow of further consideration of the subject, and declared the question to have been resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1931.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 10.

Extracted from the Minutes

TUESDAY, 22ND DECEMBER, 1931.

No. 1.—LICENSING (FEES) BILL.—Clause 2—

2. In paragraph (a) of sub-section (1) of section nineteen of the Principal Act for the words "six per centum" there shall, as on from and after the first day of July One thousand nine hundred and thirty-two, be substituted the words "four per centum".

—(Hon. R. Williams.)

Question—That clause 2 stand part of the Bill—put.
Committee divided.

Ayes, 21.

The Hon. W. Angliss,
W. L. R. Clarke,
Colonel Harold Cohen,
H. I. Cohen,
H. A. Currie (*Teller*),
G. M. Davis,
J. H. Disney (*Teller*),
C. H. A. Eager,
Dr. J. R. Harris,
J. P. Jones,
H. Keck,
E. L. Kiernan,
R. Kilpatrick,
Lieut.-Col. G. V. Lansell,
G. S. McArthur,
D. L. McNamara,
M. Saltau,
H. H. Smith,
G. J. Tuckett,
R. Williams,
A. M. Zwar.

Noes, 8.

The Hon. E. G. Bath,
A. E. Chandler (*Teller*),
M. McGregor (*Teller*),
H. H. Olney,
A. J. Pittard,
H. F. Richardson,
W. Tyner,
W. J. Williamson.

And so it was resolved in the affirmative.

WEDNESDAY, 23RD DECEMBER, 1931.

No. 2.—ADMINISTRATION AND PROBATE DUTIES BILL.—Clause 3—

3. (1) In the case of any estate (whether real or personal or both) of any deceased person with respect to which a statement has pursuant to section one hundred and fifty-two of the Principal Act been filed on or after the seventeenth day of December One thousand nine hundred and thirty-one, in addition to the duty payable thereon pursuant to Part VI. of the Principal Act and Part I. or Part II. (as the case may be) of the Tenth Schedule to the said Act and pursuant to the *Administration and Probate Duties Act 1929* and pursuant to Part III. of the *Finance Act 1930* as amended by this Act, there shall be paid additional duty of an amount equal to Five per centum of the total amount of the duty otherwise chargeable.

(2) In the case of any settlement of property (whether real or personal or both) to be registered pursuant to section one hundred and seventy-seven of the Principal Act on or after the said day, in addition to the duty payable thereon pursuant to Part III. of the Tenth Schedule to the said Act and pursuant to the *Administration and Probate Duties Act 1929* and pursuant to Part III. of the *Finance Act 1930* as amended by this Act, there shall be paid additional duty of an amount equal to Five per centum of the total amount of the duty otherwise chargeable.

(3) The provisions of the Principal Act with respect to the payment and recovery of duties payable pursuant to Part VI. of the said Act and the said Schedule and pursuant to the *Administration and Probate Duties Act 1929* and pursuant to Part III. of the *Finance Act 1930* as amended by this Act shall with such adaptations as are necessary extend and apply to the payment and recovery of such additional duty.

(4) This section shall continue in operation until the thirty-first day of December One thousand nine hundred and thirty-two and no longer :

Provided that the expiration of this section shall not—

- (a) affect the previous operation of the Administration and Probate Acts as amended by this section or anything duly done or suffered under the said Acts as so amended ; or
- (b) affect any right privilege obligation or liability acquired accrued or incurred under the said Acts as so amended ; or
- (c) affect any penalty forfeiture or punishment incurred in respect of any offence committed against the said Acts as so amended ; or
- (d) affect any investigation legal proceeding or remedy in respect of any such right privilege obligation liability penalty forfeiture or punishment as aforesaid—

and any such investigation legal proceeding or remedy may be instituted continued or enforced and any such penalty forfeiture or punishment may be imposed as if this section had not expired.

—(Hon. J. P. Jones.)

Motion made and question put—That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill, viz. :—

Clause 3, omit this clause.

—(Hon. Dr. J. R. Harris.)

Committee divided.

Ayes, 23.

The Hon. W. Angliss,
E. G. Bath,
A. E. Chandler (*Teller*),
Colonel Harold Cohen,
H. I. Cohen,
H. A. Currie,
G. M. Davis,
C. H. A. Eager,
G. L. Goudie,
Dr. J. R. Harris,
H. Keck,
R. Kilpatrick,
Lieut.-Col. G. V. Lansell,
G. S. McArthur,
M. McGregor,
H. H. Olney (*Teller*),
A. J. Pittard,
M. Saltau,
H. H. Smith,
G. J. Tuckett,
W. Tyner,
W. J. Williamson,
A. M. Zwar.

Noes, 4.

The Hon. J. P. Jones,
E. L. Kiernan (*Teller*),
D. L. McNamara (*Teller*),
R. Williams.

And so it was resolved in the affirmative.

1931.

VICTORIA.

LEGISLATIVE COUNCIL.

SEAT OF THE HON. A. J. PITTARD, A MEMBER FOR
THE WELLINGTON PROVINCE.

REPORT

OF

THE COMMITTEE OF ELECTIONS AND
QUALIFICATIONS.

Ordered by the Legislative Council to be printed, 8th July, 1931.

By Authority:

H. J. GREEN, GOVERNMENT PRINTER, MELBOURNE.

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REPORT.

The Committee of Elections and Qualifications have considered the question referred to them by a Resolution of your Honorable House, bearing date 23rd June, 1931, namely :—

“ Whether the Honorable Alfred James Pittard, who at the last periodical election of members for the Legislative Council was returned as a member for the Wellington Province, is disqualified from being elected or sitting or voting as a member of this House by reason of his holding at the time of such election an office or place of profit under the Crown within the true intent and meaning of *The Constitution Act Amendment Act 1928.*”

Mr. Robert John Cooke, the only other candidate at the said election, was notified by the Committee that he was at liberty to attend and be heard, but he replied that he was unable to attend.

The Committee examined as witnesses Mr. L. L. Chapman of the Chief Secretary's Department and the Honorable A. J. Pittard, and also heard Counsel on behalf of Mr. Pittard.

The Committee are unanimously of opinion that Mr. Pittard did not at the time of his said election hold an office or place of profit under the Crown within the true intent and meaning of *The Constitution Act Amendment Act 1928.*

It appeared from the evidence that, in the financial year 1891-2, the four Official Visitors to the Metropolitan Hospitals for the Insane, consisting of Dr. Youl (the Chairman of the Board of Official Visitors) and three other medical men, were each paid the sum of £125 per annum, and that the Official Visitors to each of the Country Hospitals for the Insane were each paid a sum of One guinea per visit for two visits per month, except that the Visitors to the Sunbury Hospital for the Insane were each paid the sum of Two guineas per visit for two visits per month. In the period of retrenchment in the financial year 1892-3, Dr. Youl was paid the sum of £125, but none of the other Official Visitors, either in the metropolitan area or in the country, received any payment. On the 28th September, 1893, the question of allowance of expenses to Official Visitors to the Hospitals for the Insane was raised in the Legislative Assembly, and the Honorable J. B. Patterson, then Chief Secretary, stated that “ he thought it was rather unreasonable to expect men to travel at their own cost to and from asylums when they were discharging their duties, more especially as they undertook the work without any fee or reward. He would take a note of the matter, and see if some small allowance could not be made so that while the Visitors would not be paid for performing their duties, they would, at all events, not be out of pocket.” (See *Hansard*, Session 1893, Vol. 73, page 1896.)

Following upon certain correspondence, a minute of the 9th July, 1894, was made by the Honorable J. B. Patterson in the following words :—“ Pay Official Visitors (other than Dr. Youl) £1 a visit not exceeding £10 a year for travelling expenses.” In conformity with this minute, on the 13th August, 1894, letters were addressed by Mr. C. A. Topp, then Under-Secretary, to the Commissioners of Audit, to the Inspectors of Lunatic Asylums, and to the Chairman of the Board of Official Visitors, in the following terms :—

“ I have the honour to inform you that the Chief Secretary has approved of the allowance of £1 per visit, not exceeding £10 per annum, being made from the 1st July ultimo, to each of the Official Visitors to the various Lunatic Asylums (with the exception of Dr. Youl, Chairman of the Board of Official Visitors of the Metropolitan Lunatic Asylums) for expenses in travelling to and from the institutions.”

The evidence showed that this practice of paying travelling expenses to the Official Visitors to Country Hospitals for the Insane had since been followed and still obtained, and that no other payment of any kind had been made to any such Official Visitor.

On the 21st April, 1910, Mr. Alfred James Pittard was appointed, pursuant to the Lunacy Acts, by the Governor in Council to be an Official Visitor to the Hospital for the Insane, Ballarat. The evidence further showed that, since his appointment, Mr. Pittard had claimed and received (in two instalments of £5 each) £10 per annum for twelve monthly official visits to the said Hospital.

At no time material has there been any statutory provision or regulation providing for the remuneration of Official Visitors other than that contained in what is now section 86 of the *Lunacy Act* 1928, which has, on the evidence, no application to the present case.

In arriving at their decision the Committee have had regard to the meaning given to the words "office of profit" by the Committee of Elections and Qualifications of this House in their Report dated 12th August, 1884, in relation to the Honorables Frederick Thomas Sargood and James George Beaney, and in the English case of *Delane v. Hillcoat* (1829), 9 B & C, 313. The Committee have also considered the Queensland case of *In re The Warrego Election Petition* (1899) 9 Q.L.J.R., 272, in which the question whether the receipt of travelling expenses in connexion with an office constituted that office an "office of profit" was considered.

The Committee have carefully considered the history and nature of the allowance made to Official Visitors to Country Hospitals for the Insane and, having regard to the fact that the same was paid not by way of fee or remuneration but solely and *bona fide* for "expenses in travelling to and from the institutions," have unanimously come to the conclusion that the position of Official Visitor to the Hospital for the Insane at Ballarat was not an "office or place of profit under the Crown" within the true intent and meaning of *The Constitution Act Amendment Act* 1928. The Committee have therefore determined that the Honorable Alfred James Pittard was not disqualified from being elected and is not disqualified from sitting and voting as a member of the Legislative Council.

Committee Room,
8th July, 1931.

[Proceedings of Committee and Minutes of Evidence are not printed.]

1931.

VICTORIA.

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE

HOUSES OF PARLIAMENT OF THE STATE OF VICTORIA

TO CHOOSE A PERSON

TO

HOLD THE PLACE IN THE SENATE

RENDERED VACANT BY THE

DEATH OF SENATOR MAJOR-GENERAL HAROLD
EDWARD ELLIOTT, C.B., C.M.G., D.S.O., D.C.M., V.D.

Held in accordance with the provisions of Section 15 of the Commonwealth of Australia Constitution Act.

By Authority:

H. J. GREEN, GOVERNMENT PRINTER, MELBOURNE.

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

HELD IN THE

LEGISLATIVE ASSEMBLY CHAMBER.

TUESDAY, 12TH MAY, 1931.

The Members of the Legislative Council and the Members of the Legislative Assembly having, pursuant to resolution, assembled in the Legislative Assembly Chamber :—

1. **ELECTION OF PRESIDENT.**—The Honorable Sir Alexander Peacock, Speaker of the Legislative Assembly, rose and moved—That the Honorable Sir Francis Grenville Clarke, President of the Legislative Council, be appointed President of this Joint Sitting, which motion, being seconded by the Premier, the Honorable E. J. Hogan, M.L.A., was resolved in the affirmative.

The Honorable Sir F. G. Clarke, having expressed his acknowledgments for the honour which had been conferred upon him, then took the Chair.

2. **RULES OF PROCEDURE.**—The Attorney-General, the Honorable W. Slater, M.L.A., submitted the following rules of procedure for the consideration of honorable members, and moved that they be adopted as the rules of procedure of this Joint Sitting :—

1. On any debate arising the same shall be conducted according to parliamentary usage.

2. A Member, addressing himself to the President, shall propose a person to hold the place in the Senate rendered vacant by the death of Senator Harold Edward Elliott, and such proposition shall be duly seconded. When any person is so proposed his proposer shall state to the Members present that such person is willing to hold the vacant place if chosen.

3. If only one person be proposed and seconded, the President shall declare—“ That has been chosen to hold the place in the Senate rendered vacant by the death of Senator Harold Edward Elliott.”

4. If more than one person be proposed and seconded, the person to hold the vacant place shall, subject to the following rules, be chosen by ballot.

5. Before giving directions to proceed with the ballot, the President shall ask if any Member desires to propose any other person to hold the vacant place, and, no other person being proposed, the ballot shall be proceeded with, after which no person shall be proposed.

6. Each Member present shall be provided with a ballot-paper certified by the Clerks of the two Houses, and shall write thereon the name of one of the persons duly proposed, and shall place his ballot-paper in the ballot-box.

7. If two or more persons be proposed and seconded, the proposer of each of such persons shall name some Member present to be a scrutineer. The scrutineers, with the Clerks of the two Houses, shall retire and ascertain the number of votes for each person ; and the scrutineers shall make a written report of the result to the President.

8. No informal vote shall be taken into account.

9. If on the first ballot no person shall have received an absolute majority of the votes polled, a second ballot shall be taken, and the name of the person who shall have received the fewest votes at the first ballot shall be excluded ; but if at the first ballot the names of only two persons be submitted and the number of votes for such persons be equal, the scrutineers shall by drawing lots determine which of such persons shall be chosen to hold the vacant place, and the person whose name shall be first drawn shall be deemed to have been duly chosen.

10. Until one of the persons proposed obtains an absolute majority of the votes polled, or (as the case may be) is chosen by lot to hold the vacant place, successive ballots shall be taken, and at each such ballot the name of the person who shall have the fewest votes at the preceding ballot shall be excluded.

11. If on any ballot it shall be necessary to decide between two or more persons as to which one is to be excluded from a subsequent ballot through the number of votes for such persons being equal, a special ballot shall be taken at which the names of only those persons shall be submitted, and the name of the person having the fewest votes at such special ballot shall be excluded; but if on any special ballot it shall be necessary to decide between two or more persons as to which one is to be excluded from a subsequent ballot through the number of votes for such persons being equal, the scrutineers by drawing lots shall determine which one of such persons shall be excluded, and the name of the person last drawn shall be excluded.

12. If at any ballot, other than the first ballot, or a special ballot hereinbefore provided for, the names of only two persons be submitted and the number of votes for such persons be equal, the scrutineers shall, by drawing lots, determine which of those persons shall be chosen to hold the vacant place, and the person whose name shall be first drawn shall be deemed to have been duly chosen.

13. As soon as any person obtains an absolute majority of the votes polled, or (as the case may be) is chosen by lot to hold the vacant place, the President shall declare—"That

has been chosen to hold the place in the Senate rendered vacant by the death of Senator Harold Edward Elliott.

14. The President shall in all cases be entitled to a vote.

15. The records of the proceedings and the ballot-papers shall be retained by the Clerk of the Parliaments of the State of Victoria, who shall be the custodian thereof, and shall keep the ballot-papers safely for one year and thereafter destroy them.

Question—put and resolved in the affirmative.

3. SCRUTINEERS' REPORTS.—The Attorney-General, the Honorable W. Slater, M.L.A., moved, That the number of votes received by each candidate be disclosed by the Scrutineers in their reports.

Question—put and resolved in the affirmative.

4. PERSONS PROPOSED TO HOLD THE VACANT PLACE IN THE SENATE.—The President announced that, the rules having been adopted, he was now prepared to receive proposals from any honorable member with regard to a person to hold the place in the Senate rendered vacant by the death of Senator Harold Edward Elliott.

The Honorable Sir Stanley Argyle, M.L.A., proposed Major-General Sir Nevill Smyth, V.C., K.C.B., as the person to hold the vacant place, and stated that such person was willing to hold the vacant place, if chosen, and named T. K. Maltby, Esquire, M.L.A., to be a scrutineer, which proposal was seconded by Colonel the Honorable Harold Cohen, M.L.C.

W. S. Kent Hughes, Esquire, M.L.A., proposed Alured Kelly, Esquire, as the person to hold the vacant place, and stated that such person was willing to hold the vacant place, if chosen, and named the Honorable R. G. Menzies, M.L.A., to be a scrutineer, which proposal was seconded by J. A. Gray, Esquire, M.L.A.

The Honorable C. H. A. Eager, M.L.C., proposed Thomas Cornelius Brennan, Esquire, K.C., as the person to hold the vacant place, and stated that such person was willing to hold the vacant place, if chosen, and named the Honorable R. F. Toutcher, M.L.A., to be a scrutineer, which proposal was seconded by the Honorable I. Macfarlan, M.L.A.

5. BALLOTS.—The President having asked if any Member desired to propose any other person to hold the vacant place, and no other person being proposed, the President declared that the period for proposing persons had closed, and directed the ballots to be proceeded with, the names of the persons proposed, in the order in which they were proposed, being:—

SMYTH; SIR NEVILL.
KELLY, ALURED.
BRENNAN, T. C.

Ballot-papers duly certified by the Clerks of the two Houses were issued to honorable members before each ballot, and such ballot-papers when filled in were deposited in the ballot-box.

At the conclusion of each ballot the scrutineers, with the Clerks of the two Houses, made a scrutiny of the votes received by each person, and the written report of the scrutineers was handed to the President.

6. RESULT OF BALLOTS.—The result of each ballot, as reported by the scrutineers, and the declaration of the President thereon, were as follows:—

First Ballot.—The scrutineers reported that, at the first ballot, 89 votes were recorded by the honorable members present, and that the result of the ballot was as follows:—

Thomas Cornelius Brennan	..	..	..	38 votes
Major-General Sir Nevill Smyth	..	..	..	28 votes
Alured Kelly	..	..	..	23 votes

No person having obtained an absolute majority of the votes polled, and Mr. Kelly having obtained the fewest votes, the President declared Mr. Kelly's name excluded from the second ballot.

Second Ballot.—The scrutineers reported that, at the second ballot, 90 votes were recorded by the honorable members present, and that the result of the ballot was as follows:—

Thomas Cornelius Brennan	..	..	..	54 votes
Major-General Sir Nevill Smyth	..	..	..	36 votes

The President thereupon declared that Thomas Cornelius Brennan, Esquire, K.C., having obtained an absolute majority of the votes polled, had been chosen to hold the place in the Senate rendered vacant by the death of Senator Harold Edward Elliott.

7. NOTIFICATION TO HIS EXCELLENCY THE GOVERNOR.—The Premier, the Honorable E. J. Hogan, M.L.A., moved—That the President be requested to inform His Excellency the Governor that Thomas Cornelius Brennan, Esquire, K.C., has been chosen to hold the place in the Senate rendered vacant by the death of Senator Harold Edward Elliott.

Question—put and resolved in the affirmative.

8. VOTE OF THANKS TO THE PRESIDENT.—The Premier, the Honorable E. J. Hogan, M.L.A., moved a vote of thanks to the President, which motion was seconded by the Honorable Sir Stanley Argyle, M.L.A., and carried unanimously.

The President, having returned thanks, declared the Joint Sitting closed.

W. R. ALEXANDER,
Clerk of the Parliaments and Clerk of the Legislative Assembly.

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

VICTORIA MINUTES OF THE PROCEEDINGS OF THE LEG. COUNCIL SESSION 1881