

Victorian Year-Book, 1939-40.

PART I.

GEOGRAPHICAL POSITION, AREA, AND CLIMATE.

Victoria is situated at the south-eastern extremity of the Australian continent, of which it occupies about a thirty-fourth part, and contains about 87,884 square miles, or 56,245,760 acres. The following islands, together with a number of small islands around the coast and in the bays and inlets, are included in its territory:—Phillip, French, Churchill and Elizabeth islands in Western Port Bay; Snake, Little Snake and Sunday islands at Corner Inlet; and Lady Julia Percy island off the coast near Port Fairy. The areas in acres of these islands are—Phillip, 24,320; French, 42,000; Churchill, 140; Elizabeth, 64; Snake, 11,500; Little Snake, 1,240; Sunday, 2,640; and Lady Julia Percy, 650. Victoria is bounded on the north and north-east by New South Wales, from which it is separated by the River Murray, and by a straight line running in a south-easterly direction from a place near the head-waters of that stream, called The Springs, on Forest Hill, to Cape Howe. The total length of this boundary, following the windings of the Murray River from the South Australian border along the Victorian bank to the Indi River, thence by the Indi or Murray River to Forest Hill and thence by the straight line from Forest Hill to Cape Howe, is 1,175 miles. The length of the Murray River forming part of the boundary is 997 miles, of the Indi or Murray River, 68 miles, and of the straight line from Forest Hill to Cape Howe, 110 miles. On the west it is bounded by South Australia, the dividing line being about 280 geographical miles in length, approximating to the position of the 141st meridian of east longitude, and extending from the River Murray to the sea. On the south and south-east its shores are washed by the Southern Ocean, Bass Strait, and the Pacific Ocean. It lies approximately between the 34th and 39th parallels of south latitude and the 141st and 150th meridians of east longitude. Its greatest length from east to west is about 493 miles, its greatest breadth about 290 miles, and its extent of coast-line 980 miles, including the length around Port Phillip Bay 164 miles, Western Port 90 miles, and Corner Inlet 50 miles. Great Britain, inclusive of the Isle of Man and the Channel Islands, contains 89,041 square miles, and is therefore slightly larger than Victoria.

The southernmost point in Victoria, and in the whole of the Australian continent, is Wilson's Promontory, which lies in latitude 39 deg. 8 min. S., longitude 146 deg. 26 min. E.; the northernmost point is the place where the western boundary of the State meets the Murray, latitude 34 deg. 2 min. S., longitude 140 deg. 58 min. E.; the point furthest east is Cape Howe, situated in latitude 37 deg. 31 min. S., longitude 149 deg. 59 min. E. The westerly boundary lies upon the meridian 140 deg. 58 min. E., and extends from latitude 34 deg. 2 min. S. to latitude 38 deg. 4 min. S., a distance of 280 miles.

Climate. From its geographical position, Victoria enjoys a climate more suitable to the European constitution than any other State in Australia. During the eighty-four years ended with 1939, the maximum temperature in the shade recorded at the Melbourne Observatory and at the Weather Bureau was 114·1 deg. Fahr., on the 13th January, 1939; the minimum was 27 deg., on the 21st July, 1869; and the mean 58·5 deg. Upon the average, on only three days during the year does the thermometer rise above 100 deg. in the shade, and on only nineteen days does the temperature reach 90 deg. or over; generally, on about two nights during the year, it falls below freezing point. Sultry nights are of rare occurrence. The minimum reading approximates to 70 deg. on an average on only two nights in any one year. The maximum temperature in the sun ever recorded (i.e., since 1859) was 178·5 deg., on the 14th January, 1862. The highest temperature in the shade on record in the State was 123·5 deg. at Mildura on the 5th January, 1906, and the lowest 0·0 deg. at Hotham Heights on the 4th July, 1925. The mean atmospheric pressure noted, first at the Observatory 91 feet above sea level, and later at the Weather Bureau 115 feet above sea level, was during the eighty-four years ended with 1939, 30·012 inches; the average number of days on which rain fell each year was 141, and the average yearly rainfall was 25·64 inches. The mean relative humidity of the atmosphere is 67 per cent.; on very warm days it is often 12 per cent., and it has been as low as 2 per cent. The severity of the heat is not felt so much as it would be if there were a relatively high wet bulb, as the temperature by such bulb seldom exceeds 75 deg. The average number of hours of sunshine daily is 6·1; fogs occur, on an average, on only 21 days in the year.

Further information in regard to climatic and weather conditions will be found in part "Production" of this volume.

PHYSICAL GEOGRAPHY AND GEOLOGY OF VICTORIA.

An article on the "Physical Geography and Geology of Victoria," by Mr. W. Baragwanath, Director of Victorian Geological Survey, appears in the *Year-Book* for 1927-28 on pages 20 to 30. and addenda thereto appear in subsequent issues of the *Year-Book*.

MOUNTAINS AND HILLS, RIVERS AND LAKES.

The highest mountain in Victoria is Mount Bogong,* **Mountains and Hills.** situated in the county of the same name, 6,509 feet above sea-level; the next highest peaks are—Mount Feathertop, 6,306 feet; Mount Nelson, 6,170 feet; Mount Fainter, 6,160 feet; Mount Hotham, 6,100 feet; Mount McKay, 6,030 feet; and Mount Cope, 6,027 feet; all situated in the same county; also the Cobboras, 6,030 feet, situated between the counties of Benambra and Tambo. These, so far as is known, are the only peaks which exceed 6,000 feet in height although, according to a list which appears in the *Year-Book* for 1915-16, there are 39 peaks between 5,000 and 6,000 feet high, and 40 between 4,000 and 5,000 feet high. It is known, moreover, that there are many peaks rising to upwards of 4,000 feet above the level of the sea whose actual heights have not yet been determined.

Rivers. With the exception of the Yarra, on the banks of which the metropolis is situated; the Murray; the Goulburn, which empties itself into the Murray about eight miles to the eastward of Echuca; the La Trobe and the Mitchell, with, perhaps, a few other of the Gippsland streams, the rivers of Victoria are not navigable. They, however, drain the watershed of large areas of country, and many of the streams are used as feeders to permanent reservoirs for irrigation and water supply purposes. The Murray, which forms the northern boundary of the State, is the largest river in Australia. Its total length is 1,520 miles, and for 1,065 miles it flows along the Victorian border. Several of the rivers in the north-western portion of the State have no outlet, but are gradually lost in the absorbent tertiary flat country through which they pass.

Lakes. Victoria contains numerous lakes and lagoons, either salt or fresh-water, but many of these are nothing more than swamps during dry seasons. Some of them are craters of extinct volcanoes. Lake Corangamite, the largest inland lake in Victoria, covers 90 square miles, and is quite salt, notwithstanding that it receives the flood waters of several fresh-water streams. It has no visible outlet. Lake Colac, only a few miles distant from Lake Corangamite, is a beautiful sheet of water, $10\frac{1}{2}$ square miles in extent, and quite fresh. The Gippsland lakes—Victoria, King, and Reeve—are situated close to the coast, and are separated from the sea by only a narrow belt of sand. Lake Wellington, the largest of the Gippsland lakes, lies to the westward of Lakes Victoria and King, and is united to the first-named by a narrow channel. South-east of Geelong is Lake Connemare which is connected with the sea at Point Flinders.

A list of mountains and hills, rivers and lakes in Victoria appears in the *Victorian Year-Book* for 1915-16. This list contains information in regard to heights, lengths, and areas respectively.

* The highest mountain on the Australian Continent is Mount Kosciusko in New South Wales, one peak of which is 7,328 feet high.

THE HISTORY OF VICTORIA.

An article on this subject contributed by Professor Ernest Scott, Professor of History in the University of Melbourne, appears in the *Year-Book* for 1916-17, pages 1 to 31.

CHRONOLOGICAL TABLE OF LEADING EVENTS.

A chronological table of leading events connected with the discovery and the history of Victoria for the years 1770 to 1934 inclusive, was published in the *Year-Book* for 1933-34. Since then the principal happenings of the year in the State have been recorded in the *Year-Book* relating thereto.

Some of the principal events in Victorian and Australian history from 1st July, 1939, to 30th June, 1940, were as follow :—

1939—17th June	..	Major-General Sir Winston Joseph Dugan, K.C.M.G., C.B., D.S.O., assumed office as Governor of Victoria.
25th July	..	Dissatisfied with a new award for the coal-mining industry, 1,100 miners at the Wonthaggi and Kirrak areas ceased work. Work was resumed on 14th August.
23rd August	..	The Premier (Hon. A. A. Dunstan) in presenting the State Budget announced there was a deficit for the financial year 1938-39.
1st September	..	Acting Justice O'Bryan appointed permanent Judge of the Supreme Court of Victoria.
1st September	..	German troops invaded Poland. Britain thereupon issued an ultimatum to Germany demanding an assurance that German troops would refrain from further hostilities and would be withdrawn from Poland.
3rd September	..	The Prime Minister made the announcement that a state of war existed between Britain and Germany.
3rd September	..	The Prime Minister of Australia (Rt. Hon. R. G. Menzies, K.C.) announced Australia at war with Germany.
4th September	..	France declared war on Germany.
20th October	..	Compulsory military training, for all single men or widowers without children who attain the age of 21 years during the year ending 1st July, 1940, announced by the Prime Minister.
24th November	..	State Cabinet appointed a Royal Commission to investigate allegations of attempts to bribe members of Parliament to prevent passage of certain legislation. The Royal Commission found that three members of the Dairymen's Association entered into an agreement to bribe members of Parliament.
22nd December	..	The Patriotic Funds Council was formally approved by the State Executive Council.
27th December	..	Australia's first air force contingent arrived in England.

- 1940—23rd January .. Mr. Norman C. Harris appointed chairman of the Railways Commission by the State Cabinet.
- 12th February .. Announced that first contingents of the second A.I.F. had arrived at Suez.
- 13th February .. Dissolution of the Legislative Assembly was granted by the Governor (Sir Winston Dugan) on the request of the Premier (Hon. A. A. Dunstan).
- 2nd March .. Mr. J. J. Dedman elected for the Corio seat of the House of Representatives at a by-election caused by the appointment of The Hon. R. G. Casey, D.S.O., M.C., as Australian Minister to the United States of America.
- 8th March .. Because of a failure of a proposal that the colliery owners or the mining unions should apply to the Commonwealth Arbitration Court for a compulsory conference, a general coal strike throughout Australia began. The strike necessitated drastic curtailment of railway services throughout Victoria and also seriously affected shipping and other services. Regulations were issued giving the Federal Government power to re-open mines and to protect all labour engaged. The strike was settled on 16th May.
- 13th March .. Two lives were lost and many homes were destroyed by bush fires which raged in country areas throughout Victoria.
- 16th March .. The general elections for the Legislative Assembly were held.
- 9th April .. Germany occupied Denmark and began the invasion or Norway.
- 15th April .. Announced that British troops had landed at several points in Norway.
- 23rd April .. Mr. R. G. Wishart appointed as the third Railways Commissioner.
- 1st May .. The first session of the 34th Parliament of Victoria was opened by His Excellency the Governor.
- 1st May .. The Hon. W. Slater elected Speaker of the Legislative Assembly.
- 10th May .. Germany invaded Belgium, Holland, and Luxembourg.
- 15th May .. Death announced of Mr. F. P. Keane, M.L.A. for Coburg.
- 10th June .. Italy declared war on Allies.
- 15th June .. The triennial elections for the Legislative Council were held.
- 22nd June .. Announced that armistice between France and Germany was signed when the French Government accepted the German terms.
- 24th June .. France signed armistice with Italy.

FLORA OF VICTORIA.

An article on the "Flora of Victoria," by Mr. J. W. Audas, F.L.S., F.R.M.S. (National Herbarium, Melbourne), appeared in the *Year-Book*, 1927-28, on pages 3 to 19, and addenda thereto in subsequent issues of the *Year-Book*.

FURTHER ADDENDA TO THE ABOVE ARTICLE.

The following list gives the native and introduced plants recorded for the first time in Victoria, together with new records of regional distribution and the changes in botanical nomenclature during the year 1939-40.

Twenty-two native species not previously recorded for this State have been added to the Victorian Flora, viz. :—

Doodia media, R.Br. "Common Raspfern" (Polypodiaceae).

Sorghum leiocladum, (Hack) Hubb. "Smooth-stemmed Sorghum" (Gramineae).

Cyperus rutilans, (C.B.C.) Maid. and Betche. "Russet Leaf-rush" (Cyperaceae).

Cyperus sub-pinnatus, Kukenth., var. *subrigidellus*, Kuk. "Scabrid Leaf-rush" (Cyperaceae).

Juncus effusus, L. forma *luxurians*, "Giant Soft-rush" (Juncaceae).

Juncus lamprocarpus, Ehrh., "Bright-fruited Rush" (Juncaceae).

Astelia nervosa, Banks and Sol. ex Hook. f. var. *australiana*, J. H. Willis, "Tall Astelia".

Caladenia pallida, Lindl., "Pale Spider Orchid" (Orchidaceae).

Caladenia arenaria, Fitz., "Saw Spider Orchid" (Orchidaceae).

Cryptostylis Hunteriana, Nicholls, "Hunter Tongue Orchid" (Orchidaceae).

Diuris brevissima, Fitz., "Stumpy Leopard Orchid" (Orchidaceae).

Prasophyllum subbisectum, Nicholls, "Twin-plated Leek Orchid" (Orchidaceae).

Thelymitra chasmogama, Rogers., "Cowled Sun Orchid" (Orchidaceae).

Korthalsella articulata, (F.V.M.) Blakely, "Jointed Mistletoe" (Loranthaceae).

Notothizos subaureus, (F.V.M.) Oliver, "Golden Mistletoe" (Loranthaceae).

- Lepidium Desvauzii*, Thell., "Fruticose Pepper-Cress" (Cruciferae).
Heliotropium asperrimum, R.Br., "Rough Heliotrope" (Boraginaceae).
Pratia surrepens, (Hook. f.), E. Wimmer., "Bog Pratia" (Lobeliaceae).
Glossogyne tenuifolia, Cass., "Glossogyne" (Compositae).

NEW REGIONAL DISTRIBUTION.

(According to Mueller's Geographical Divisions.)

- Echinopogon ovatus*, Beauv. add "North West".
Cyperus tenellus, L., add "All".
Eleocharis pusilla, R.Br. (*E. acicularis*), add "North West".
Juncus Fockei, Buch., add "South and North West".
Caleana major, R.Br., add "All".
Caladenia cucullata, Fitz., add "All".
Glycine Latrobeana, Benth., add "All except East".
Goodenia hederacea, Sm., read "N.W., N.E".
Goodenia lanata, R.Br., add "All".
Gnaphalium collinum, Lab., add "All".

EXOTICS.

Eleven new alien plants have been recorded:—

- Selaginella Kraussiana*, A.Br., "Creeping Club Moss" (Selaginellaceae).
Gastridium ventricosum (Gaud), Schinz and Thellung, "Nit Grass" (Gramineae).
Holcus setosus, Trin., "Soft Grass" (Gramineae).
Psilurus nardoides, Trin., "Thin Bristle-tail" (Gramineae).
Cerastium illyricum, Ard., "Levantine Chickweed" (Caryophyllaceae).
Gaura parviflora, Dougl., "False Loosestrife" (Onagraceae).
Cestrum Parqui, L'Herit, "Chilean Cestrum" (Solanaceae).
 A garden escape; poisonous to stock.
Bidens pilosa, Linn., "Cobbler's Pegs" (Compositae).
Chrysanthemum lacustre, Brot., "Portuguese Daisy" (Compositae).
Crepis setosus, Hall, "Bristly Crepis" (Compositae).
Cirsium Acarna, Moench., "Soldier Thistle" (Compositae).

THE FAUNA OF VICTORIA.

An article on the "Fauna of Victoria," by the late T. S. Hall, M.A., D.Sc. (University of Melbourne), and Mr. J. A. Kershaw, F.Z.S., Curator of the National Museum, Melbourne, appears in the *Year-Book* for 1916-17 and addenda thereto by Mr. Kershaw in the *Year-Books* for 1918-19 and 1920-21. Additional notes on this subject by Mr. D. Mahony, M.Sc. Director of the National Museum, Melbourne, were published in the *Year-Book* for 1931-32.

Other articles on the fauna of Victoria by members of the Museum staff have appeared in previous issues of the *Year-Book*. The titles of the articles, the names of the contributors, and the year of publication are as follow :—

- 1932-33, "Mammals of Victoria", Mr. C. W. Brazenor.
 1933-34, "Birds of Victoria", Mr. George Mack.
 1934-35, "Reptiles of Victoria", Mr. C. W. Brazenor.
 1935-36, "Fishes of Victoria", Mr. George Mack.
 1936-37, "Freshwater Crayfishes and Yabbies of Victoria",
 Miss Ellen Clark.
 1937-38, "Insects of Victoria", Part I. (Ants), Mr. J. Clark.
 1938-39, "Insects of Victoria", Part II. (Bees and Wasps),
 Mr. J. Clark.
 1939-40, "Insects of Victoria", Part III. (Butterflies),
 Mr. J. Clark.

INSECTS OF VICTORIA.

PART III. (BUTTERFLIES).

By J. Clark, Entomologist, National Museum of Victoria.

Over ninety species of butterflies are found in Victoria and most of them are represented in the other States. They are not as abundant and spectacular as those found in the northern States but are just as interesting.

The majority of the species belong to the family Lycaenidae, popularly known as "Blues", "Coppers", and "Hair Streaks". In this group we have thirty-two species. The larvae of many of them live in association with ants, occupying the ant-nest during the day and coming out at night to feed on the foliage of plants.

The next largest family is the Hesperidae or "Skippers" with twenty-eight species, most of which are small and of a dingy brown colour with white or yellow marks. The larvae feed on grasses of various kinds.

The family Danaidae is represented by two species, both of which are widely distributed throughout Australia. *Danaus plexippus*, known as the "Wanderer", has become quite common around Melbourne during the past few years. It is found in many parts of the world and reached Australia about sixty years ago from North America, where it is known as the "Monarch". The larvae feed on the "Swan Plant". The "Lesser Wanderer", *Danaus petilia*, is smaller and lighter coloured; it is rarely seen near Melbourne but is common in the Mildura district early in September. The larvae feed on milk-weeds.

The family Satyridae, known as "Browns", is represented by fourteen forms. Most of them are shade-loving insects frequenting the long grass in shady gullies and wooded country. The genus *Heteronympha*, the largest of our "Browns", contains six forms. The most common species around Melbourne is *Heteronympha philerope* which may be seen in shady places during the summer months. Two species of the genus *Xenica* are common from October to March. They are smaller than the preceding species but similarly coloured. The larvae feed on native grasses. *Xenica klugi* is the most common species; it is widely distributed throughout Australia. The genus *Tisiphone* is represented in Victoria by one species, *T. abeona albifasciata*, known as the "Swordgrass-Brown"; it is widely distributed in the mountainous parts of the State. They are brown with some yellow markings and two small blue spots on each wing. The "Small-Browns" belong to the genus *Oreixenica*; four species are found here, *Oreixenica kershawi* being abundant on the hills near Melbourne during summer.

The family Nymphalidae is represented by three species in two genera. *Vanessa kershawi*, the "Painted Lady", a very common and abundant species throughout Australia, and the "Admiral", *Vanessa itea*, both being very common in Victoria. The larvae of the "Admiral" feed on the leaves of the nettle. The "Meadow-Argus", *Precis calybe*, is also a common species and is found throughout Australia.

The family Lycaenidae, the "Blues", is well represented. Generally they are small, but a few species measure up to two inches across the wings. The genus *Candalides* has five species. *Candalides hyacinthina*, the "Dusky Blue", is the most common form; the wings are blue with brown edges. The larvae feed at night on the native dodder. The "Small Ant-blue", *Pseudodipsas myrmecophila*, is at times quite common; the larvae live and pupate in the nest of the shiny ant *Iridomyrmex nitidus*. The fine butterflies known as "Jewells" belong to the genus *Hypochrysops*. All are beautiful insects but are more brilliantly coloured on the underside than on top. This genus used to be known as *Miletus*. The larvae of all the species are attended by ants; generally they live in the nest with the ants

during the day and come out at night to feed on the foliage. Four species are found in Victoria, but none is really common. The larvae of the "Fiery Jewell," *Hypochrysops ignita* feed on the black wattle and the golden wattle. The "Double-spotted line blue", *Nacaduba biocellata*, is common throughout Australia; the larvae feed on wattles. The common "Grass-blue", *Zizeere labratus*, is known also as the "Clover-blue", "Lucerne-blue" and "Bean-blue". It is the commonest of the "Blues" and is found everywhere. The larvae feed on the flower-buds of clover, lucerne and many pea-like flowers, also on bean-pods about 2 or 3 inches long. The genus *Neolucia* contains three small brown species without shades of blue; they are common during the spring months. The "Pea-blue", *Lampides damoetes*, is widely spread throughout the world. The larvae feed on many plants including sweet peas, lupins and tree lucerne. The genus *Ogyris* contains some of our most handsome "Blues"; they are known as "Azures". The larvae feed on the mistletoe growing on sheoaks and on eucalypts. During the day they live in the nests of ants of various species belonging to the genera *Camponotus*, *Iridomyrmex*, and *Crematogaster*, the nests generally being in the tree on which the larvae feed. *Ogyris zosine araxes*, our largest and most beautiful species, flies during January. It is found near the Grampians and Dimboola, the larvae living in the nests of the ant *Camponotus perthiana*. The "Bright Copper", *Paralucia aurifera*, and the "Dull Copper" *P. aenea* are sometimes plentiful. The larvae of both species feed on buckthorn plants; during the day they may be found in the nest of ants at the roots of the plant. The "Small Copper" *Lucia limbaria* is another common species. The "Imperial Blue" *Ilamenus evagorus* and the "Icilius Blue" *I. icilius* are common but local. The larvae feed on wattles during the day and are always attended by ants which swarm over them. The common meat ant, *Iridomyrmex detectus*, is always found with *I. icilius*.

The family Pieridae, known as "Whites", is represented here by six species, including the introduced "Cabbage White" butterfly, *Pieris rapae*. Unfortunately this species was accidentally introduced some years ago and has spread rapidly all over Victoria. It is now common during all the year except July. Two species of the genus *Delias* are common at times. The larvae of *Delias harpalycce*, the "Imperial White", feed on mistletoe growing on the tops of high trees, the larvae spinning a large web to which the pupae are attached. The larvae of the "Wood-white", *D. aganippe*, feed on the foliage of the native cherry as well as on mistletoe. The "Cappar-white", *Anaphaeis teutonia*, is very common throughout Australia. The larvae feed on Capparis and some other plants. The "Narrow-winged pearl white", *Elodina padusa*, occurs here but is rarely found. The "Small yellows" belonging to the genus *Terias* are represented by one species *Terias smilax*. It is common in the Mildura district, but is rare on the coast.

The "Swallow-tails", *Papilionidae*, are poorly represented in Victoria, only four species having been recorded and of these only two are at all common. The "Orchard Butterfly", *Papilio aegerus*, is sometimes found in Eastern Gippsland but is rare. This species is common in New South Wales and Queensland; the larvae feed on citrus trees. The "Chequered Swallowtail", *Papilio sthenelus*, is occasionally found near Melbourne but is more common inland. The "Dingy Swallowtail" or, as it is more generally known here, the "Orange Butterfly", *Papilio anactus*, is very common in the Mildura district. During the past few years it has become common near Melbourne. The larvae feed on the leaves of citrus trees. *Papilio macleayanus* is very common on the ranges around Melbourne during the summer months, the larvae feeding on sassafras; it is found also in Tasmania.

The family *Hesperiidae*, commonly known as "Skippers" and "Darters", is represented by 28 species. All are small and generally dull brownish coloured insects with white or yellow spots or bars on the wings. They fly with a jerky flight close to the ground. The genus *Trapezites* has six species, the larvae feeding on Xerotes. *Trapezites phigalia* is common in the spring. The "Shield Skipper" *Signeta flammeata* is common in the late summer and autumn and is found also in Queensland. *Mesodina halyzia* is a rare species whose larvae feed on Patersonia plants. Three species of *Toxidia* are found; *T. parvula* is common and widely distributed, the larvae feeding on grass. Seven species of the genus *Hesperilla* occur here. *Hesperilla chaostola* and *H. donnyssa* are both common on the hills around Melbourne, where their larvae feed on sword grass. The "Mountain Spotted-skipper", *Oreisplanus perornatus*, is common on the ranges from October to December. The larvae feed on a coarse sword grass. The "White Grassdart", *Taractrocera papyria*, is common and widespread in late summer; the larvae feed on grass. Two species of the genus *Padraona* occur in Victoria; their larvae feed on blady grass. *Dispar compacta* is a small species common during late summer; its range extends to Queensland. The larvae feed on grass.

CONSTITUTION AND GOVERNMENT.

Constitutional History. Regular Government of the district of Port Phillip, then part of the Crown Colony of New South Wales, was first established in 1836, when Captain Lonsdale was sent from Sydney to act as Resident Magistrate. On 1st July, 1851, following upon an Act of the Imperial Parliament, dated 5th August, 1850, and entitled "An Act for the better Government of Her Majesty's Australian Colonies", the district of Port Phillip was separated from New South Wales and erected into and formed a separate colony known and designated as the Colony of Victoria.

Pursuant to the provisions of the Act afore-mentioned, the Governor and Legislative Council of New South Wales passed the Victoria Electoral Act of 1851, which provided that the Legislative Council of Victoria should consist of 30 members, ten to be appointed by Her Majesty and twenty to be elected.

1851
In 1852 the Imperial Government decided to invite each of the Australian Colonies to frame such a Constitution for its government as its representatives might deem best suited to its own peculiar circumstances.* The Constitution framed in Victoria, approved by the British Parliament and proclaimed in Victoria on the 23rd November, 1851, was avowedly based upon that of the United Kingdom. It provided for the establishment of two Houses of Legislature with power "to make laws, in and for Victoria in all cases whatsoever" subject to the assent of the Crown as represented generally by the Governor of the Colony; the Legislative Council, or Upper House, to consist of thirty, and the Legislative Assembly, or Lower House, of sixty members: Members of both Houses to be elective and to possess property qualifications: electors of both Houses to possess either property or professional qualifications, the property qualification of both members and electors being lower in the case of the Assembly than in that of the Council: the Council not to be dissolved, but five members to retire every two years and to be eligible for re-election: the Assembly to be dissolved every five years, or oftener, at the discretion of the Governor: certain officers of the Government, four at least of whom should have seats in Parliament, to be deemed "Responsible Ministers": any member of either House accepting an office of profit under the Crown to vacate his seat, but to be capable of being re-elected.

Modifications of the Constitution to meet changing conditions or to improve the machinery of government were made from time to time up to 1900, the more important of which may be summarized chronologically as follow:—

- 1856. The ballot as a means of electing members of both Houses of Parliament prescribed by Act 19 Vict. No. 12.
- 1857. The property qualification of members of the Legislative Assembly abolished by Act 21 Vict. No. 12.
- 1857. Universal manhood suffrage for electors of the Legislative Assembly made law by Act 21 Vict. No. 33.
- 1858. Number of members of the Legislative Assembly increased to 78 and of electoral districts to 49.
- 1869. Property qualification of members and electors of the Legislative Council reduced by Act 32 Vict. No. 334.

* *Vide* article on the Constitution of Victoria by Edward Carlile, Esq., Barrister at Law, Clerk Assistant of the Legislative Assembly and formerly Parliamentary Draftsman of Victoria p. 610, *et seq.*, *Year-Book* 1883-84.

1876. By the *Electoral Act Amendment Act* 1876 (40 Vict. No. 548) the number of electoral districts for the Legislative Assembly was increased from 49 to 55 and the number of members thereof from 78 to 86.
1881. Property qualification of members and electors of the Legislative Council further reduced, number of Provinces and members increased and tenure of seats shortened by Act 45 Vict. No. 702.
1886. Reimbursement of the expenses of members of the Legislative Assembly in relation to their attendance in the discharge of their Parliamentary duties of £300 per annum provided for by Act No. 888.
1888. The number of members of the Legislative Council increased to 48 by Act 52 Vict. No. 995. The number of members of the Legislative Assembly increased to 95 and boundaries of Electoral Districts altered so that their number should be 84 and so that—with a few exceptions—only one member should represent each Constituency, by Act 52 Vict. No. 1008.
1899. Plural voting in the Legislative Assembly abolished by Act No. 1606.
1900. Voting by post introduced by Act No. 1701. The Act was to apply for a term of three years: subsequent Acts continued the measure to 31st December, 1910, when the Electoral Act (No. 2288) of that year made permanent provision for voting by post.

The Commonwealth of Australia Constitution Act (63 and 64 Vict. Chapter 12) which constituted the Commonwealth as from the 1st January, 1901, was given the Royal assent on 9th July, 1900. This Act may be regarded as the culmination of the labours of the Federal Council constituted by the *Federal Council of Australasia Act* 1885 (48 and 49 Vict. Cap. 60). The Acts passed by the Council had force only in those colonies which were specially legislated for, until repealed by the Federal Council.

Section 106 of the *Commonwealth of Australia Constitution Act* provided that, subject to that Constitution, the Constitution of each State of the Commonwealth should continue as at the establishment of the Commonwealth until altered in accordance with the Constitution of the State.

Following the inauguration of the Commonwealth, the need for reducing the numbers of members in the States' Houses and for the reform of their constitutions was made manifest. Accordingly, in Victoria, there was passed the *Constitution Act* 1903, which provided for a reduction in the number of responsible ministers from ten to eight, and their salaries from £10,400 to £8,800; in the number of

members of the Legislative Council from 48 to 35, but an increase in the number of electoral provinces from 14 to 17, each being represented by two members elected for six years—one retiring every three years by rotation, except at a general election when one half of the members were to be elected for only three years. The property qualification of members of the Council was reduced from £110 to £50 as the annual value of the freehold, and that of electors qualifying as lessees or occupying tenants from an annual value of £25 to one of £15. A reduction was also made in the number of members of the Legislative Assembly from 95 to 68 and in that of the electoral districts from 84 to 65.

Power was given to any Minister who was a member of the Assembly to sit in the Council—or *vice versa*—in order to explain the provisions of any measure connected with any department administered by him. The Council was empowered to suggest alterations in any Appropriation Bill, viz. (a) when in Committee, (b) on the report of the Committee, (c) on the third reading. The remedy provided to meet disagreements between the two Houses was the simultaneous dissolution of both after a Bill had been twice submitted to and rejected by the Council—viz. once before, and once after a dissolution of the Assembly in consequence of such first rejection.

Although modifications of the Constitution of 1903 have been made from time to time, its essential framework is very little changed. A detailed description of the present Constitution will be found in the *Year-Book* for 1928-29, pages 9 to 16. The principal modifications since 1903 are as follow:—

The present Constitution.

- 1908. The *Adult Suffrage Act* 1908, No. 2185, conferred the suffrage on women aged 21 years and upwards for all elections of the Assembly, and also placed them on an equality with men at elections of the Legislative Council.
- 1910. The *Electoral Act* 1910, No. 2288, now incorporated in The Constitution Act, provided (a) that every person of the full age of 21 years, a natural born or naturalized subject of His Majesty, and who had resided in Victoria for the six months and in any district for one month immediately preceding the date of any electoral canvass or of his claim for enrolment was entitled to be enrolled as an elector for the Legislative Assembly; and (b) for voting by post at elections for the Legislative Council or Assembly.
- 1911. The preferential system of voting at elections for the Assembly was provided for by Act No. 2321. (In 1921, by Act No. 3139, this system was made applicable at elections for the Council.)

1920. *The Constitution Act Amendment Act 1919*, (No. 3044) provided for the payment to any member of the Assembly who is for the time being the Leader of His Majesty's Opposition (in addition to reimbursement of his expenses in relation to his attendance in the discharge of his parliamentary duties) of any sum provided by Parliament as an allowance in consideration of his services as such leader.
1920. *The Constitution Act Amendment Act, 1920* (No. 3118) (a) increased the amount for Ministerial salaries to £10,000; (b) increased the amount of reimbursement of expenses of each member of the Assembly to £500 per annum.
1922. *The Constitution Act Amendment Act 1922* (No. 3218) provides for reimbursement of expenses of each member of the Council at the rate of £200 per annum.
1923. *The Parliamentary Elections (Woman Candidates) Act 1923* (No. 3337) provided that no woman by reason only of sex or marriage should be disqualified or disabled from or be incapable of being a candidate at any election whether for the Council or the Assembly or being elected a member of the Council or the Assembly or voting therein if elected.
1926. *The Compulsory Voting (Assembly Elections) Act 1926* (No. 3488) made it compulsory for every elector to record his vote at every election for which he is entitled to vote. (The compulsory provision was extended to elections of the Legislative Council by the *Legislative Council Elections Act 1935* (No. 4350)).
1927. *The Electoral (Absent Voters) Act 1927* (No. 3525) provided for the voting by absent voters at elections for the Assembly. (This provision was extended to elections of the Council by the *Legislative Council Elections Act 1935* (No. 4350)).
1935. *The Parliamentary Elections (Railway Employés and Civil Servants) Act 1935* (No. 4334) allows Railway Employés and Civil Servants to contest any parliamentary election without having first to resign from the service.
1936. *The Responsible Ministers of the Crown Act 1936* (No. 4367) increased the maximum number of salaried responsible Ministers of the Crown from eight to nine, and the maximum total amount of salaries paid to such Ministers from £10,000 to £11,250.

1937. The *Constitution (Reform) Act* 1937, (No. 4533) altered the procedure to be adopted in the event of a disagreement between the two Houses of Parliament. In addition, the qualifications of members of the Council were widened by reducing the age of qualification from 30 to 21 years, and the property qualifications from £50 to £25. The deposit required from a candidate for election to the Council was reduced from £100 to £50.
1940. The *Statute Law Revision Act*, 1940 (No. 4726) by amendment of section 27 of *The Constitution Act Amendment Act*, 1928 (No. 3660), as amended by section 3 of the *Members of Parliament (Disqualification) Act* 1939 (No. 4718) provided that it shall be lawful for the holders of the offices of (a) the Unofficial Leader of the Council and (b) "the Leader in the Assembly of any recognized party which consists of fifteen members at least of the Assembly of which party no member is a responsible Minister of the Crown," to receive (in addition to reimbursement of their expenses in relation to their attendance in discharge of their parliamentary duties) any sum provided by Parliament as an allowance in consideration of their services in such offices.

GOVERNORS OF VICTORIA.

The following statement shows the names and periods of office of Governors and Acting Governors of Victoria since the first appointment of Mr. Charles Joseph La Trobe as Superintendent, in 1839 :—

Name.	Date of Assumption of Office.	Date of Retirement from Office.
Charles Joseph La Trobe ..	30th September, 1839	5th May, 1854
John Vesey Fitzgerald Foster (Acting)	8th May, 1854 ..	22nd June, 1854
Captain Sir Charles Hotham, R.N., K.C.B.	22nd June, 1854 ..	31st December, 1855*
Major-General Edward Mac- arthur (Acting)	1st January, 1856 ..	26th December, 1856
Sir Henry Barkly, K.C.B. ..	26th December, 1856	10th September, 1863
Sir Charles Henry Darling, K.C.B.	11th September, 1863	7th May, 1866
Brigadier-General George Jack- son Carey, C.B. (Acting)	7th May, 1866 ..	15th August, 1866
The Honorable Sir John Henry Thomas Manners-Sutton, K.C.B.	15th August, 1866 ..	2nd March, 1873

* Died on this date.

GOVERNORS OF VICTORIA—continued.

Name.	Date of Assumption of Office.	Date of Retirement from Office.
Sir William Foster Stawell, Kt. (Acting)	3rd March, 1873 ..	19th March, 1873
Sir George Ferguson Bowen, G.C.M.G.	31st March, 1873 ..	22nd February, 1879
Sir Redmond Barry, Kt. (Acting)	3rd January, 1875 ..	10th January, 1875
Sir William Foster Stawell, Kt. (Acting)	11th January, 1875..	14th January, 1876
The Most Honorable George Augustus Constantine Phipps, Marquis of Normanby, G.C.M.G., P.C.	27th February, 1879	18th April, 1884
Sir William Foster Stawell, Kt. (Acting)	18th April, 1884 ..	15th July, 1884
Sir Henry Brougham Loch, G.C.M.G., K.C.B.	15th July, 1884 .. 18th October, 1889	8th March, 1889 15th November, 1889
Sir William Cleaver Francis Robinson, G.C.M.G. (Acting)	9th March, 1889 .. 16th November, 1889	17th October, 1889 27th November, 1889
The Right Honorable John Adrian Louis Hope, Earl of Hopetoun, G.C.M.G.	28th November, 1889	12th July, 1895
The Honorable John Madden, LL.D. (Acting)	26th January, 1893.. 27th March, 1895 ..	11th May, 1893 24th October, 1895
The Right Honorable Baron Brassey, K.C.B.	25th October, 1895	31st March, 1900
The Honorable Sir John Madden, K.C.M.G., LL.D. (Acting)	29th December, 1896 27th September, 1897 23rd March, 1898 ..	16th February, 1897 10th October, 1897 21st October, 1898
The Honorable Sir John Madden, K.C.M.G., LL.D., Lieutenant-Governor (Acting)	15th January, 1900..	10th December, 1901
Sir George Sydenham Clarke, K.C.M.G., F.R.S.	10th December, 1901	24th November, 1903
The Honorable Sir John Madden, K.C.M.G., LL.D., Lieutenant-Governor (Acting)	24th November, 1903	25th April, 1904
Major-General Hon. Sir Reginald Arthur James Talbot, K.C.B.	25th April, 1904 ..	6th July, 1908
The Honorable Sir John Madden, G.C.M.G., LL.D., Lieutenant-Governor (Acting)	20th March, 1907 .. 6th July, 1908 ..	18th November, 1907 27th July, 1908
Sir Thomas David Gibson Carmichael, Baronet, K.C.M.G.	27th July, 1908 ..	19th May, 1911
The Honorable Sir John Madden, G.C.M.G., LL.D., Lieutenant-Governor (Acting)	19th May, 1911 ..	24th May, 1911
Sir John Michael Fleetwood Fuller, Baronet, K.C.M.G.	24th May, 1911 ..	31st January, 1914

GOVERNORS OF VICTORIA—*continued.*

Name.	Date of Assumption of Office.	Date of Retirement from Office.
The Honorable Sir John Madden, G.C.M.G., LL.D., Lieutenant-Governor (Acting)	28th August, 1913 ..	23rd February, 1914
Sir Arthur Lyulph Stanley, K.C.M.G.	23rd February, 1914	30th January, 1920
Sir William Hill Irvine, K.C.M.G., LL.D., Lieutenant-Governor (Acting)	30th July, 1919 ..	24th February, 1921†
The Right Hon. the Earl of Stradbroke, K.C.M.G., C.B., C.V.O., C.B.E.	24th February, 1921	7th April, 1926
Sir William Hill Irvine, K.C.M.G., LL.D., Lieutenant-Governor (Acting)	1st April, 1923 .. 8th April, 1926 ..	24th October, 1923. 27th June, 1926
Lieutenant-Colonel The Right Hon. Arthur Herbert Tennyson, Baron Somers, K.C.M.G., D.S.O., M.C.*	28th June, 1926 ..	23rd June, 1931
Sir William Hill Irvine, K.C.M.G., LL.D., Lieutenant-Governor (Acting)	26th April, 1929 .. 3rd October, 1930 ..	27th October, 1929 21st January, 1931
Sir William Hill Irvine, K.C.M.G., LL.D., Lieutenant-Governor†	24th June, 1931 ..	14th May, 1934
Captain The Right Hon. William Charles Arcedeckne, Baron Huntingfield, K.C.M.G.‡	14th May, 1934	5th April, 1939
Sir Frederick Wollaston Mann, K.C.M.G., Lieutenant-Governor (Acting)	20th May, 1937 .. 29th March, 1938 .. 5th April, 1939	28th September, 1937 24th September, 1938 17th July, 1939
Major-General Sir Winston Joseph Dugan, K.C.M.G., C.B., D.S.O.	17th July, 1939,	

NOTE.—Captain William Lonsdale, formerly of the 4th Regiment, was appointed Police Magistrate of the District of Port Phillip on 9th September, 1836, and assumed office on the 29th of the same month. In that capacity he was in charge of the District until the appointment of Mr. C. J. La Trobe as Superintendent. Subsequently, Captain Lonsdale acted as Superintendent during the temporary absence of Mr. La Trobe, who was called on to administer the Government of Tasmania from the 13th October, 1846, to the 24th January, 1847.

* On leave from 26th April, 1929, to 27th October, 1929, and administered the Government of the Commonwealth of Australia from 3rd October, 1930, to 21st January, 1931.

† Resigned on 1st January, 1936. The commission was given to Sir Frederick Wollaston Mann, Kt., on 12th May, 1936.

‡ On leave from 20th May, 1937, to 28th September, 1937, and administered the Government of the Commonwealth of Australia from 29th March, 1938, to 24th September, 1938.

MINISTERS PRIOR TO RESPONSIBLE GOVERNMENT

The names of Ministers who held office from the date of Victoria's separation from New South Wales in 1851 to the establishment of responsible Government in 1855, together with the office held and the date of their assumption thereof, is shown on page 29 of the *Year-Book* for 1928-29.

MINISTRIES SINCE RESPONSIBLE GOVERNMENT.

During the period 28th November, 1855, to 22nd November, 1928, the number of Ministries was 45. A statement showing the name of the Premier, the date of assumption of, the date of retirement from, and the duration of office of each of these Ministries appears in the *Year-Book* for 1928-29, pages 30 and 31. Similar information in regard to the forty-sixth and subsequent Ministries is as follows:—

Number of Ministry and Name of Premier.	Date of Assumption of Office.	Date of Retirement from Office.	Duration of Office.
Forty-sixth —Sir William Murray McPherson, K.B.E.	22nd November, 1928	12th December, 1929	Days. 385
Forty-seventh —Edmond John Hogan	12th December, 1929	19th May, 1932	889
Forty-eighth —Sir Stanley Seymour Argyle, K.B.E., M.R.C.S.	19th May, 1932	2nd April, 1935	1,048

The forty-ninth and existing Ministry, in which the Hon. Albert Arthur Dunstan is Premier, assumed office on 2nd April, 1935. It comprises the following members:—

The Hon. Albert Arthur Dunstan, M.L.A.	Premier, Treasurer, and Solicitor-General.
.. .. Albert Eli Lind, M.L.A.	President of the Board of Land and Works, Commissioner of Crown Lands and Survey, and Minister of Forests.
.. .. Francis Edward Old, M.L.A.	Minister of Water Supply and Minister in Charge of Electrical Undertakings.
.. .. Edmond John Hogan, M.L.A.	Minister of Agriculture, Minister of Mines, and a Vice-President of the Board of Land and Works.
.. .. Henry Stephen Bailey, M.L.A.	Chief Secretary and Attorney-General.
.. .. Edwin Joseph Mackrell, M.L.A.	Minister of Labour.
.. .. Herbert John Thornhill Hyland, M.L.A.	Minister of Transport and a Vice-President of the Board of Land and Works.
.. .. Sir John Harris, K.B.E., M.L.C.	Minister of Public Instruction and Minister of Public Health.
.. .. Sir George Louis Goudie, M.L.C.	Commissioner of Public Works, Minister in Charge of Immigration, and a Vice-President of the Board of Land and Works.
.. .. George Joseph Tuckett, M.L.C.	Minister without Portfolio.
.. .. Henry Pye, M.L.C.	.. Minister without Portfolio.
.. .. Norman Angus Martin, M.L.A.	Minister without Portfolio.

MEMBERS OF THE STATE PARLIAMENT, 1940.

The names of members, the constituencies which they represent, and the name of the clerk of Parliaments are given below:—

VICTORIA—THE LEGISLATIVE COUNCIL.

President: Hon. Sir F. G. Clarke, K.B.E.

Name of Province.	Name of Member.	Date of Retirement.
Ballaarat ..	Hon. A. J. Pittard	1943
	Hon. G. Bolster	1946
Bendigo ..	Hon. J. H. Lienhop	1943
	Hon. Lieut.-Col. G. V. Lansell, C.M.G., V.D.	1946
Doutta Galla ..	Hon. P. J. Clarey	1943
	Hon. P. Jones	1946
East Yarra ..	Hon. W. H. Edgar (Chairman of Committees)	1943
	Hon. C. H. A. Eager, K.C.	1946
Gippsland ..	Hon. W. MacAulay	1943
	Hon. J. M. Balfour	1946
Higinbotham ..	Hon. J. A. Kennedy	1943
	Hon. J. S. Disney	1946
Melbourne ..	Hon. D. L. McNamara	1943
	Hon. W. J. Beckett	1946
Melbourne North ..	Hon. H. H. Olney	1943
	Hon. A. M. Fraser	1946
Melbourne West ..	Hon. J. H. Disney	1943
	Hon. P. J. Kennelly	1946
Monash ..	Hon. Sir F. G. Clarke, K.B.E. (President) ..	1943
	Hon. A. Crofts	1946
Northern ..	Hon. G. J. Tuckett (Minister without Portfolio)	1943
	Hon. R. Kilpatrick	1946
North-Eastern ..	Hon. P. P. Inchbold	1943
	Hon. Sir John Harris, K.B.E., (Minister of Public Instruction and Minister of Public Health)	1946
North-Western ..	Hon. Sir G. L. Goudie (Commissioner of Public Works, Minister in Charge of Immigration, and a Vice-President of the Board of Land and Works)	1943
	Hon. H. Pye (Minister without Portfolio) ..	1946
Southern ..	Hon. G. L. Chandler	1943
	Hon. Sir W. Angliss	1946
South-Eastern ..	Hon. C. P. Gartside	1943
	Hon. C. E. Isaac	1946
South-Western ..	Hon. G. S. McArthur	1943
	Hon. A. E. McDonald	1946
Western ..	Hon. L. R. Rodda	1943
	Hon. R. C. Rankin	1946

Clerk of the Parliaments and Clerk of the Legislative Council: P. T. Pook.

MEMBERS OF THE STATE PARLIAMENT, 1940—*continued.*

VICTORIA—THE LEGISLATIVE ASSEMBLY.

Speaker: Hon. W. Slater.

Name of Electoral District.	Name of Member.
Albert Park	W. C. Haworth.
Allandale	P. L. Denigan.
Ballaarat	T. T. Hollway.
Barwon	Hon. T. K. Maltby.
Benalla	F. A. Cook.
Benambra	J. R. Paton.
Bendigo	A. E. Cook.
Boroondara	T. D. Oldham.
Brighton	Hon. I. Macfarlan, K.C.
Brunswick	J. R. Jewell.
Bulla-Dalhousie	H. O. White.
Carlton	W. Barry.
Castlemaine and Kyneton	W. D. Hodson.
Caulfield	Colonel Hon. H. E. Cohen, C.M.G., C.B.E., D.S.O., V.D.
Clifton Hill	H. M. Cremean.
Coburg	C. Mutton.
Collingwood	Hon. T. Tunnecliffe.
Dandenong	F. Field.
Dundas	Hon. W. Slater (Speaker).
Essendon	J. C. Dillon.
Evelyn	W. H. Everard.
Flemington	J. J. Holland.
Footscray	J. M. Mullens.
Geelong	Mrs. F. E. Brownbill.
Gippsland East	Hon. A. E. Lind (President of the Board of Land and Works, Commissioner of Crown Lands and Survey, and Minister of Forests).
Gippsland North	A. H. Borthwick
Gippsland South	Hon. H. J. T. Hyland (Minister of Transport and a Vice-President of the Board of Land and Works).
Gippsland West	M. Bennett.
Goulburn Valley	J. G. B. McDonald.
Grant	F. C. T. Holden.
Gunbower	Hon. N. A. Martin (Minister without Portfolio).
Hampden	W. R. Cumming.
Hawthorn	L. H. Hollins.
Heidelberg	H. P. Zwar.
Kara Kara-Borong	F. A. Cameron.
Kew	Hon. W. S. Kent Hughes, M.V.O., M.C.

MEMBERS OF THE STATE PARLIAMENT, 1940—*continued.*THE LEGISLATIVE ASSEMBLY—*continued.*

Name of Electoral District.	Name of Member.
Korong-Eaglehawk	Hon. A. A. Dunstan (Premier, Treasurer, and Solicitor-General).
Lowan	G. H. Lamb.
Maryborough-Daylesford	G. C. Frost.
Melbourne	T. Hayes.
Mildura	A. G. Allnutt.
Mornington	A. J. Kirton.
Northcote	Hon. J. Cain.
Nunawading	Mrs. I. L. Weber.
Oakleigh	S. H. Reid.
Ouyen	K. Dodgshun.
Polwarth	E. F. Guye.
Port Fairy-Glenelg	E. E. Bond.
Port Melbourne	J. L. Murphy.
Prahran	J. McD. Ellis.
Richmond	E. J. Cotter.
Rodney	W. Dunstone.
St. Kilda	A. Michaelis.
Stawell and Ararat	A. McDonald.
Swan Hill	Hon. F. E. Old (Minister of Water Supply and Minister in Charge of Electrical Undertakings).
Toorak	(Vacant.)
Upper Goulburn	Hon. E. J. Mackrell (Minister of Labour).
Upper Yarra	Lieut.-Colonel Hon. G. H. Knox, C.M.G., V.D.
Walhalla	W. A. Moncur.
Wangaratta-Ovens	L. V. Diffey.
Waranga	E. A. Coyle (Chairman of Committees).
Warrenheip-Grenville	Hon. E. J. Hogan (Minister of Agriculture, Minister of Mines, and a Vice-President of the Board of Land and Works).
Warrnambool	Hon. H. S. Bailey (Chief Secretary and Attorney-General).
Williamstown	Hon. J. Lemmon.
Wonthaggi	W. G. McKenzie.

Clerk of the Legislative Assembly: F. E. Wanke.

Number of Parliaments and their duration. During the period 1856 to 1927 there were 28 Parliaments. A statement showing the duration in days of each Parliament, the number of days in session, and the percentage of the latter to the former appears in the *Year-Book* for 1928-29, page 21. Similar information in regard to the twenty-ninth and subsequent Parliaments is shown in the following table :—

VICTORIA—DURATION OF PARLIAMENTS AND SESSIONS,
1927 TO 1940

Number of Parliament.	Period.	Duration of Parliament.	Days in Session.	
			Number.	Percentage to Duration.
		Days.		
Twenty-ninth	1927-29	850	542	63·8
Thirtieth	1929-32	864	596	69·0
Thirty-first	1932-35	963	471	48·9
Thirty-second	1935-37	902	506	56·1
Thirty-third	1937-40	848	403	47·5

THE AGENT-GENERAL FOR VICTORIA.

An Article on the “Agent-General for Victoria” appears in the *Year-Book* for 1937-38, pages 21 and 22.

Agent-General for Victoria in Great Britain. The present Agent-General for Victoria in Great Britain is the Hon. A. L. Bussau, Victoria House, Melbourne Place, Strand, London, W.C.2.

VICTORIA—STATE ACTS PASSED DURING 1939.

The following is a synopsis of each Act passed by the State Parliament during the year 1939 :—

Act No.	Date (1939)	
4631 ..	29th June	.. This Act applies out of the Consolidated Revenue the sum of £2,608,501 to the service of the year 1939-40.
4632 ..	31st July	.. The <i>State Forests (Timber Salvage) Loan and Application Act 1939</i> empowers the Governor in Council to borrow money to an amount not exceeding £475,000 by the issue of stock or debentures and, subject to the Act, to apply such money towards the salvage of timber of trees in State forests which were killed by bush fires in the summer of 1938-1939 and the making of advances to sawmillers in connexion with such salvage operations on their allotted milling areas where such advances are necessary to enable them to carry out such operations.

- | Act No. | Date (1939). | |
|---------|--------------------------|--|
| 4632 | 31st July— <i>contd.</i> | .. The Forests Commission is authorized to enter into agreements with sawmillers with respect to such advances and the carrying out of such salvage operations, and is charged with the supervision of the salvage operations of sawmillers to whom advances are made, and may itself carry out salvage operations if any sawmiller fails to carry out the same on his allotted milling area when so required by the Commission in any appropriate case. |
| 4633 | .. 31st July | .. The <i>Queenscliff Land Act</i> 1939 provides for the revocation of the reservation of certain land at Queenscliff permanently reserved as a site for a public park and for the reservation of such land as a site for a baby health centre. |
| 4634 | .. 7th August | .. The <i>Bendigo Land Act</i> 1939 provides for the revocation as to part of a Deed of Grant to the Council of the Municipal District of Sandhurst their successors and assigns of certain land in the Parish of Sandhurst, and of the reservation or purported reservation of such land as a site for a general market and for the Crown Grant of part of such land to the State Electricity Commission of Victoria, and for other purposes. |
| 4635 | .. 7th August | .. The <i>Pawnbrokers Act</i> 1939 requires more detailed particulars of pledged articles to be entered by pawnbrokers in their pledge books, and provides for the production of pledge books to certain members of the police force for inspection when so required. |
| 4636 | .. 14th August | .. The <i>Statute Law Revision Act</i> 1939 makes sundry corrections and drafting amendments in various Acts, and provides for the incorporation of such amendments in subsequent issues of such Acts. |
| 4637 | .. 14th August | .. The <i>Supreme Court Act</i> 1939 permits the appointment of judges of county courts as acting judges of the Supreme Court, and declares valid any such appointment previously made.
The Act also assimilates to the present practice the provisions of the <i>Supreme Court Act</i> 1928 relating to moneys held by the Master-in-Equity. These moneys are no longer required to be paid into the Suitors' Fund in the Treasury (which fund is abolished) but are to be invested by the Master-in-Equity as directed by any order of the Supreme Court or by any Act, and are to be kept so invested until the court otherwise orders, when they may pursuant to Treasury directions be paid by the Master-in-Equity to the persons entitled thereto. |

Act No.	Date (1939).	
4638	14th August	.. The <i>Yinnar Lands Act 1939</i> provides, upon the surrender to His Majesty of certain land in the Parish of Yinnar, for the reservation thereof as a site for public recreation, and for the revocation of the reservation of certain other land in the said Parish temporarily reserved as a site for public recreation, and for the sale of part of such land and the application of the proceeds of such sale, and for the proclamation of the remainder of such land as a road, and for other purposes.
4639	21st August	.. The <i>Trustee Act 1939</i> adds securities issued by the Grain Elevators Board to the list of investments in which trustees may invest trust funds in their hands unless the investment is expressly prohibited by any instrument creating the trust.
4640	28th August	.. The <i>Keilambete Lands Exchange Act 1939</i> provides for the revocation of the reservation of certain land in the Parish of Keilambete temporarily reserved as a site for public purposes and for the exchange thereof for certain other land in the Parish of Terang to be reserved as a site for public recreation and watering purposes.
4641	28th August	.. The <i>Sheep Owners Protection Act 1939</i> extends the operation of the <i>Sheep Owners Protection Act 1935</i> to sheep carried by road in a trailer attached to a motor car, and enables members of the police force (in addition to officers of the Department of Agriculture) to launch prosecutions for offences against that Act.
4642	28th August	.. The <i>Motor Car (Fees) Act 1939</i> doubles the registration fees for motor cars with internal combustion engines using fuel oil.
4643	31st August	.. This Act applies out of the Consolidated Revenue the sum of £322,499 to the service of the year 1938-39.
4644	31st August	.. This Act applies out of the Consolidated Revenue the sum of £2,872,959 to the service of the year 1939-40.
4645	8th September	.. The <i>National Security (Emergency Powers) Act 1939</i> , which is an emergency measure of twelve months' duration passed immediately after the outbreak of war, empowers the Governor in Council to make regulations having statutory effect for any purposes necessary or conducive to public safety or order or the life or health of the community, including the securing and regulating of the supply and distribution of necessities and essential services, the prevention of profiteering, the control of the supply and prices of commodities, and matters delegated to the State by the Commonwealth or complementary to or necessary to implement measures taken by the Commonwealth in relation to national security.

Act No. Date (1939)

4645 .. 8th Sept.—*contd.*

No such regulation may impose any form of industrial conscription or affect the operation of any Wages Board award.

Any such regulation may be revoked by resolution of both Houses of Parliament, and if at the time when any such regulation is made Parliament is not sitting Parliament is to be summoned forthwith on the petition of twenty members of the Legislative Assembly or of thirty members of Parliament who object to such regulation.

The Crown and persons *bona fide* acting under any such regulation are protected from liability except in respect of reasonable compensation for property used or taken by or for the Crown.

4646 .. 11th September .. The *Financial Emergency (Mortgages) Act 1939* amends the interest reduction and moratorium provisions of the Financial Emergency (Mortgages) Acts which apply to certain mortgages (and certain renewals thereof) in existence on 1st October, 1931.

Before the commencement of this Act the interest on such mortgages was by the Financial Emergency (Mortgages) Acts reduced by 4s. 6d. in the pound for a period ending on 30th September, 1939, but so that no interest rate was to be reduced below $4\frac{1}{2}$ per cent. per annum, or (in the case of loans to public or local authorities) 5 per cent. per annum. By this Act the minimum rate to which interest is so reducible is raised to $4\frac{3}{4}$ per cent. per annum (except in the case of public or local authorities, where the minimum remains at 5 per cent. per annum), and the reduction of interest is to continue so long as the respective mortgages concerned remain in operation. In addition the limitations as to time contained in certain provisions of the Financial Emergency (Mortgages) Acts providing for the reduction of interest on judgments in respect of moneys secured by such mortgages, authorizing trustees to accept reduced rates of interest on such mortgages, empowering the Supreme Court to order the sale of trust property where the income therefrom is insufficient for the purposes of the trust, and enabling the Commissioners of the State Savings Bank of Victoria in certain circumstances to increase the rate of interest on certain mortgages are removed.

Moratorium orders made under the Financial Emergency (Mortgages) Acts as in existence before the commencement of this Act were expressed to continue in force until 30th September, 1939. By this Act moratorium orders (whether made before or after the commencement of this Act) are to continue in

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4646 .. 11th Sept.—*contd.* force until 1st September, 1940, and no longer, unless the mortgagor upon application satisfies the court that he would incur hardship and that it would be inequitable if the moratorium order were not continued but in no case is any continuing order to extend beyond 30th September, 1941.

4647 .. 11th September .. The *Local Government (Temporary Reduction of Interest) Act 1939* is complementary to the provisions of the *Financial Emergency (Mortgages) Act 1939* (see No. 4646 *supra*) by which reduction of interest on certain mortgages is to continue so long as the mortgages are in operation.

Under the *Local Government (Temporary Reduction of Interest) Acts* interest payable by owners of property on outstanding instalments of payments for street construction works by municipal councils on private property in cases where the council borrowed money for such works before 24th December, 1931, was until 24th December, 1939, reduced at such rate (between 2s. 6d. and 4s. 6d. in the pound) as the council determined. By this Act as from 24th December, 1939, so long as any such instalment remains payable the interest thereon shall be reduced at such rate as the council determines to be equitable, having regard to benefit obtained by the council by reason of the reduction of interest effected by the *Financial Emergency (Mortgages) Acts* on moneys borrowed by the council for such works.

4648 .. 11th September .. The *Sewerage Districts (Temporary Reduction of Interest) Act 1939* is complementary to the provisions of the *Financial Emergency (Mortgages) Act 1939* (see No. 4646 *supra*) by which reduction of interest on certain mortgages is to continue so long as the mortgages are in operation.

This Act continues the reduction by the *Sewerage District (Temporary Reduction of Interest) Acts* of interest payable by certain owners of property on outstanding instalments of the cost of the construction of certain works by sewerage authorities until the expiration of the respective periods for which moneys were borrowed by any such authority for such works.

4649 .. 11th September .. The *Country Roads Board Fund Act 1939* continues for a further period of twelve months the *Country Roads Board Fund Act 1932* (No. 2). That Act provides temporarily that fees for licences to drive motor cars shall be credited to the consolidated revenue instead of to the *Country Roads Board Fund* and also suspends temporarily the annual payment of £50,000 from consolidated revenue into that fund.

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| 4650 | .. 11th September .. | The <i>Financial Emergency (Grants and Funds) Act</i> 1939 provides for the transfer on 30th June, 1940, to the consolidated revenue of the surplus of the Licensing Fund, and continues for the financial year 1939-1940 the suspension of payments out of the consolidated revenue for the endowment of municipalities and the reduction by 20 per cent. of the amount to be paid into the Forestry Fund out of the consolidated revenue. |
| 4651 | .. 11th September .. | The <i>Developmental Railways (Financial) Act</i> 1939 provides for the Application of Moneys standing to the credit of the Developmental Railways Account to recoup the Consolidated Revenue portion of the amount contributed out of the said revenue to the National Debt Sinking Fund. |
| 4652 | .. 18th September .. | The <i>Slum Reclamation and Housing Act</i> 1939 retrospectively empowers the Governor in Council to give or sell any Crown land to the Housing Commission, authorizes the Housing Commission to sell or exchange any land not being land granted to the Commission by the Crown, provides for the reversion to the Crown of land granted to the Commission by the Crown and not required for housing purposes, and specifically classifies sinking fund payments of the Housing Commission as not being capital expenditure for the purpose of assessing the amount of payments from and repayments to the consolidated revenue under section 14 of the <i>Slum Reclamation and Housing (Financial) Act</i> 1938. |
| 4653 | .. 18th September .. | The <i>Freezing Works (Overdraft Guarantee) Act</i> 1939 authorizes the Treasurer of Victoria to guarantee the payment to the Commonwealth Bank of Australia by the Amalgamated Freezing Company (Victoria) Proprietary Limited of moneys advanced by the said Bank to the said Company by way of overdraft for the purposes of its undertakings at Ballarat and Bendigo during the financial year 1939-1940, and the payment of interest on such moneys. |
| 4654 | .. 18th September .. | The <i>Public Trustee Act</i> 1939 provides for the appointment powers and duties of a Public Trustee who is to be a corporation sole and the successor in law of the Curator of the estates of deceased persons (whose office is abolished) and also of the Master in Equity with respect to the care protection and management of estates of lunatic patients (not being lunatics so found) and mental treatment patients. The Public Trustee is also given further powers and duties by this Act. His functions are divisible into two main categories. |

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-4654 . . 18th Sept.—*contd.*

In the first place he may, subject to this Act, be appointed trustee, executor, administrator, guardian, committee, agent or attorney in any case where such appointment may be made by any public officer, court, judge, person or body. His appointment as administrator is to be limited to cases where no other person entitled is ready to take a grant of administration but he will be preferred to creditors unless any creditor proves that his own appointment would be more beneficial to the estate. Notwithstanding the grant of probate or administration to the Public Trustee, the court may transfer such grant to some other person. As executor or administrator the Public Trustee is to act under grants of probate or letters of administration and not (as did the Curator) under grants of rules to administer. Special facilities are provided to the Public Trustee for the distribution of assets where there may be conflicting claims, for simplification of calculation of administration and probate duties, and for payments to persons outside Victoria; and special provision is made with respect to the distribution by the Public Trustee of estates of illegitimate intestates and of certain small estates. The estates of intestates, between death and the grant of administration, are to vest in the Public Trustee instead of in the Chief Justice of the Supreme Court. Notwithstanding anything in any Act or the terms of any trust as to the number of trustees, the Public Trustee may unless expressly prohibited by the terms of the trust be appointed or become a sole trustee. He may also be appointed as custodian trustee in conjunction with managing trustees or as an advisory trustee in conjunction with other trustees.

In the second place the Public Trustee is, subject to the detailed provisions of this Act and any orders of court, entrusted with the care protection and management of estates of lunatic patients, mental treatment patients (i.e., soldiers sailors and airmen of the last war who are suffering from mental disorders) and infirm persons (i.e., persons who by reason of senility disease illness or physical or mental infirmity are incapable of managing their affairs and who are certified under this Act, after medical and other inquiry, to be infirm persons). The Public Trustee is also empowered to apply for their benefit the property of persons acquitted on the ground of insanity or found by a jury to be insane. He is charged with the responsibility of obtaining orders under the Lunacy Acts against relatives of lunatic patients for the payment of moneys for their maintenance.

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4654 .. 18th Sept.—*contd.*

Moneys coming into the hands of the Public Trustee are to be paid into a fund at the Treasury, but subject to Treasury directions the Public Trustee may operate on an account kept by him. He may charge fees at prescribed rates for his services. Expenses incurred by him in the management of estates are to be met from those estates; other expenses are to be met from consolidated revenue. Provision is made for the keeping of accounts by the Public Trustee and for the inspection and audit of such accounts. The consolidated revenue is to be liable to make good all sums required to discharge any liability which the Public Trustee if he were a private trustee would be personally liable to discharge.

Provision is made for the supervision of the Public Trustee in his various capacities by the court, for the indemnity of the Public Trustee when acting on the order or advice of the court, for the protection of persons dealing with the Public Trustee and for the employment by the Public Trustee of family solicitors or named solicitors. Rules of court may be made on procedural matters and regulations may be made on administrative and general matters.

- 4655 .. 18th September .. The *Water Supply Loans Application Act 1939* contains, in addition to the usual provisions, provision with respect to the purchase by the State Rivers and Water Supply Commission of moveable plant and machinery to be engaged on the construction and maintenance of works by the Commission without charging the cost thereof to any district or division.
- 4656 .. 18th September .. The *Unemployment Relief Loan and Application Act 1939* increases by £1,600,000 the amount which may be borrowed for the purposes of the Unemployment Relief Loan and Application Acts.
- 4657 .. 18th September .. The *Barwon River Improvement Act 1939* vests in the Geelong Waterworks and Sewerage Trust the bed and banks of part of the Barwon river and empowers the Trust to carry out works for the improvement thereof. The Trust may with the approval of the Governor in Council make by-laws for the management and control of that part of the river and the banks thereof and of boats thereon, and with the consent of the Secretary for Lands may grant licences to occupy Crown land vested in or managed by the Trust. The Trust is empowered to acquire land for the purposes of this Act and Crown lands adjacent to the river may be placed under

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4657	18th Sept.— <i>contd.</i>	the management of the Trust. For the purposes of this Act the Trust may raise a rate not exceeding one halfpenny in the pound on the net annual value of properties within the drainage area within the meaning of the Geelong Waterworks and Sewerage Acts and may borrow by overdraft. Provision is made for the protection of works of the Trust, for compensation for damage done by the Trust, and for the protection of the rights of other statutory corporations.
4658	9th October	.. The <i>Marketing of Primary Products (Validation) Act 1939</i> validates the appointment and constitution under the <i>Marketing of Primary Products Act 1935</i> of the body known as the Egg and Egg Pulp Marketing Board. It was held by the Supreme Court of Victoria that the Egg and Egg Pulp Marketing Board was invalidly constituted by reason of the fact that egg pulp was not a product or a commodity within the meaning of the <i>Marketing of Primary Products Act 1935</i> . This Act declares the Board to be and always to have been validly constituted but saves the rights of the parties under the judgment of the Supreme Court. The Act also declares that egg pulp is and always has been a product and a commodity, that producers of eggs are the producers of eggs and egg pulp, and that the Board has and always has had power to manufacture egg pulp. Provision is made for a postponed poll as to whether the Board should be dissolved and for a temporary advance to the Board from consolidated revenue.
4659	23rd October	.. The <i>Architects Act 1939</i> prohibits, except in certain circumstances, the use of the title "architect" or any similar title by unregistered architects, and provides for the registration as architects of certain persons who have been <i>bona fide</i> practising that profession. Appeals against cancellation or suspension by the Architects Board of the registration of any architect are to be by way of re-hearing, and provision is made for appeal by way of re-hearing against the refusal of the Board to register any person as an architect or to annul any cancellation or suspension of registration.
4660	23rd October	.. The <i>Instruments (Insurance Contracts) Act 1939</i> provides that life insurance contracts are not to be avoided on the ground of public policy in the event of suicide, or on the ground of incorrect statements of the proponent which are material but which are not fraudulently untrue unless such statements have been made within the period of three years preceding the date upon which the contract is sought to be avoided.

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4661	.. 23rd October	.. The <i>Treasury Overdrafts Act 1939</i> continues for a further period of five years the operation of the Treasury Overdrafts Acts.
4662	.. 23rd October	.. The <i>Farm Produce Agents Act 1939</i> empowers the Minister to require information as to the financial standing of applicants for farm produce agents' licences, and provides for an appeal to the Governor in Council from the refusal of the Minister to grant a licence. The amount of the fidelity bond to be lodged by applicants for licences is increased except in the case of certain applicants who are auctioneers, and the nature of the bond is altered. Officers inspecting farm produce agents' books are forbidden to divulge improperly any information gained therefrom.
4663	.. 23rd October	.. The <i>Transport Regulation (Amendment) Act 1939</i> amends the interpretations of "commercial goods vehicle" and "commercial passenger vehicle" in the <i>Transport Regulation Act 1933</i> so as to include trailers and other vehicles attached thereto.
4664	.. 23rd October	.. The <i>Horse Breeding Act 1939</i> amends the <i>Horse Breeding Act 1928</i> so as to permit the registration of colts, and provides that with certain exceptions no unregistered colt shall be used for stud purposes. If the owner of any stallion or colt is successful in an appeal against refusal to register it, the fee paid by such owner in respect of such appeal is to be refunded to him.
4665	.. 23rd October	.. The <i>Balaclava Methodist Church Land Act 1939</i> enables the Trustees of certain land at Balaclava in the city of St. Kilda held by them for the purposes of the Methodist Church of Australasia in Victoria to sell or otherwise deal with or dispose of the said land, and for other purposes.
4666	.. 23rd October	.. The <i>Treasury Bonds Act 1939</i> authorizes the issue of Treasury bonds to fund the deficit in the consolidated revenue for the year ended 30th June, 1939, and contains the usual provisions with respect to such bonds.
4667	.. 23rd October	.. The <i>Land Tax Act 1939</i> declares the Rate of Land Tax for the year ending the thirty-first day of December One thousand nine hundred and forty.
4668	.. 23rd October	.. The <i>Income Tax (Assessment) Amendment Act 1939</i> provides for the allocation at the end of each financial year as between the consolidated revenue and the Unemployment Relief Fund of any amount which is represented by purchases of tax stamps or periodical deductions from salaries or wages pursuant to the <i>Income Tax (Assessment) Act 1936</i> and which at the end of such year has not already been so allocated.

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4669	.. 30th October	.. The <i>Shepparton Land Act 1939</i> provides for the revocation of the reservation of certain land in the Parish of Shepparton permanently reserved as a site for an Agricultural High School and for the revocation of the Crown grant of such land and for the disposal of such land, and for other purposes.
4670	.. 30th October	.. The <i>Public Works Loan and Application Act 1939</i> authorizes the raising of money for public works and other purposes and sanctions the issue and application for such purposes of the money so raised or of money in the State Loans Repayment Fund, and for other purposes.
4671	.. 1st November	.. This Act applies out of the Consolidated Revenue the sum of £2,689,792 to the service of the year 1939-40.
4672	.. 6th November	.. The <i>Railway Loan Application Act 1939</i> sanctions the issue and application of certain sums of money available for Railways under Loan Acts or in the State Loans Repayment Fund, and for other purposes.
4673	.. 6th November	.. The <i>Forests (Exchange of Lands) Act 1939</i> which follows previous similar Acts, authorizes, subject to prescribed conditions, the exchange, within three years after the commencement of this Act, of any land in any reserved forest for any unoccupied Crown land.
4674	.. 6th November	.. The <i>Unemployment Relief Tax (Rates) Act 1939</i> declares the Rates of Unemployment Relief Tax for the year ending on the thirtieth day of June, 1940.
4675	.. 6th November	.. The <i>Grain Elevators (Financial) Act 1939</i> empowers the Grain Elevators Board, which is already empowered to issue debentures in respect of loans raised by it, to issue inscribed stock as well as debentures, and contains the usual provisions as to inscribed stock issued by public statutory authorities. Provision is also made for the appointment of an acting chairman of the Grain Elevators Board where there is a vacancy in the office of chairman.
4676	.. 20th November	.. The <i>Milk Board Act 1939</i> consists of several amendments to the Milk Board Acts, together with certain substantive enactments. The Milk Board is required to determine the maximum price at which milk may be sold by retail in the metropolis, and the maximum charge for pasteurizing or cooling milk for sale or distribution in the metropolis. The Board is given wider powers to withhold approval of contracts for the purchase of milk by dairymen and owners of milk depots, and may determine the maximum average daily quantity of milk to be forwarded to the metropolis from any milk depot, and may allocate to milk depots areas from which milk may be obtained.

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4676 .. 20th Nov.—*contd.* The Act prohibits, except with the consent of the Board, the standardization of milk by dairymen, owners of milk depots and certain producers of milk, and the possession of separators and condensed or dried milk by dairymen, and regulates the supply from milk depots to dairymen of separated condensed or dried milk.

Owners of milk shops are exempted from contributions to the Milk Board Fund.

The interpretation of "Dairy" is extended to include certain premises adjacent to dairies.

The Act also contains miscellaneous provisions as to compensation, fidelity bonds, the transfer of dairy licences and milk rounds, entry and inspection by officers of the Board, reports by the Board, and accounts rendered by dairymen.

4677 .. 20th November .. The *Income Tax (Rates) Act 1939* declares the Rates of Income Tax for the year beginning on the first day of July, 1939.

4678 .. 27th November .. The *Water Act 1939* requires that the proceeds of sales of lands of the State Rivers and Water Supply Commission are to be paid into the State Loans Repayment Fund, and provides for the manner of investment of depreciation accounts of Authorities.

Rating by the Commission on unimproved values for the purposes of the Water Acts is to be on the basis of unimproved values as determined by municipalities under the Local Government Acts or by the Commission, and not as determined by assessors under the Land Tax Acts. Authorities are empowered to make supplementary valuations and to amend any rate in consequence of any such supplementary valuation or of any supplementary valuation made by a municipal council. The number of divisions with differential rating incidence into which lands in drainage areas may be classified is increased from three to four, and only land benefiting from drainage works is to be rateable.

Further provision is made for the alteration of the constitution of waterworks trusts, and the time for the appointment of chairmen of waterworks trusts is altered. The payment of an allowance to chairmen of water trusts is authorized.

The Act removes difficulties and anomalies in the provisions of the Water Acts as to the method of charging for the supply of water by Authorities, empowers Authorities to refuse to supply water to land where private channels are not satisfactorily maintained, and enables Authorities to make by-laws restricting or prohibiting the use of water for other than domestic purposes.

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| 4678 .. | 27th Nov.— <i>contd.</i> | The Act also contains miscellaneous provisions relating to the diversion and use of water, the pollution of water, the appointment of a deputy chairman of the Commission, the vesting in the Commission of certain national water supply and drainage works originally constructed by the Board of Land and Works, the construction of works in rivers by adjacent owners and occupiers, riparian rights, the revision of registers of land in irrigation and water supply districts, the sale of additional water for irrigation, charges for surplus water, the term of office of commissioners of waterworks trusts, the keeping of accounts by waterworks trusts and local governing bodies, the use of loose-leaf rate books by waterworks trusts, the keeping of up-to-date maps of their districts by waterworks trusts and local governing bodies, the supply of water to land provided with tanks, water meters, charges and fees of Authorities, the liability to pay rates before water is supplied, the inspection of rates and estimates of Authorities, the intervals at which valuations are to be made by Authorities, statements of rates and charges due to Authorities, the recovery of rates and irrigation charges, claims against Authorities for compensation, and penalties for destroying or interfering with works or for unlawfully taking water. |
| 4679 .. | 27th November .. | The <i>Hairdressers Registration Act 1939</i> amends the interpretation of "Apprentice" in anticipation of hairdressing becoming an apprenticeship trade, alters the constitution of the Hairdressers Registration Board, provides that examiners are not to be connected with registered schools of hairdressing and permits the registration as hairdressers of certain persons who practised hairdressing before 16th November, 1936. |
| 4680 .. | 27th November .. | The <i>Hospitals and Charities (Fund) Act 1939</i> provides for the payment of the sum of £440,000 annually out of the Consolidated Revenue into the Hospitals and Charities Fund. |
| 4681 .. | 27th November .. | The <i>Farmers Debts Adjustment Act 1939</i> extends by two and a half years the period of operation of the <i>Farmers Debts Adjustment Act 1935</i> and provides that members of the Farmers' Debts Adjustment Board are eligible for re-appointment. |
| 4682 .. | 27th November .. | The <i>Births Notification Act 1939</i> extends the operation of the <i>Births Notification Act 1930</i> to the whole of Victoria and provides that where in any municipality there is no Infant Welfare Centre notification of births is to be forwarded to the Department of Public Health. |

Act No.	Date (1939).	
4683 ..	27th November ..	The <i>Acts Interpretation Act (Amendment) Act 1939</i> provides that any reference in any Act to the naval or military forces of the Commonwealth is to include a reference to the air forces of the Commonwealth.
4684 ..	27th November ..	The <i>Wills (War Service) Act 1939</i> confers certain privileges as to testamentary dispositions of real property on persons engaged on war service in connexion with the present war.
4685 ..	27th November ..	The <i>Dog Act 1939</i> imposes a penalty on owners of dogs found in shops or of dogs not on a leash found in specified shopping areas or on specified bathing beaches.
4686 ..	27th November ..	The <i>Fair Rents (War Suspension) Act 1939</i> suspends the operation of the <i>Fair Rents Act 1938</i> during the operation in Victoria of the Commonwealth National Security (Fair Rents) Regulations.
4687 ..	27th November ..	The <i>Ballaarat Public Hall Act 1939</i> provides for the revocation of the approval as a site for a hay, corn, and general market and the reservation as a site for a market of certain land in the City of Ballaarat and for the reservation of such land as a site for a public hall, and to empower the Council of the City of Ballaarat to borrow Money for the purpose of the erection fitting and furnishing of a public hall thereon, and for other purposes.
4688 ..	4th December ..	The <i>Motor Car (Third-party Insurance) Act 1939</i> requires every owner (including His Majesty) of a motor car to insure in accordance with the Act against any liability incurred by him or the driver (whether authorized or unauthorized) of the car in respect of the death of or bodily injury to any person (other than the driver or owner of the car) caused by or arising out of the use of the car, and for that purpose to enter either directly or through the Chief Commissioner of Police into a contract of insurance with an authorized insurer. No registration or permit may be granted under the Motor Car Acts in respect of any car unless the owner is so insured.

Provision is made for the establishment of a State Motor Car Insurance Office under the management of the Insurance Commissioner who manages the State Accident Insurance Office. The Insurance Commissioner is to be an authorized insurer and contracts of insurance made by him under the Act are guaranteed by the Government of Victoria.

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4688 4th December—*contd.*

The amounts of premiums payable for insurance (and such amounts may vary according to the class of car, the purposes for and areas in which the car is to be used, and the number of cars owned by one person) are to be fixed from time to time by the Governor in Council on the recommendation of a Premiums Committee. From every premium paid there is to be deducted an amount of not more than 1s. 9d. in respect of each car covered to be applied towards reimbursing public hospitals the expenses incurred by them in the treatment of persons injured by cars.

The authorized insurer is liable under the insurance contract to indemnify not only the owner but also the driver of the car in respect of any liability for which the contract is required to provide. The insurer has, however, a right of recovery against unauthorized and drunken drivers in respect of sums paid by the insurer in discharge of their liability. Where the owner or driver of a car involved in an accident dies or cannot be found, damages may be recovered directly from the authorized insurer. Where a car involved in an accident is uninsured or its identity cannot be ascertained, judgment may, subject to the Act, be obtained against a nominal defendant, and will be satisfied from contributions by all authorized insurers proportionate to the extent of their insurance business under the Act.

Provision is made for payment in certain cases by authorized insurers to hospitals, doctors, nurses, chemists, and ambulance societies for treatment and services rendered to persons injured by cars.

Authorized insurers are required to accept every application for insurance but may apply to a court of petty sessions for the cancellation or suspension on the ground of public danger of the driving licence of any person.

Agreements negating the provisions of the Act are declared to be void.

The Act also contains provisions relating to the apportionment by courts of damages and costs where damages are awarded for death or bodily injury and also for other loss, the notification of accidents and of claims arising therefrom, the rights and duties of owners and insurers as to the control of litigation, the prohibition of soliciting for authority to conduct legal proceedings, medical examinations in connexion with litigation, the protection of infants and persons under legal disability, the constitution and procedure of the Premiums Committee, penalties for false statements and for failure to comply with the Act, and certain transitory matters.

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4689 .. 4th December .. The *Transfer of Land (Forgeries) Act 1939* provides for the payment out of the Assurance Fund to a specified person of a sum of money as compensation for the loss sustained by him in consequence of forgery in connexion with certain transactions concerning land under the Transfer of Land Acts, and makes general provision for the payment of compensation from that fund to persons who have acted in good faith and without negligence in certain cases where a forged instrument has been registered in the Office of Titles and the register book is subsequently rectified.

4690 .. 4th December .. The *Local Government (Mordialloc Street Construction) Act 1939* validates with slight modifications certain schemes of the Mordialloc City Council for the construction of streets on private land at the expense of adjoining owners and occupiers, but saves the rights of a successful litigant under a judgment of the Supreme Court of Victoria which declared one of these schemes invalid.

4691 .. 8th December .. The *Electoral Act 1939* is designed principally to assimilate certain provisions of the Victorian electoral law to the Commonwealth electoral law.

The Act abolishes the right of persons enrolled as electors for the Legislative Assembly for the district where they reside to be enrolled also for another district by virtue of ownership of land therein and to have the option of voting in either district.

Rolls for Legislative Assembly elections are to close on the day of the issue of the writ instead of thirty days before, and the time for nomination of candidates is postponed and extended. Provision is made to facilitate the nomination of candidates for Parliament and declarations as to property qualifications of candidates for the Legislative Council when such candidates are outside Victoria.

Retirement from candidature is prohibited after the close of nominations. If a candidate dies after the close of nominations and before polling day the election fails and a supplementary election is to be held forthwith.

Candidates may be declared elected before the completion of the count where the votes still to be counted cannot affect the result.

The publication and broadcasting of electoral matter is regulated.

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- 4691 .. 8th December—*contd.* Other provisions of the Act deal with the appropriation of the consolidated revenue to meet expenses of administration, the accounts of elections and the audit thereof, polling places, the rejection of claims to vote as absent voters, the insertion of candidates' names on postal ballot-papers, the extension of time for the transmission of returns of electoral expenses of candidates, and illegal practices and bribery in connexion with elections.
- 4692 .. 8th December .. The *Mines (Petroleum) Act 1939* increases the areas for petroleum prospecting licences and petroleum mineral leases, abolishes reward leases, extends the term of licences, alters the fees for licences and the rentals for leases, increases the amount of the bond to be furnished in respect of applications for licences and leases, and extends the time in which drilling must be commenced on leases.
- Licencees are required to carry out, as conditions of their licences, schemes (approved or formulated by the Minister) for prospecting the land covered by the licence. The Minister may require any licensee to apply for a lease when oil in commercial quantities is discovered on his land.
- Provision is made for the preparation and carrying out of schemes for the development as one unit of oil fields extending over land comprised in more than one licence or lease.
- The Act also deals with applications for licences and leases and the circumstances in which applications for leases may be granted or refused, the examination of cores and samples, the plugging of wells before abandonment, the observance of secrecy as to information obtained by the Department from licenseees and lessees, and contains certain transitory provisions.
- 4693 .. 8th December .. The *Execution of Instruments Act 1939* facilitates the execution of instruments for the purposes of the Transfer of Land Acts by persons engaged on war service outside Victoria.
- 4694 .. 8th December .. The *Stamps (Increased Duty Continuance) Act 1939* continues for a further period of twelve months the increased stamp duties on bills of exchange payable on demand (cheques, &c.), receipts, conveyances and transfers on sale of real property, partitions of real property, leases, transfers and assignments of leases, partition of interests under leases, deeds of settlement and gift, and annual licences in relation to insurance business.

Act No.	Date (1939).	
4695 ..	8th December ..	The <i>Administration and Probate Duties Act 1939</i> extends for a further period of twelve months the provisions of Part III. of the <i>Finance Act 1930</i> which imposes additional duties on the estates of deceased persons and on certain settlements.
4696 ..	8th December ..	The <i>Preston (Bruce-street) Land Act 1939</i> provides for the closing of portion of a certain street in the City of Preston, to vest in His Majesty the land upon which the said portion of the said street is set out and to provide for the reservation of the said land for educational and recreation purposes, and for other purposes.
4697 ..	8th December ..	The <i>Land (Residence Areas) Act 1939</i> sanctions the reduction in width of portions of roads which have been encroached on by certain residence areas occupied in the past under miners' rights.
4698 ..	8th December ..	The <i>University (Veterinary Research) Act 1939</i> extends for five years the period during which grants are to be made from the consolidated revenue to the University of Melbourne in connexion with a Veterinary Research Institute.
4699 ..	8th December ..	The <i>Carboor and Moyhu Lands Act 1939</i> provides for the revocation of the reservation of certain land in the Parish of Carboor reserved as a site for public recreation and for the sale of such land and for the application of the proceeds of such sale towards recouping the cost of the purchase of other land in the Parish of Moyhu to be reserved as a site for public recreation, and for other purposes.
4700 ..	8th December ..	The <i>Omeo Hospital Lands Act 1939</i> provides, upon the transfer and surrender of certain lands at Omeo to His Majesty, for the reservation of such lands as a site for hospital purposes and for the revocation of the reservations of certain other lands at Omeo temporarily reserved for hospital purposes and for the sale of such other lands and for the application of the proceeds of such sale, and for other purposes.
4701 ..	8th December ..	The <i>State Savings Bank (Commissioners) Act 1939</i> declares the office of a named Commissioner of the State Savings Bank of Victoria to be vacant, but no past acts of the Commissioners are to be deemed to have been affected by the ineligibility of any person to act as a Commissioner. The Act also provides that in future the office of any Commissioner who sits or acts when ineligible so to do shall become vacant and that future appointments of Commissioners are to be for seven years and not for life.

Act No. Date (1939).

4702 .. 11th December .. The *Factories and Shops (Fruit Shops) Act* 1939 exempts from early closing fruit shops on racecourses in the metropolitan district.

4703 .. 11th December .. The *Forests Act* 1939 charges the Forests Commission with the duty of carrying out proper and sufficient work for fire prevention and control in every State forest.

The restrictions on the use of fire in State forests are made stricter and are extended with modifications to the area of one mile around forests, to national parks, and to certain other Crown land, but the Melbourne and Metropolitan Board of Works is left to control the use of fire in its own areas. The use of fire may be absolutely prohibited in any part of Victoria while acute fire danger exists.

The provisions of the Forests Acts as to the enforcement of the removal of fire hazards by owners and occupiers of land near forests are made stricter and the area of their application is extended. Persons conducting industrial operations in or near forests may be required to make clearings around buildings and dwellings and to provide dug-outs or places of safety for the employees and their families.

The Commission is to be liable for damage caused by fires lit on its behalf or by a forest officer and negligently allowed to spread, and is to indemnify persons from liability for damage by fires which were lit by them on instructions of the Commission or of a forest officer and which despite their proper conduct spread.

The Act also makes provision with respect to working plans for the management of State forests, the control by the Commission of the granting of licences with respect to protected forests and licences for forest tramways and sawmills, the duty of individuals to prevent the spread of fire and to notify outbreaks of fire in or near forests, the registration of sawmills and of persons engaged in industries in forests, returns by sawmillers, camping grounds, the protection of native flora and fauna, the removal of forest produce from forests, incendiaryism, prosecutions, increased penalties, entry and inspection, the making of regulations, and makes a number of minor amendments to the Forests Acts.

4704 . 18th December .. The *Mental Deficiency Act* 1939 provides for the establishment of State institutions and clinics and the registration of private institutions (which may receive financial aid from the State) for mental defectives (i.e., imbeciles, feeble minded persons and moral defectives) and retarded children. A private institution may not admit both mental defectives and retarded children.

Act No. Date (1939).

4704 .. 18th Dec.—*contd.* Mental defectives and retarded children under the age of sixteen years may be admitted into institutions on the request of their parent or guardian and, if sixteen or over, on such a request accompanied by a medical certificate, or on their own request. Justices of the Peace may order the removal to institutions of certain mental defectives or retarded children such as those who are neglected or not cared for or cruelly treated. Prisoners and convicted persons and children before a Children's Court may also be removed to institutions on production of the certificate of a psychiatrist certifying that they are mental defectives or retarded children.

Provision is made for the transfer of persons from institutions under this Act to institutions under the Lunacy Acts and *vice versa*, for probation and trial leave, for the recapture of persons escaped from institutions, and for the appointment powers and duties of official visitors.

Persons admitted to institutions on a request or on an order of justices are to be examined within twenty eight days after admission and are to be discharged unless so examined and certified to be mental defectives or retarded children. The Director of Mental Hygiene may at any time discharge any person so admitted.

Provision is made for periodical examinations of all persons in institutions and for their discharge if certified to be detained without sufficient cause and, in proper cases, for their return to gaol or custody. Voluntary boarders are to be discharged on their own request. Persons admitted when under sixteen are to be discharged on becoming sixteen unless a further certificate that they should be retained is given.

Provision is made for the management by the Master in Equity or (on his appointment) by the Public Trustee of the estates of mental defectives and retarded children in institutions and for the payment by relatives for the maintenance of mental defectives and retarded children in State institutions.

The Act also contains provisions with respect to the administration of the Act, the protection of persons acting in good faith and of superintendents and officers, offences and penalties with respect (*inter alia*) the unauthorized detention or treatment or the ill treatment or neglect of mental defectives and retarded children, and wide regulation making powers.

- | Act No. | Date (1939). | |
|---------|------------------------------|--|
| 4704 | .. 18th Dec.-- <i>contd.</i> | The Act is to be administered in the Department of Mental Hygiene and is not to affect any powers exercisable with respect to lunatics or lunatic patients under the Lunacy Acts or the provisions of the Education Acts with respect to special schools. |
| 4705 | .. 18th December .. | The <i>Execution of Trusts Act</i> 1939 empowers trustees who are engaged on war service or who are out of Victoria and unable to return because of the war to delegate by power of attorney filed under the <i>Instruments Act</i> 1928 the execution and exercise of all or any trusts powers and discretions vested in them as trustees. The donor of the power of attorney is to be liable for the acts and defaults of the donee, but persons dealing with the donee in good faith are protected. Provision is made with respect to the powers of trustees under the <i>Settled Land Act</i> 1928 in the case of the death of an infant engaged in war service or unable to return to Victoria because of the war. Trustees and infants who are reported missing are presumed for the purposes of the Act to be alive until definite news of death is received. |
| 4706 | .. 18th December .. | The <i>Castlemaine Hospital Lands Act</i> 1939 provides for the revocation of the reservations of certain lands at Castlemaine reserved as sites for hospital purposes and for the sale of such lands and for the application of the proceeds of such sale towards recouping the cost of the purchase of other land at Castlemaine to be reserved as a site for hospital purposes, and for other purposes. |
| 4707 | .. 18th December .. | The <i>Port Fairy Lands Act</i> 1939 provides upon the transfer and surrender to His Majesty of certain lands in the parish of Belfast for the reservation of such lands as sites for water supply purposes and for the revocation of the reservation of certain other land in the parishes of Bootahpool and Warrong reserved as a site for water supply purposes and for the closing of a road upon such other land and for the sale of such other land and for the application of the proceeds of such sale, and for other purposes. |
| 4708 | .. 18th December .. | The <i>Bush Fire Brigades Act</i> 1939 amends the provisions of the <i>Bush Fire Brigades Act</i> 1933 as to the time for the election and appointment of members of the Bush Fire Brigades Committee and as to the appointment of officers of bush fire brigades. Bush fire brigades are empowered to enter private land and abate fire hazards thereon with the consent or at the request of the owner or occupier. |

- | Act No. | Date (1939). | |
|---------|------------------|--|
| 4709 | .. 18th December | .. The <i>Fitzroy (Regent street) Land Act 1939</i> provides for the closing of portion of a street known as Regent street in the City of Fitzroy, the vesting in His Majesty of the land upon which the said portion of the said street is set out and the grant of the said land to the Mother Rectress of St. Vincent's Hospital and certain other members of the religious order known as the Sisters of Charity administering the affairs of the said Hospital. |
| 4710 | .. 18th December | .. The <i>Melbourne and Metropolitan Tramways (Omnibuse) Act 1939</i> empowers the Melbourne and Metropolitan Tramways Board to purchase the business of any omnibus proprietor. |
| 4711 | .. 18th December | .. The <i>Health (Sale of Horseflesh) Act 1939</i> prohibits the slaughter of horses for human consumption and at abattoirs where other animals are slaughtered for human consumption, prohibits the sale or preparation of horseflesh for human consumption and the sale of meat from boiling down works, and regulates the sale possession and carting of horseflesh. |
| 4712 | .. 18th December | .. The <i>Weights and Measures Act 1939</i> is a comprehensive measure, which replaces the previous Victorian Weights and Measures legislation which had been found to be largely obsolete having regard to modern trading conditions and practices. |

Part I. of the Act, which is preliminary, repeals and amends such existing legislation, and contains interpretative provisions.

In Part II. the units and standards of weight and measures are defined and systematically arranged. The Imperial standards are the fundamental standards, but opportunity has been taken to make use of the metric system legal.

Part III. deals with administration, and provides for the central as well as local administration. The central administration will be controlled by a superintendent and such other officers as are required for the proper central administration of the Act. The councils of the respective municipalities are charged with the enforcement of the Act within the boundaries of their municipal districts, but provision is made for the constitution of unions of municipalities to carry out the local administration of the Act so that by a system of municipal co-operation local administrative expenses may be reduced. The expenses of the central administration are to be met out of moneys provided by Parliament, and the expenses of local administration by the individual municipalities. Local authorities will be empowered to collect fees in respect of the work carried out by their inspectors, but will be required to

Act No. Date (1939).
4712 .. 18th Dec.—*contd.*

contribute one-fifth of the fees so collected towards the costs of the central administration. If any municipality fails to carry out the local administration of the Act, the Governor in Council may direct that the Act may be locally administered by the central administration and the cost thereof paid by the municipality.

Part IV. deals with the inspection, verification and stamping of weights, measures, and weighing and measuring instruments used for trade. The powers of inspectors in respect of the entering of premises and the examination and testing of weighing and measuring instruments are set out. Weighing and measuring instruments which are incorrect or unstamped may be seized. Every such instrument used in trade is required to be stamped, and at least once in every two years to be tested and verified.

Part V. relates to the sale of goods. All transactions entered into or carried out by reference to weight or measure are to be made or had according to some standard weight or measure prescribed by the Act. All goods sold by weight are required to be sold by *avoirdupois* weight or metric weight, except in the case of precious metals, precious stones and drugs, and all retail sales by weight or measure are to be by net weight or measure. Provision is made for the protection of retailers where packed goods bearing guaranteed statements as to weight or measure are resold by them. Special provisions are contained with respect to the sale of bread, and coal and firewood. In particular, bread must be sold in loaves of one pound, two pounds or four pounds, and Vienna bread, made in a particular shape, in loaves of twelve ounces or twenty-four ounces; and in cities and towns and certain specified parts of Victoria coal and firewood are required to be sold by weight and not by measure.

Part VI. contains a number of miscellaneous provisions relating to offences, penalties, legal proceedings and regulations.

4713 .. 18th December .. The *Hospitals and Charities Act 1939* contains a number of amendments of the law relating to hospitals and charities, and, in particular, amends the interpretation of "Institution"; alters the constitution of the Charities Board of Victoria; makes special provision for the keeping and audit of accounts of subsidized institutions; further regulates collections of and the making of public appeals for subscriptions or contributions to or for the establishment of institutions and benevolent societies; requires trustees and other persons who at the commencement of the Act hold moneys raised by public subscription or appeal for charitable

Act No. Date (1939).

4713 . . . 18th Dec.—*contd.*

objects (not being educational or religious objects) to furnish to the Board statements setting out the objects for which the moneys were raised and what moneys have during an appropriate period been received and expended for or towards such object; limits the number of members of committees of subsidized institutions which are hospitals and provides for the appointment of members thereto by the Governor in Council; makes provision for the time of retirement of members of committees of incorporated institutions; requires persons making public appeals or raising money for charitable objects to furnish statements of receipts and expenditure to the Board when so required; and provides that no appointment of secretary of a subsidized institution is to be made except after consultation with the Board.

4714 . . . 18th December . . . The *Police Offences Act (Gaming) Act 1939* specifically provides that certain named types of machines (including "poker machines" and "fruit machines") are to be deemed to be machines devices or contrivances of gaming, whether such machines are actually used for gaming or not.

4715 . . . 18th December . . . The *Friendly Societies (War Service) Act 1939* provides that persons who were members of friendly societies before the outbreak of war and who subsequently become engaged outside Australia on war service are not to continue to pay contributions or levies, but that, notwithstanding that such contributions or levies are not paid, such persons shall retain their membership so far as relates to certain specified benefits; and provides further that in the case of persons who become members of friendly societies after the outbreak of war and who subsequently become engaged outside Australia on war service limited contributions shall be payable in respect of the limited specified benefits above referred to.

4716 . . . 18th December . . . The *Ballaarat Land Act 1939* provides for the revocation of the reservations of certain lands in the City of Ballaarat permanently reserved as sites for market purposes and for offices of the Ballaarat District Benevolent Asylum and Lying-in Hospital respectively and for the revocation of the Crown grants of such lands, and for the repeal of the *Ballaarat Court House Land Act 1902* and for the revocation of the setting apart of certain land in the said City thereunder, and for the reservation of a part of the said lands as a site for public offices, and for the revocation of the reservation of certain

- | Act No. | Date (1939). | |
|---------|------------------|--|
| 4716 .. | 18th Dec.--- | <i>contd.</i> other land in the said City permanently reserved as a site for public offices, and for the re-definition of the boundaries of certain land in the said City permanently reserved and granted as a site for a Free Library and reading rooms, and for other purposes. |
| 4717 .. | 18th December .. | The <i>Patriotic Funds Act</i> 1939 is designed to regulate and control the raising and collection of moneys for patriotic funds in connexion with the present war and the administration of those funds. The Act makes provision for the constitution and incorporation of a Patriotic Funds Council of Victoria and authorizes the Council to establish any patriotic fund and to regulate and control subscriptions and collections for patriotic funds, to insure the proper administration and disposal of moneys subscribed or collected for such funds and to control trustees of and persons soliciting subscriptions or collections to any patriotic fund. The establishment of, and the soliciting or receiving of subscriptions or contributions to, any patriotic fund without the sanction of the Council is prohibited. The Act also contains provisions relating to the transference of moneys in one patriotic fund to another, the vesting in the Council of patriotic funds where the trustees thereof consent or where there has been maladministration of the fund, statements to be furnished to the Council by trustees of patriotic funds, and the keeping and auditing of accounts of the Council and trustees of patriotic funds. |
| 4718 .. | 18th December .. | The <i>Members of Parliament (Disqualification) Act</i> 1939 clarifies the meaning of sections 24 and 25 of <i>The Constitution Act Amendment Act</i> 1928 which provide for the disqualification of members of Parliament who are concerned or interested in bargains or contracts entered into by or on behalf of His Majesty or who accept any office of profit under the Crown. The Act also adds to the list of excepted offices of profit which may be accepted by members of Parliament and provides specifically that members are not to be disqualified by reason of service as an officer or member of His Majesty's forces during the present war. |
| 4719 .. | 18th December .. | The <i>Motor Car (Illegal Use) Act</i> 1939 increases the penalties for the offence of taking or using motor cars without the consent of the owner. |
| 4720 .. | 18th December .. | This Act applies a sum not exceeding £8,259,683 out of the Consolidated Revenue to the service of the year ending on the thirtieth day of June, 1940, and appropriates supplies amounting to £16,753,434 for the purposes and services expressed in the second schedule to the Act. |

PARLIAMENTARY ELECTIONS

The triennial elections for the Legislative Council, were held on 15th June, 1940, when eight of the seventeen provinces were contested. The following table shows the number of electors on the rolls for each province and also the number and proportion who voted in each province where an election was held.

VICTORIA—NUMBER OF ELECTORS AND VOTES POLLED AT THE TRIENNIAL ELECTIONS FOR THE LEGISLATIVE COUNCIL ON 15TH JUNE, 1940.

Province.	Number of Electors on Rolls.	Number of Electors who Voted.	Informal Votes.	Number who Voted by Post.	Proportion of Electors who Voted.
					%
Ballaarat*	20,787	..	..	..	..
Bendigo*	22,382	..	..	..	..
Doutta Galla	39,001	27,565	457	254	70·68
East Yarra*	38,897	..	..	..	..
Gippsland*	19,198	..	..	..	..
Higinbotham	35,924	26,107	544	500	72·67
Melbourne*	33,717	..	..	..	..
Melbourne North	42,435	32,993	536	853	77·75
Melbourne West	34,227	26,431	422	205	77·22
Monash*	40,599	..	..	..	..
Northern	19,237	15,641	118	274	81·31
North-Eastern*	17,025	..	..	..	..
North-Western*	19,135	..	..	..	..
Southern*	24,319	..	..	..	..
South-Eastern	23,059	16,319	236	1,108	70·77
South-Western	22,331	17,605	185	599	78·84
Western	19,570	16,005	325	320	81·78
Total number of electors ..	471,843	..	..	..	..
Less uncontested provinces (9)	236,059	..	..	..	..
Total contested provinces ..	235,784	178,666	2,823	4,113	75·78

* Uncontested.

At the elections for the Legislative Assembly, held on 16th March, 1940, there were contests in 44 of the 65 constituencies. The number of electors on the rolls was 1,162,967—565,002 males and 597,965 females. In contested districts 93·41 per cent. of the electors recorded their votes, the proportion for males being 93·65 per cent. and for females 93·19 per cent.

Elections,
Legislative
Assembly,
1940.

The following table shows the number of electors, the votes polled, and the percentage of the latter to the former in the different electoral districts.

VICTORIA—NUMBER OF ELECTORS AND VOTES POLLED FOR THE LEGISLATIVE ASSEMBLY AT THE GENERAL ELECTION ON 16TH MARCH, 1940.

Electoral District.	Number of Electors on Rolls at Date of General Election.			Electors who Voted.					
	Males.	Females.	Total.	Males.	Females.	Total.	Percentage of Number on the Roll.		
							Males.	Females.	Total.
Albert Park	10,480	13,836	24,316	9,944	12,643	22,587	94·89	91·38	92·89
Allandale	5,208	4,748	9,956	4,998	4,486	9,484	95·97	91·48	95·26
Ballaarat	7,934	9,810	17,744	7,519	9,218	16,737	94·77	93·97	94·32
Barwon	6,449	6,788	13,237	..	..	..	..	..	..
Benalla	5,930	5,260	11,190	5,377	4,910	10,287	90·67	93·35	91·93
Benambra	4,934	4,188	9,122	..	..	..	..	..	..
Bendigo	8,308	9,642	17,950	..	..	..	..	..	..
Boroondara	15,313	18,885	34,198	14,291	17,411	31,702	93·33	92·19	92·70
Brighton	15,988	17,353	31,341	13,401	16,132	29,533	95·80	92·96	94·23
Brunswick	13,208	14,218	27,426	..	..	..	..	..	..
Bulla and Dalhousie ..	5,215	4,726	9,941	4,799	4,434	9,233	92·02	93·82	92·88
Carleton	10,389	11,143	21,532	9,209	9,916	19,125	88·64	88·99	88·82
Castlemaine and Kyneton	5,415	5,396	10,811	5,074	5,158	10,232	93·70	95·59	94·64
Caulfield	13,066	16,372	29,438	12,142	15,181	27,323	92·03	93·92	92·82
Chifton Hill	11,280	12,851	24,131	10,543	11,885	22,428	93·47	92·48	92·94
Coburg	13,265	15,833	29,098	12,468	14,651	27,119	93·99	92·53	93·20
Collingwood	11,197	11,821	23,018	10,164	10,784	20,948	90·77	91·23	91·01
Dandenong	15,991	17,167	33,158	15,211	15,867	31,078	95·12	92·43	93·73
Dundas	6,356	6,008	12,364	6,038	5,709	11,747	95·00	95·02	95·01
Essendon	12,478	14,078	26,556	11,993	13,348	25,341	96·11	94·81	95·42
Evelyn	6,100	5,718	11,818	..	..	..	..	..	..
Flemington	11,205	12,073	23,278	10,361	11,122	21,513	92·74	92·12	92·42
Footscray	14,492	14,049	28,541	..	..	..	..	..	..
Geelong	9,259	10,235	19,494	8,961	9,653	18,614	96·78	94·31	95·49
Gippsland East	4,475	3,411	7,886	..	..	..	..	..	..
Gippsland North	5,595	5,438	11,033	5,090	5,072	10,162	90·97	93·27	92·11
Gippsland South	6,644	5,404	12,048	..	..	..	..	..	..
Gippsland West	6,357	5,086	11,443	5,876	4,760	10,636	92·43	93·59	92·95
Goulburn Valley	6,712	5,984	12,696	..	..	..	..	..	..
Grant	5,921	4,937	10,858	..	..	..	..	..	..
Gunbower	6,113	5,116	11,229	..	..	..	..	..	..
Hampden	5,710	5,380	11,090	5,443	5,079	10,522	95·32	92·41	94·88
Hawthorn	11,312	14,557	25,869	10,328	13,925	24,253	91·30	95·66	93·75
Heidelberg	15,393	16,672	32,065	14,749	15,813	30,562	95·82	94·85	95·91
Kara Kara and Borung ..	5,588	5,206	10,794	5,285	4,994	10,279	94·58	96·04	95·28
Kew	12,707	16,972	29,679	11,075	15,858	27,533	91·88	93·44	92·77
Korong and Eaglehawk ..	5,831	5,271	11,102	5,455	4,914	10,369	93·55	93·23	93·40
Lowan	6,360	6,038	12,398	6,053	5,718	11,771	95·17	94·70	94·94
Maryborough and Daylesford	5,520	5,541	11,061	..	..	..	..	..	..
Melbourne	10,280	10,310	20,590	..	..	..	..	..	..
Mildura	7,056	5,978	13,034	6,590	5,531	12,121	93·40	92·52	93·00
Mornington	7,435	6,850	14,285	6,631	6,280	12,911	89·19	91·68	90·38
Northcote	11,598	13,094	24,692	10,997	12,393	23,390	94·82	94·65	94·73
Nunawading	12,069	14,184	26,253	11,299	13,249	24,548	93·62	93·41	93·51
Oakleigh	15,610	18,267	33,877	14,864	17,183	32,047	95·22	94·07	94·60

VICTORIA.—NUMBER OF ELECTORS AND VOTES POLLED FOR THE LEGISLATIVE ASSEMBLY AT THE GENERAL ELECTION ON 16TH MARCH, 1940—continued.

Electoral District.	Number of Electors on Rolls at Date of General Election.			Electors who Voted.					
	Males.	Females.	Total.	Males.	Females.	Total.	Percentage of Number on the Roll.		
							Males.	Females.	Total.
Ouyen	5,647	4,430	10,077	5,213	4,188	9,401	92·31	94·54	93·29
Polwarth	6,279	5,603	11,882	5,902	5,313	11,215	94·00	94·82	94·39
Port Fairy and Glenelg	6,391	5,822	12,213	6,154	5,547	11,701	96·29	95·28	95·81
Port Melbourne	10,585	10,877	21,462	..	..	..	..	..	..
Prahran	11,495	14,441	25,936	10,395	13,092	23,487	90·43	90·66	90·56
Richmond	11,457	12,312	23,769	..	..	..	..	..	..
Rodney	6,279	5,714	11,993	5,824	5,318	11,142	92·75	93·07	92·90
St. Kilda	13,388	17,532	30,920	12,548	15,901	28,449	93·78	90·70	92·01
Stawell and Ararat	6,018	5,749	11,767	5,711	5,428	11,139	94·90	94·42	94·66
Swan Hill	5,335	3,841	9,176	4,996	3,634	8,630	93·65	94·61	94·05
Toorak	10,370	14,647	25,017	..	..	..	..	..	..
Upper Goulburn	5,160	4,447	9,607	..	..	..	..	..	..
Upper Yarra	8,148	7,711	15,859	..	..	..	..	..	..
Walballa	6,643	5,310	11,953	..	..	..	..	..	..
Wangaratta and Ovens	5,978	5,437	11,415	5,560	5,008	10,568	93·01	92·11	92·58
Waranga	4,863	4,157	9,020	..	..	..	..	..	..
Warrenheip and Grenville	5,436	4,962	10,398	5,102	4,711	9,813	93·86	94·94	94·37
Warrnambool	6,408	6,198	12,606	6,142	5,836	11,978	95·85	94·16	95·02
Williamstown	12,025	12,284	24,309	11,239	11,462	22,701	93·46	93·31	93·39
Wonthaggi	5,291	4,608	9,899	..	..	..	..	..	..
Total	565,002	597,965	1,162,967	..	..	..	..	..	..
Less twenty-one uncontested districts ..	161,733	159,370	321,103	..	..	..	..	..	..
Total	403,269	438,595	841,864	377,644	408,715	786,359	93·65	93·19	93·41

Preferential Voting The preferential system of voting was provided for by Statute in 1911 for Legislative Assembly elections, in 1921 for Legislative Council triennial elections and, in 1936, for Legislative Council elections directly following upon a simultaneous dissolution of the Council and Assembly in consequence of disagreements between the two Houses. An illustration of this system of voting is given in the *Year-Book* for 1928-29, page 19.

In 15 of the 44 contested districts in the Legislative Assembly election of 2nd October, 1937, there were more than two candidates. In seven of these the successful candidate had an absolute majority of the total first preferences recorded, and consequently a second count was unnecessary. In one of the other eight contests the candidate who occupied the highest position on the first count was displaced after the second and subsequent preferences were distributed.

Proportion of voters at elections.

The first general election for the Legislative Assembly was held in the year 1856. The proportion of electors of contested districts who voted at each of the general elections held since that year is shown in the following table:—

VICTORIA—PROPORTION OF VOTERS AT GENERAL ELECTIONS FOR THE LEGISLATIVE ASSEMBLY, 1856-1940.

Year of General Election.	Proportion of Electors of Contested Districts who Voted.	Year of General Election.	Proportion of Electors of Contested Districts who Voted.	Year of General Election.	Proportion of Electors of Contested Districts who Voted.
	Per cent.		Per cent.		Per cent.
1856	*	1886	64·70	1917	54·21
1859	*	1889	66·58	1920	63·70
1861	*	1892	65·12	1921	57·26
1864	*	1894	70·99	1924	59·24
1866	55·10	1897	70·33	1927	91·76†
1868	61·59	1900	63·47	1929	93·72
1871	65·02	1902	65·47	1932	94·20
1874	61·00	1904	66·72	1935	94·39
1877	62·29	1907	61·26	1937	93·96
1880 (Feb.)	66·56	1908	53·64	1940	93·41
1880 (July)	65·85	1911	63·61		
1883	64·96	1914	53·92		

* Not available.

† The increase in the percentage of voters is accounted for by voting having been made compulsory by Act No. 3488, passed on 23rd December, 1928.

NUMBER OF ELECTORS IN VICTORIA ON 30TH JUNE, 1940.
LEGISLATIVE COUNCIL.

Electoral Province.	Number of Electors on Rolls.								
	Ratepayers' Roll.			General Rolls.			Total.		
	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.
Ballaarat ..	14,827	5,910	20,737	34	16	50	14,861	5,926	20,787
Bendigo ..	15,337	6,894	22,231	74	77	151	15,411	6,971	22,382
Doutta Galla	28,578	10,293	38,871	59	71	130	28,637	10,364	39,001
East Yarra	27,417	11,100	38,517	144	236	380	27,561	11,336	38,897
Gippsland	14,256	4,325	18,581	591	26	617	14,847	4,351	19,198
Higinbotham	26,442	9,384	35,826	53	45	98	26,495	9,429	35,924
Melbourne	23,457	10,140	33,597	44	76	120	23,501	10,216	33,717
Melbourne North	31,390	8,110	39,500	1,347	1,588	2,935	32,737	9,698	42,435
Melbourne West	25,574	8,327	33,901	88	238	326	25,662	8,565	34,227
Monash ..	28,183	12,299	40,482	72	45	117	28,255	12,344	40,599
Northern ..	14,494	4,505	18,999	107	131	238	14,601	4,636	19,237
North-Eastern	12,649	4,225	16,874	67	84	151	12,716	4,309	17,025
North-Western	14,205	4,473	18,678	265	192	457	14,470	4,665	19,135
Southern ..	16,745	7,489	24,234	69	16	85	16,814	7,505	24,319
South-Eastern	16,215	6,809	23,024	24	11	35	16,239	6,820	23,059
South-Western	17,021	5,266	22,287	28	16	44	17,049	5,282	22,331
Western ..	14,681	4,697	19,378	95	97	192	14,776	4,794	19,570
Grand Total ..	341,471	124,246	465,717	3,161	2,965	6,126	344,632	127,211	471,843

NUMBER OF ELECTORS IN VICTORIA ON 30TH JUNE, 1940—continued.

LEGISLATIVE ASSEMBLY.

Electoral District	Number of Electors on the Joint Rolls.	Electoral District.	Number of Electors on the Joint Rolls.
Albert Park	24,598	Heidelberg	33,096
Allandale	9,995	Kara Kara and Borung ..	10,857
Ballarat	17,657	Kew	30,369
Barwon	13,286	Korong and Eaglehawk ..	11,985
Bcnalla	11,167	Lowan	12,526
Benambra	9,196	Maryborough and Daylesford	11,054
Bendigo	17,973	Melbourne	19,670
Boroondara	35,110	Mildura	13,336
Brighton	32,307	Mornington	14,388
Brunswick	28,157	Northcote	24,826
Bulla and Dalhousie ..	9,898	Nunawading	26,528
Carlton	21,187	Oakleigh	35,010
Castlemaine and Kyneton..	10,842	Ouyen	10,968
Caulfield	29,907	Poiwarth	12,076
Clifton Hill	24,174	Port Fairy and Glenelg ..	12,456
Coburg	30,098	Port Melbourne	21,423
Collingwood	22,186	Prahran	26,623
Dandenong	34,178	Richmond	24,025
Dundas	12,543	Rodney	12,069
Essendon	27,107	Stawell and Ararat	11,893
Evelyn	12,030	St. Kilda	30,872
Flemington	23,361	Swan Hill	9,356
Footscray	29,036	Toorak	26,639
Geelong	14,567	Upper Goulburn	9,775
Gippsland East	7,839	„ Yarra	16,176
„ North	10,990	Walhalla	11,963
„ South	12,186	Wangaratta and Ovens ..	11,550
„ West	11,693	Waranga	8,974
Goulburn Valley	12,857	Warrenheip and Grenville..	10,440
Grant	15,802	Warrnambool	12,864
Gunbower	11,225	Williamstown	24,612
Hampden	11,203	Wonthaggi	9,976
Hawthorn	26,163		
		Total	1,177,024