

Victorian Bar News No. 10

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BAR COUNCIL REPORT RULINGS OF BAR COUNCIL

The Bar Council has ruled that without affecting the rule that it is improper for Counsel to receive payment of his fees otherwise than through his Clerk there is no objection to Counsel, by letter or otherwise seeking to induce payment of fees due to him.

The Bar Council has resolved that the existing rule that barristers are required to have Clerks be not varied save in exceptional circumstances including interstate and overseas Counsel.

BAR COMMITTEES

In recent years the voluntary work of the Bar has increased considerably. There are now approximately 69 Committees and representative positions which have to be filled by members of the Bar from year to year. After the last Annual Meeting of the Bar the Bar Council noted with satisfaction that over 90 members of the Bar had volunteered to serve on Committees or as Bar representatives and that all had received appointments.

TRADE PRACTICES ACT

The Bar Council appointed a Committee to consider the possible impact of the Trade Practices Act on the practices of members of the Victorian Bar. Matters under consideration included the effect of acceptance of the recommendations of the Bar Council as to fees, and the rules relating to Senior and Junior counsel and the two-thirds rule.

The Committee's view was that the Trade Practices Act was unlikely to affect the practices of the members of the Victorian Bar. Quite apart from any other arguments, the Committee was influenced by the view that members of the Bar are not corporations, and that so far as S. 6 (2) extended the operation of the Act to natural persons, it was concerned with persons who engaged in trade or commerce, inter alia, among the States. The Committee's view was that the activities or practices of members of the Bar could not be properly characterised as being "among the States".

MEETINGS OF BAR COUNCIL

The Bar Council had a particularly busy time in the latter part of 1974. In the period from the 1st October 1974, immediately following the Annual elections, to the 19th December 1974, the Bar Council held 9 full meetings.

Members of the Bar have received circulars detailing a number of the decisions made during that period. Amongst matters that have been discussed are the National Compensation Bill, several incidents that had occurred at Magistrates Courts and been reported to the Bar Council by Counsel involved, the closing of Clerks' offices over Christmas, Legal Aid, delays in Courts, the Superior Court of Australia Bill, Professional Indemnity Insurance, staff salaries, the Trial Lawyers Association of Australia, the Family Law Bill, the question of the Practical Training of Graduates in 1975, fees in all Courts, the Aboriginal Affairs Act, catering services in Owen Dixon Chambers, Australian Legal Aid Offices, Public Solicitors fees, the Victoria Law Foundation and Clerking.

The Bar Council has also considered a number of ethical matters and reports on such matters given to it by the Ethics Committee.

On several occasions the Bar Council considered statements appearing in the press relating to lawyers and authorised the Bar Council Chairman, Mr. R. E. McGarvie Q.C., to make appropriate statements.

GENERAL MEETING

At the general meeting of the Bar held on 14th February 1975, one of the few motions passed related to readers of less than two months' standing. The meeting resolved that although these readers have not signed the Roll of Counsel they might nevertheless attend the meeting. The motion however did not grant those readers the right to be heard or to vote.

It is to be hoped that this procedure becomes a rule for further meetings.

OBITUARY:**The Rt. Hon. Sir Douglas Menzies**

In Sydney, on Friday 29 November 1974, Sir Douglas Menzies died suddenly, ending one of the most brilliant and colourful careers of any Australian lawyer.

Sir Douglas was born in Ballarat in 1907 before his father, a Presbyterian minister, was translated to Tasmania where the young Menzies received his schooling. In 1925 he returned to Victoria to read law in the University of Melbourne where he won the Supreme Court Judges' Prize and the J. B. Nunn Scholarship in 1928. He graduated LL.M. in the following year.

In 1932 he came to the Bar and read in the chambers of Mr. E. H. Hudson (later Mr. Justice Hudson). Thereafter he practised in a wide variety of jurisdictions, meanwhile collaborating as co-author of O'Dowd and Menzies on Company Law. From 1941 to 1945 he was absent from the Bar and distinguished himself as secretary to the Australian Defence Committee and the Chief of Staff Committee.

In the post war period Menzies emerged as one of the most powerful leaders at the Bar. He appeared frequently in the High Court and on many occasions before the Privy Council in London, where his reputation almost surpassed the high regard in which he was held in Australia.

He had, also, an immense influence on the course of the Bar at an important stage as a member of the Bar Council and as its Chairman before he was appointed to the High Court in July 1958. In committee he demonstrated the excellence of his judgement and his clarity not only of thought but of exposition. Meanwhile he remained the most genial and reasonable colleague.

It was not surprising that, on the bench, he was seen to be a superb legal craftsman and a great judge.

His Honour Judge Coleman

The death of His Honour Judge Kevin Coleman on January 8th this year tragically and prematurely ended a distinguished legal career.

His Honour was born in 1922 and was educated at Xavier College and then at the University of Melbourne from which he graduated LL.B. in 1948 (having in 1946 won the Legatt Scholarship in the Law of Contract).

From 1941-45 he was a member of the A.I.F. and served in Borneo as a Lieutenant.

After joining the Bar in 1950 His Honour soon built up a reputation in the fields of Criminal Law and Common Law to which Licensing Law was later added. His Honour was a fearless advocate — "a fighter" for his clients' cause however hopeless it might appear. Consequently it was often the tough and difficult cases that had solicitors seeking his services.

Combined with His Honour's pugnaciousness was a wonderful facility with the English language which manifested itself in some magnificent jury addresses.

In February 1973 His Honour was appointed to the County Court Bench. As a judge he brought to that Bench the same standards that had characterised his practice.

Apart from the Law, His Honour was very active in Legacy. Throughout his life he was a keen sportsman.

We at the Bar will most of all miss a friend on whose good, sound commonsense we could rely, whose forthright views we respected and whose dry wit we all enjoyed.

The Bar extends its sympathy to His Honour's wife Dymphna and all his family.

WELCOME:**The Honourable Mr. Justice Murray**

Basil Lathrop "Tony" Murray Q.C. C.B.E. S-G was appointed a Judge of the Supreme Court of Victoria on the 5th day of September 1974.

He signed the Bar Roll in 1946 and read with Reginald Sholl. He took silk in 1960 and in 1964 was appointed Solicitor-General of the State of Victoria when that office was vacated by Sir Henry Winneke upon his appointment as Chief Justice.

As a junior and particularly later as a silk, Murray had a wide practice with a particular emphasis upon civil jury work. Those who appeared against him say that a good case would never run as well as expected with Tony Murray on the other side.

He made a substantial contribution to the Bar in his years of service upon the Bar Council between 1961 and 1964. In the latter period he was Vice Chairman of the Bar Council and our representative on the Australian Bar Council.

Upon his appointment as law officer Murray became a less familiar figure in the Courts although he regularly found time to lunch in the Common Room and there to renew old acquaintances and meet the junior members of the Bar. And from time to time he would lead for the State in important trials, appeals and constitutional cases and then the Bar in private practice would recall that he was a forensic force to be reckoned with.

The Bar by its Chairman has already saluted the new Judge and wishes him well in his new office.

The Honourable Mr. Justice Fullagar

Richard Fullagar Q.C., was appointed a Judge of the Supreme Court of Victoria on the 15th day of February 1975.

He signed the Bar Roll on the 4th November 1949 and commenced his pupillage with H. A. Winneke and, when his master took silk, completed it with G. A. Pape. He was appointed Queen's Counsel in 1964.

During his twenty-five years as a practising barrister Fullagar was particularly at home in cases involving commercial law, industrial property and equity and later in constitutional disputes.

Those who had the pleasure or anxiety of working with or against him will recall with respect the speed with which the central issue of the case was identified and isolated and the single mindedness with which it was pursued by the team led by Richard Fullagar.

The Bar has reason to be grateful to him particularly because of his long and dedicated service to it by his service on the Bar Council and its committees and for his work as Vice Chairman, an office he held until his appointment.

The Bar now looks forward to a long and fruitful relationship albeit of a different nature with the new Judge.

The Hon. Mr. Justice Jenkinson

K. J. Jenkinson Q.C. was appointed a Judge of the Supreme Court of Victoria on 18th February 1975.

He signed the Roll of Counsel in 1953, and as a junior counsel he developed a large practice in nearly all jurisdictions. His capacity was such that he practised in each such jurisdiction with the facility of a specialist, and when in 1970 he took silk, he was thus admirably fitted for his role as a leader of the Bar, which he proceeded to carry out with all the distinction his earlier career had promised.

He has always enjoyed an ability to express himself lucidly and concisely, all too rarely realised. As an opponent, he was as pleasant and courteous as he was redoubtable and respected. The care and attention to detail with which he prepared his cases indicated his industry and dedication to the practice of the law.

As a silk, he made many appearances in the High Court of Australia and was the Chairman of the Board of Inquiry into prison discipline in 1972-3. (The full force of his recommendations has, perhaps, not yet been realised.) He also rendered valued service to the Bar as a member of the Bar Council and as one of that Council's representatives on the Council of Legal Education and the Legal Aid Committee. He also acted as Chairman of the Young Barristers' Committee.

Ken Jenkinson will be remembered as a most friendly and approachable member of the Bar. Indeed, he epitomised that outstanding characteristic of the Bar whereby counsel of capacity and experience, with unfailing patience and despite the demands upon their time, are ever prepared to assist less experienced and (at least, temporarily) less able colleagues to a solution to the problems with which their practices confront them.

It is with confidence and pleasure that members of the Bar will look forward to appearing before Mr. Justice Jenkinson. As a judge he can be expected to make a considerable contribution in the most important work carried out by the Supreme Court, and to enhance its great reputation.

LEGAL SKILLS COURSE 1975

A full time six months course of practical training for law graduates conducted by the Leo Cussen Institute will commence on 2nd April 1975 in premises at 601 Lonsdale Street.

At the time of going to press it seems probably that there will be approximately 100 students attending the course, which will be under the direction of David Ross. Three solicitors, Mr. E. C. A'Beckett, Mr. Paul Bernadou and Mrs. Rosemary Thurley have been appointed as Mentors and are working now on the preparation of the course, in liaison with specialist instructors from both branches of the profession and from other disciplines.

Members of the Bar who instructed in the successful six months course in 1974 included :—

Criminal Procedure	Judge Ogden Jenkinson Q.C. (as he then was) Langslow
Workers Compensation	Judge Just Nathan Punshon Vincent
Civil Litigation	D. Byrne Wild
Advocacy	McPhee Q.C. Flanagan Kelly
Estate Planning	Davies Q.C.
Family Law	Asche Q.C.

In consultation with the Attorney-General the Council of Legal Education is taking the steps required to settle the status of those who successfully complete the course. It is agreed that they should immediately be eligible to be admitted as barristers and solicitors. It is also agreed that some qualifications should be imposed upon the extent of their rights of practice for an initial period by amendment to the Legal Profession Practice Act. "The question of these qualifications is presently the subject of consideration, and a decision on this aspect is expected at an early date" says Judge Ogden, the Institute's Chairman.

REFRESHER COURSE

It is possible that some places may be available in the skills course for practitioners who have been absent from practice for some time. Any person interested should make enquiries of the Institute.

LAW REFORM COMMISSIONER'S RECOMMENDATIONS

Criminal Liability of Married Persons (Special Rules)

The following is a summary of Principal Recommendations of the Law Reform Commission's Working Paper No. 2 :-

1. Abolition (as has been done already in a large number of jurisdictions) of the old common law rule that, subject to limited exceptions, if a wife commits a crime in the presence of her husband she is presumed to have done so under such coercion that she is entitled to be acquitted.
2. Defining and limiting of a wife's defence of actual coercion by her husband.
3. Extending to husbands of the benefit of the present rule that a wife does not become an accessory after the fact by reason merely of receiving or assisting her spouse who has committed a felony.
4. Provision that a married person does not commit misprision of felony by failing to inform on his or her spouse.
5. Provision fixing the limits of the established rule that, in general, a mere agreement between husband and wife to which no third person is a party cannot constitute a criminal conspiracy.
6. Provision that the inciting of one spouse by the other to commit an offence, where none is actually committed, shall not constitute the crime of incitement.

Comment and criticism of the recommendations is invited from Members of the Profession. Copies of the paper are available on application to

The Secretary,
Law Reform Commissioner,
155 Queen Street,
Melbourne. 3000 Telephone. 67 9269

MOUTHPIECE

I'm just an honest barrister who plys an honest trade,
I've been around a good few years - I s'pose I've made the grade.
I've got a general practice, see, do mostly crash and bash,
And though I'm not a millionaire I've made a bit of cash.

You see I've just turned thirty six - a good few years from silk,
And even more before I join the Chief and all his ilk.
It may be fair to say therefore that while I like a go,
I wouldn't mind at all if they preserved the Status Quo.

But now there's all this talk you hear that nags you with frustration,
A board for Motor Accident, and National Compensation.
A board for this, a board for that, it numbs my heart with fear,
And strikes a mortal blow at jurisdictions I hold dear.

It's hardly any wonder that last night as I retired,
All bothered and confused I was and not a little tired.
My mind beset with queries "What will the future bring along?
Will all barristers have fortunes or will they have the gong?"

Will we all be derelicts or will we all drive Jags?
Will all Havana smokers now be forced to bot their fags?
And will we all the lenders be or will we have to borrow?
Are we the roosters of today, feather dusters of tomorrow?

Into the arms of Morpheus I sank with apprehension,
My brow did sweat, my body thrashed, my dream was filled with tension.
And so it was I fell asleep. I saw myself one morning,

Driving slow to O.D.C.; a grey bleak day
was dawning.

I swung the Holden wagon down the rear of
William Street,
(That's strange, for Mr. Brown must have
forsook his usual beat).

The car park in the basement was quite oddly
still and hot,

Hey! What's that mini doing there,
it's Sek Hulme's parking spot!!

The bolts were shot on all the doors, now
this is more than strange,
My fumbling fingers found my key, but all
the locks were changed.

The whole place was deserted, dry leaves
were on the floor,
A few old backsheets gusted in towards
Foley's darkened door.

A lazy spider spun a web from some poor
blighter's name,
T'was then I read the notice that con-
founded me with shame.

The text will still pursue me wherever I
may roam,

"SORRY LADS
THEY'VE WOKEN UP
YOU MAY AS WELL GO HOME."

Ross & Byrne D.D.

A NEW HOME FOR THE VICTORIAN BAR?

No living Barrister can recall a time when
the Victorian Bar did not, to the best of its
ability, provide a home or homes for its
members. It still does so.

Whether the Bar will continue to provide
such a home, and if so how, is a question of
some urgency.

With Owen Dixon Chambers (O.D.C.) far too
small, ever increasing use of short term
leased accommodation is now the order of
the day. What rental should be paid by
tenants of O.D.C.? Should the rent of
younger Barristers be subsidised? Is the Bar
to fragment and let the devil take the hind-
most? Should the Bar acquire a new
building designed to house all its members
for some years to come?

Accommodation of Barristers being a real
problem, the Bar Council has through its
Accommodation Sub-Committee and
independent Consultants commissioned
most searching enquiries as to ways and
means.

These enquiries have been based on
estimated requirements for the next 15
to 20 years (800 Barristers) and the
future use of O.D.C.

As a preliminary, all possible sites in
whatever present ownership have been
investigated. The only development
properties available are two on the North
side of Lonsdale Street and one (the
former Lazar's Restaurant) in Little
Bourke Street.

As a matter of history a recommendation
was made to purchase Birkdale House/
Charmer House site but before that could
go to the Bar for consideration the State
Government acquired those properties.

In considering sites account must be taken
of the fact that the new Courts will be
built on the Birkdale House - Charmer
House site, any Commonwealth Court
Development may well be on the present
A.B.C. Studio site, the position of and
access to the new Flaggjaff Railway
Station and the fact that the Bar is
becoming progressively more concerned
with various Administrative Tribunals
sitting outside the immediate area of
the traditional courts. The availability of
finance, methods of financing and the
incidence of taxation have also been
considered in some depth.

It will be recalled that O.D.C. was partly
occupied in July, 1961 and completed in
October of that year. Four floors were
added in 1965.

The alternatives as to O.D.C. are to leave
it as it is, to give it a short term facelift,
to carry out major works to bring it to as
high a standard as possible for occupation
by the Bar or lease, or, finally, to sell it.

The building's most displeasing present feature is undoubtedly the lifts and it appears that, although in reasonable condition, because of their design, they cannot be improved in operation.

To bring O.D.C. up to a reasonable standard substantial work would be necessary including new lifts at \$227,000, air conditioning at \$465,000, improved lighting power output and fire protection at \$193,000 and the upgrading of toilet facilities paintwork etc. at \$130,000. These estimates as at October 1974 amount to \$1,015,000, the work would take 18 months during which the building would have to be vacated and the building would still remain second rate office space with an estimated rental value (again at October 1974) of about \$6 per square foot.

The alternatives then are:—

1. To retain O.D.C. and lease additional space as required.
This involves the minimum of expenditure but also:—
 - (i) Increasingly sub-standard accommodation.
 - (ii) An increasing present spread throughout a number of buildings involving administrative difficulties, a loss of unity and perhaps a future difficulty in obtaining space in the required area.
 - (iii) The loss of an opportunity to acquire accommodation in line with modern standards of comfort utility and prestige comparable to that occupied by other professions.
2. To retain O.D.C. and purchase the necessary additional space.
This proposition would reduce initial capital outlay relative to some other alternatives but it is not practicable as there is no site or existing building of appropriate area available. A larger site and two stage development would be economically unwise.

3. To sell O.D.C. and lease alternative space with an equity interest.
The only building available would be the new Capital Tower. Enquiries reveal that this would involve in addition to the sale price of O.D.C. borrowing approximately \$10,000,000 for a 25% interest, the leasing of some 20 floors and then the sub-letting of part.

Perhaps the principal drawbacks of this proposal are difficulties in obtaining suitable finance and a reduced capital gain over the years. Most of the capital gain would go to the Mortgagee.

4. To sell O.D.C. and purchase alternative space as a joint development.
Schemes have been proposed to enter such a development with a "partner" and some of the advantages are:—
 - (i) Sufficient accommodation for at least 15 to 20 years.
 - (ii) Design to meet the specific needs of the Bar.
 - (iii) The right to purchase the interest of the "partner".
 - (iv) A building of high standard which would not become obsolete as rapidly as O.D.C.
 - (v) Minimisation of the normal developer's risk by reason of assured tenancy of at least half of the building.
 - (vi) Acquisition of the controlling interest in a substantial property with an equity stake of only \$5 million.

Detailed investigations and projections have been made in this area which in the space available cannot even be summarised. However, it is certainly a viable proposition financially: appropriate sites are available and it would be a principal factor in ensuring that the Bar remains a close knit unified body.

The models presently on display in the Common Room indicate the way in which this development might be achieved.

This proposal would involve at least in the early years a rental close to current market value and a stretching of financial resources.

It may be timely at this point to recall that when the then members of the Bar considered the move from Selbourne Chambers and the then leased accommodation to O.D.C. there was a very large group indeed (the final motion being carried by only a small majority) who firmly contended the Bar was overstepping its financial resources and that the rentals would be far too high. The history of the Bar and of O.D.C. over the last 15 years is a complete answer to those contentions.

Perhaps it could be appropriate to suggest that a little more cohesion amongst members of the Bar in the matter of collection of the many millions — repeat millions — of dollars of outstanding fees may also assist in this direction. This is not an irrelevancy but merely one of the less important reasons why the Bar needs a single home and needs to remain a single cohesive body.

5. To sell O.D.C. and develop an alternative site.

To develop a site to house a future 800 Barristers appears to be clearly in excess of the financial capacity of the Bar unless it is done as in (4) above in conjunction with a "partner".

6. To retain O.D.C. as an investment and lease alternative space.

For reasons touched on above it appears that O.D.C. would not be a sound investment for the Bar and that if space is to be leased for the whole Bar the preferable course would be to sell O.D.C. and purchase an equity interest in the leased space.

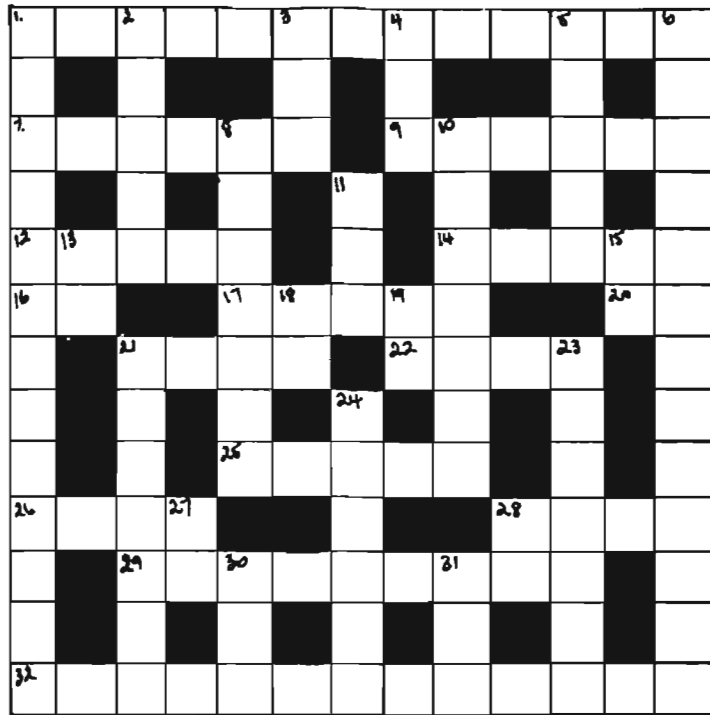
The Bar Accommodation Committee proposes in the very near future to produce a full report which will no doubt be circulated for consideration. These few thoughts are no more than a very short introduction which it is hoped will stimulate some preliminary discussion.

Finally it must be very clearly stated that while the writer is a member of the Bar Accommodation Sub-Committee that the Sub-Committee has not yet made any recommendation and the views expressed or implied above are his and his alone and are not necessarily the views of the Sub-Committee or of the Bar Council.

The members of the Sub-Committee are:-

Berkeley Q.C., Emery Q.C., Liddell Q.C., Forsyth, Griffith, Larkins, Mandie, Gurvich and Phipps

CAPTAIN'S PAGES



ACROSS.

- 1 Shared Loans (5, 8)
 7 Indian seaman turns into rogue (6)
 9 Sweeny Todd the Judge (6)
 12 One thing the thrifty cannot do (5)
 14 An overseas communication by rope (5)
 16 22/7 (2)
 17 To deduce as a consequence (5)
 20 The Chief's letters (1, 1)
 21 The air and gas prefix (4)
 22 A change of diet with time waits for no man (4)
 25 The executive of Crimes Act S. 485 (5)
 26 Lengthened as well (4)
 28 The addition of the first two letters make an irrational number ridiculous (4)
 29 Sadist (9)
 32 The shareholder's dream is gaining too much (6, 7)

DOWN:

- 1 The knowledge of law (13)
 2 Children come to a point (5)
 3 Our trade is turned into a pointed instrument (3)
 4 A tax can be made like a, b, c (3)
 5 One who could not pass through the needle's eye (5)
 6 A plaintiff's third pleadings (13)
 8 A very 'andy spit (7)
 10 A writer can also impute (7)
 11 Dolt (3)
 13 16 across (2)
 15 The initial Lord Chancellor (1, 1)
 18 Changing upon would make a denial (2)
 19 And Latin (2)
 21 Hermit (7)
 23 An action does not lie from this base latin cause (2, 5)
 24 Bring the writing up to date (4, 2)
 27 Adding a letter would make it curious to perform (2)
 30 The thing (3)
 31 Likewise (3)

The Captain requests that his readers contribute an appropriate caption.



SPORTING NEWS

CANOING

The inaugural historical canoe race between the Bar and Bench and the Solicitors was held on and in the Yarra River on the 16th November 1974.

Successful silk, Lazarus rose to the occasion and donated the trophy for which the paddlers were to strive — appropriately a set of mugs.

The Solicitors following a long tradition of gamesmanship had the gall to field a team of crack performers who soon showed a clean pair (or two) of heels to the favoured Barristers.

Glorious in defeat the Bar was represented by Coldrey, Langslow, Duggan, Chessum, Saw, Vincent, Zahara and Jolson.

It is worth noting that the Solicitors enjoyed the invaluable assistance of Stephen Charles.

CRICKET

The Sir Henry Winneke Cup, precariously held by the Law Institute for a number of years, was almost wrested from its grasp by the Bar and Bench team when the annual match was held at the Albert Ground on the 16th December 1974.

The Bar and Bench side at 175 runs for the loss of only 5 wickets was forced to declare. Highlights of the innings included a brilliant partnership of 99 in even time by Chris Connor and Tony Radford and a typically solid 36 by Bill Gillard.

The Solicitors had made a lucky 36 for the loss of 1 wicket after 8 overs when their prayers for rain were granted and our victory thwarted. Opening bowlers David Harper and Damien Maguire beat the bat on numerous occasions but Dame Fortune would not play her role. It was gratifying, however, that the Solicitors conceded after the game that the Bar and Bench side had improved dramatically on previous years. No doubt this was partly due to practice sessions being conducted for the first time.

Notices have been placed in conspicuous positions in Owen Dixon Chambers advising of three forthcoming games against the

Law Institute, the Gentlemen of Ballarat and the Western District Association of Solicitors. Rumor has it that Barry Dove is considering issuing an edict that practice sessions are a condition precedent to selection. I have no doubt that Bill Gillard welcomes this move.

GOLF

The annual golf match between the Bar and Bench and the Solicitors for the Sir Edward Herring Trophy was held at the Metropolitan Golf Club on the 31st January 1975.

The trophy had been held by the Bar and Bench for the past two years, which is believed to be a record. It must be conceded, however, that the event was cancelled in 1974 due to the heat. Nevertheless, in view of our easy victory in 1973, a successful defence of our title in 1974 was regarded by learned observers as being merely a formality.

This year the event was won by the Solicitors 9 matches to 5. The number of players available for the Bar and Bench side was down on previous years and this led to some Solicitors becoming Barristers and Judges for the day and competing against Solicitors. An official enquiry is being conducted into the allegation that one such "Bar and Bench" team turned six up and then changed their allegiance, resulting in an 8 and 6 victory for the Solicitors.

Les Ross and Max Cashmore won the trophy for the "best ball bogey" event. The former played off 22 and it was not until he had received his trophy and spent his winnings that he was advised by the handicapper that his handicap had been reduced to 19. It would appear that a member of the match committee had witnessed Les' "birdie" 2 of the last 4 holes.

A concerted effort will be made to increase the number of participants in the Bar and Bench side and suggestions are welcome. It is proposed to conduct the next game on the last Friday of the month, perhaps in May, and to dispense with the requirement of wearing a dinner suit at the Dinner after the match.

TENNIS

Unfortunately there is very little to report concerning the annual battle by the Bar and Bench against the Solicitors for the O'Driscoll Cup. Once again the elements played a significant part in preventing our team from capturing this trophy from our opponents at the Albert Grounds Tennis Courts on the 16th December 1974. When play was abandoned the Bar and Bench team was holding its own and Brian Collis and Co. were just getting into the swing of things when everyone called it a day.

The event will be held again at the end of the year and it is hoped that the trophy will be returned to its rightful position.

RACING

Congratulations are extended to Barry Dove and Alistair Nicholson who are connected with "Races Progress" and "Killara Lad" respectively. Races Progress recently saluted the Judge in town and Killara Lad won up in the country.

Gentleman Jim Merralls, who was associated with the former Caulfield Cup winner, Beer Street, is interested in Beer Streets first crop of yearlings and has mentioned that some of them will be sold at the forthcoming Tasmanian yearling sales. The yearlings will be racing next spring.

Jim regrets not having kept one of the yearlings himself but has to be satisfied with owning a six week old colt foal sired by Beer Street. The youngster has already been named and we hope that the colt (named Bezzler) will be seen in the winner's circle late in 1976.

IN BRIEF:

Paul Guest, who has been appointed coach of the Victorian Kings Cup crew, is confident that the locals can regain the Cup when the event is conducted at Petrie, Queensland, on the 17th April 1975.

It is interesting to note that Jim Howden is the selector and it is possible that three Solicitors could be in the crew. Hubert Frederico, incidentally, was the coach of the crew in previous years.

It was commonly thought that Leo Hart had won the title of "iron man" of the year when he ran through the Little Desert during the Bimboola Festival. However, this effort pales into insignificance when one realises that Harry Shore cycled from Casino, in the north of N.S.W., across the Great Dividing range to the Darling Downs. He later cycled from Brisbane to Myrwillumbah.

On the topic of fitness it is good to see so many members of Counsel "jogging" during recent times. Our roving reporter has spotted the following either "Jogging" or performing some gyrations akin to same: Fred Tinney, George Hampel, Eugene Cullity, John Bland, John Bingeman, Tom Danos, Kevin Jacobson, John Roberts (immaculately attired in a white track suit), Phillip Cummins, Neil Griffin, Tom Wodak, David Harper, Julian Zahara, Bill Pinner, Andrew Kirkham, Graham Morrish and Stephen Charles.

It is believed that Frank Dunphy made an attempt at jogging but broke down badly with achilles trouble.

Any person desiring to capture the "photo of the year award" is advised to keep in close contact with the abovenamed.

"Four Eyes"

MOVEMENT AT THE BAR

(Since September 1974)

ASPIRING MEMBERS WHO HAVE COMMENCED READING

R. S. Osborn
P. J. M. Turner
M. J. Strong
M. C. Pryles
M. A. Adams
B. Phillips
M. Strathmore
J. Wajcman
T. S. Lynch
J. A. O'Brien
G. B. Johnston

MEMBERS WHO HAVE SIGNED THE BAR ROLL

R. A. Lunzer (of the English Bar)
P. W. Davison
G. J. Alford
M. J. Hawkins
T. R. Morling (N.S.W. Q.C.)
G. A. Watkins
I. J. Beder
K. Wheelahan
L. G. Crisp
B. G. K. Ross
R. J. Galbally
L. S. Glickfeld

J. W. Rapke
K. L. S. Jacobson
L. A. Papaleo
R. S. Hayes
T. C. Doherty
R. C. MacKay
P. A. Rosenberg
G. J. Garde
T. Wodak
W. J. Wheelock
A. J. Spargo
W. H. Morgan-Payler
M. A. Hammet
F. H. R. Vincent (re-signed)
T. A. Hinchliffe
S. J. S. Holt
J. F. M. Larkins
R. A. Finkelstein
C. N. Jessup
J. D. Philbrick
A. G. Roberts
D. L. Brustman
K. D. LePlastrier

MEMBERS WHOSE NAMES HAVE BEEN MOVED AT THEIR OWN REQUEST

E. E. Jones
R. Baxt
J. W. Smyth, Q. C.
R. A. Bidstrup, Q.C.
P. Perry (Old.)
H. J. A. Campton
K. A. Morrison

Solution to Captain's Cryptic No. 9
(for those with long memories)

1	L	E	2	T	T	3	E	R	4	S	P	5	A	T	6	E	N	7	T	
	A		A		N							I		X					U	
8	U	R	B	A	N							9	O	U	C	E	S			
	N		L			10	U	N	C	L	E								S	
	C		E				I		K		D			S					L	
11	H	12	I	D	E			13	L	E	X			14	M	E	15	T	E	
			T					16	P		X			17	H				O	
18	U	S	19	H	E	R							20	I	N	21	F	22	E	R
	N		A				23	O	T	H	E	R			O				E	
24	S	25	A	Y												26	E	27	P	A
28	E	N			29	Y	O	U	N	G	C	J				30	I		D	
	A			31	A											32	O		E	
33	T	I	T	L	E	S	E	A	R	C	H	E	R							

1	J	O	2	I	N	T	3	A	C	4	C	O	5	U	6	N	T	7	S
	U		S				W				A				A				U
8	R	A	S	C	9	A	L			10	B	A	R	B	E	R			
	I		U		N			11	O			S			O				R
12	S	13	P	E	N	D			A		14	C	A	B	15	L	E		
16	I						17	I	N	F	E	R				18	C	J	
R			21	A	E	R	O			22	T	I	D	23	E				O
U	S			O			24	N							X				I
D		C		26	N	O	O	S	E										N
25	E	K	E	27	D						28	S	U	R	D				
N			29	T	O	R	M	E	N	31	T	O	R						E
C			I		E														R
32	E	X	C	E	S	S	P	R	O	F	I	T	S						

Solution to Captain's Cryptic No. 10

Editors: David Byrne, David Ross
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HAVE YOU ANYTHING TO SAY
BEFORE THIS COURT PASSES
THE SENTENCE OF DEATH UPON
YOU ?



IF YOUR HONOUR PLEASES.....

A, a, the first letter of the alphabet in the Aryan languages. In English it has eight sounds, as in *blade, fare, ory, man, star, all, what, China.* ; the indefinite article, signifying *one* or *any*.

aardvark (ård'-vark) n. [D.] the ground-hog or earth-pig of South Africa

Ab (ab) n. [H.] the eleventh month of the Jewish civil year, and the fifth of the ecclesiastical year.

abacist (ab'-a-sist) n. [abacus] one that uses an abacus in calculating ; a calculator.

abacot (ab'-a-kot) n. [a corrupt form of *bycocket*, O.F. *bicoguet*] a kind of hat worn