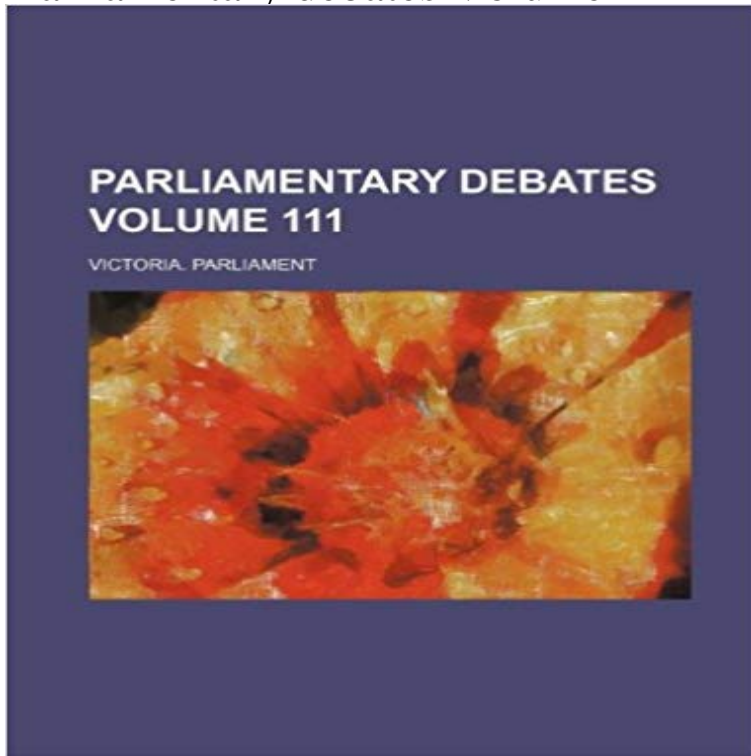


## Parliamentary debates Volume 111



This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1906 Excerpt: ...If a man chose to say, Tf I am selling this as milk and water, in the name of common sense, how could the person purchasing afterwards turn round and say, It is not pure milk1? The thing was absurd. The honorable and learned member for Prahran had told the honorable member for Melbourne to read section 48 of the Health Act; but how would that help the honorable member one bit? Mr. Bo Yd.--I have read it since, and I do not see that it has any bearing on the subject I was discussing. Mr. GAUNSOX said he told the honorable member not to read it. He would read it himself. Its operation was entirely confined, by its wording, to prosecutions under section 47. It said--In any prosecution under the provisions of the last preceding section it shall not be a good defence to prove that milk has been reduced in value merely by the removal of the whole or a portion of cream, and such removal shall be deemed to injuriously affect the quality of such milk, but nothing in this section shall prevent the sale of skimmed or separated milk if the vessel containing such milk shall have the words skimmed or separated milk legibly marked thereon in some conspicuous place. Was not that the whole doctrine that the honorable member for Melbourne was contending for, and that he (Mr. Gaunson) was supporting? Mr. Robertson.--How do you treat a case where it is painted on the cart that the milk contains a certain thing, in letters an inch in size? Mr. GAUNSOX said the decision of the justices in the case referred to by the honorable member for Bui la was wrong, and His Honour Mr. Justice Hodges felt himself bound to adhere to it, because he treated it as a decision on the facts. Re garding the

justices as aj jury, His Honour said, I cannot upset the find...

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