

LIBRARY COMMITTEE.

**The Hon. P. T. BYRNES** (Minister of Public Works).—By leave, I desire to state that Mr. Coleman desires to resign from the Library Committee. Therefore I move—

That the Honorable P. L. Coleman be discharged from attendance upon the joint committee to manage the Library and that the Honorable R. R. Rawson be added to such committee.

The motion was agreed to.

STATUTE LAW REVISION  
COMMITTEE.

CROWN PROCEEDINGS BILL.

**The Hon. P. T. BYRNES** (Minister of Public Works) presented the report of the Statute Law Revision Committee on the Crown Proceedings Bill.

It was ordered that the report be laid on the table and be printed, together with the minutes of evidence.

DEATH OF THE HONORABLE  
C. E. McNALLY, M.L.C.

**The Hon. P. T. BYRNES** (Minister of Public Works).—By leave, I move—

That this House place on record its deep regret at the death of the Honorable Colin Ernest McNally, one of the members for the North-Western Province, and its keen appreciation of the valuable services rendered by him to the Parliament and the people of Victoria.

Mr. McNally died on the 21st of May last, following his collapse in Adelaide where he was, with other members of the State Development Committee, investigating proposals for the further development of the western and north-western part of Victoria. Mr. McNally was a member of the first A.I.F., and was one of the early settlers in the Red-cliffs soldier settlement. He was closely associated with the development of the Australian Dried Fruits Association, and was prominent in all movements for the progress of his district. He had been an active member of the Country party for 30 years, although he was only a comparatively young man, and for the last twelve years had represented the north-western part of the State on the Central Council of that party.

Mr. McNally was elected a councillor for the Shire of Mildura in 1940 and was president of that shire in 1946 and 1947. He also served as chairman of the Mallee Regional Council, on which he did very valuable work for this State, particularly for the north-western portion. In June, 1949, he was elected, in place of the late Sir George Goudie, as a member of this House representing the North-Western Province. In 1950, he was appointed a member of the State Development Committee, and was chairman of that body from March until August of 1951. Throughout his public life he demonstrated his great faith in the future of the Murray valley and the north-western part of the State.

Mr. McNally is survived by a widow and a daughter, and I desire to express to them not only on behalf of members of this House but personally my feeling of deepest sympathy. Colin McNally was a great personal friend of mine for many years, and I shall miss him in this Chamber and elsewhere. He had a great record of public service in this State and in the community in which he lived. In my opinion, he was peculiarly fitted by temperament to be a member of Parliament and particularly a member of this Chamber. He was sound in debate and had a logical mind; he was listened to with the greatest of attention when he spoke in this House; he was not one to judge hastily or to make rash statements; he had a balanced mind and was popular with all members, and I think every member of the House regarded him as a personal friend. I feel that his death has meant a loss to this Parliament, and particularly to the party he represented. I do not wish any of my remarks regarding Mr. McNally to be taken as being detrimental to his successor, who possesses exceptional qualities, but I believe that Mr. McNally had a great future in this Chamber.

His record illustrates that he took a very active part in every work associated with his own community. He did not spare himself for he made his services available in an honorary capacity in the many positions that are entrusted to people who live in the country districts, and in many city areas as well. He

was popular in the community in which he lived and was highly regarded. I could pay many more tributes to his memory, but I shall close by saying that I will miss him as a friend, as a man, and as a legislator.

**Sir JAMES KENNEDY** (Higinbotham Province).—Mr. President, I should like to associate myself with the motion submitted by the Minister of Public Works, which refers to the sad passing of Mr. McNally. He was not a member of this House for many years, but in the short time he was associated with this Chamber he endeared himself to every member. He was a thorough gentleman. He did not speak often in the House, but when he did he made a valuable contribution to the debates. I was in Queensland when Mr. McNally died and I did not see any Melbourne papers for some time. On my return I received a great shock when I learned that the President had issued a writ for a by-election to be held as a result of Mr. McNally's death.

We know that Mr. McNally was an excellent member of the State Development Committee, because when a Bill to amend the State Development Act was before the House last year he made a valuable speech in which he outlined the work that the committee was doing for the development of Victoria. We all mourn his loss, and our sympathies go out to his widow and daughter.

**The Hon. P. L. COLEMAN** (Melbourne West Province).—On behalf of the Labour members of the House, I join with the Minister of Public Works and Sir James Kennedy in expressing our deepest regret at the loss of our late colleague, Mr. McNally. It is true that he was not a member of this Chamber for many years, but during his brief association with it he endeared himself to every member. He did not speak frequently in the House, but his contribution was always valuable. Those of us who were privileged to hear him always felt better after he had submitted his view. I listened attentively to the record of Mr. McNally, which was outlined by the Minister of Public Works, but, in my opinion, one of the greatest contributions he made to the development of Victoria was the interest he displayed in the

establishment of the branch of the Melbourne university at Mildura. I was closely associated with him during the period of that wonderful experiment at Mildura. It was due to his enthusiasm and the assistance he rendered to the Government at the time that the experiment became an established fact.

Like other members, I was deeply shocked when I learned of the sudden death of Mr. McNally, which occurred in Adelaide when he was there with the State Development Committee, again performing valuable service to this State for which he did so much. I feel a great personal loss now that Mr. McNally is no longer with us because he and I, during the brief period he was a member of this House, became great friends. We members of the Labour party convey our condolences to his widow and family. I trust that this House will mark in a very definite way its great appreciation of the valuable services rendered to this Parliament and to the State of Victoria by Mr. McNally.

**The Hon. A. R. MANSELL** (North-Western Province).—I should like to pay a tribute to a departed friend whom I knew for many years and with whom I worked on a number of organizations. I can assure honorable members that everything that has been said in this Chamber to-day about Mr. McNally is true. He gave unstintingly of his services at all times. When people called on him, at any time of the day or night, he was always willing to tender advice. One of his greatest attributes was that he could see every one's point of view; no matter what he thought himself he would not pass judgment until he heard both sides of a question. I think that made him the friend of every one. He gave a great deal of public service to the district in which he lived, but time alone will reveal just how much he did. I mourn the loss of a friend, and I consider that this House has lost a very valuable member.

**The PRESIDENT (Sir Clifden Eager)**.—Before putting this motion, I should like to add my tribute to the memory of the late Mr. McNally. As has been said, he was not a member of this House for

a long period before his death, but during his short term of membership he made many valuable contributions to the debates and to the wisdom of this House. I recall that on the occasion of the opening of the present session on the 13th of November, 1951—the centenary of self-government in Victoria—Mr. McNally moved the motion for the adoption of the Address-in-Reply, and made—I am sure members who heard his speech will agree with me—one of the finest speeches ever heard in this House, when he referred to the constitutional position of Victoria, His late Majesty as its head, and to the 100 years of self-government in Victoria. The speech was somewhat prophetic because Mr. McNally ended it with these words—

I desire to conclude, as I began, with a message of loyalty to the Throne, and I could perhaps use the words that were expressed on one occasion by His Most Gracious Majesty King George VI.—

I said to the man who stood at the gate of the year, "Give me a light that I may tread safely into the unknown" . . .

I think those were Mr. McNally's last recorded words in *Hansard*. If not, it was one of his last speeches in this House, and I am sure that the words he quoted are applicable to himself. He was a good man in every sense of the word, a good parliamentarian and a good representative of the people. I join in the expressions of condolence to his widow and family.

The motion was agreed to, in silence, honorable members showing their unanimous agreement by standing in their places.

**The PRESIDENT.**—I shall see that the speeches of honorable members and this motion, as recorded in *Hansard*, are put into proper form and sent to the widow of our late friend, Mr. McNally.

#### ADJOURNMENT.

##### HOSPITAL FINANCES: CHARGES TO PATIENTS.

**The Hon. P. T. BYRNES** (Minister of Public Works).—By leave, I move—

That the Council, at its rising, adjourn until Tuesday next.

The motion was agreed to.

**The Hon. P. T. BYRNES** (Minister of Public Works).—I move—

That the House, out of respect for the memory of the late Honorable Colin Ernest McNally, do now adjourn.

**The Hon. J. W. GALBALLY** (Melbourne Province).—Some months ago I drew the attention of the Government and this House to the fact that certain public hospitals were either charging fees or contemplated doing so, and I asked the Government whether such charge was lawful. I was assured, both in this House and in statements made in the press, that the Government was taking legal advice on the matter, that the position was obscure and that the matter would be clarified as soon as possible. Since then I have been told—and I have no reason to doubt this information—that certain public hospitals are demanding payment of a fee. When one considers the voluntary work done by the hospitals, the magnificent services rendered by their staffs and by the medical profession, many of whom attend those institutions and give their services free of charge, I am loath to take the view that those institutions have made a charge without some authority either from the Government or the Hospitals and Charities Commission. I cannot see that they would be so remiss in their charitable duty to the community as to embark on such a course without the approval, directly given by the Government or by its instrumentality, the Hospitals and Charities Commission.

It was some months ago that I asked this question. Since then there has befallen that cataclysmic disaster, which we do not like to speak about, when so many members of this House went out and failed to return. But being conscious of that fact I feel that the Government has had time nevertheless to give this matter consideration. Persons attending a public hospital are entitled to know whether it has the right to make a charge and whether they are bound to pay. In a modern community the provision of sanitation and a pure water supply, and the segregation and treatment of people suffering from infectious and contagious diseases, are considered to be part of the functions