

VICTORIA



VOTES

AND

PROCEEDINGS

OF THE

LEGISLATIVE

COUNCIL.

SESSION

1884

VICTORIA.



VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

DURING THE SESSION

1884,

WITH COPIES OF THE VARIOUS DOCUMENTS ORDERED BY
THE COUNCIL TO BE PRINTED.

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1884.

RETURN OF MEMBERS OF THE LEGISLATIVE COUNCIL AT THE OPENING OF PARLIAMENT, 10TH JUNE, 1884.

Names arranged in Order of Retirement.	Elected at—		Dates of Retirement.	Remarks.
	Nomination.	Polling.		
MELBOURNE PROVINCE :				
The Honorables—				
James Lorimer	17 Aug. 1880	...	1890	Assigned from original Central Province.
William Edward Hearn ... ..	...	27 Aug. 1878	1888	
Cornelius Job Ham ... ..	...	30 Nov. 1882	1886	
NORTH YARRA PROVINCE :				
The Honorables—				
Francis Edis Beaver ... ..	...	30 Nov. 1882	1888	Elected in place of the Hon. T. J. Sumner, assigned from original Central Province, and whose seat was vacated by absence for a whole session without permission of the Council.
George Meares, C.M.G. ... ..	...	30 Nov. 1882	1886	
James George Beaney ... ..	...	6 Mar. 1883	1884	
SOUTH YARRA PROVINCE :				
The Honorables—				
James Graham	15 Aug. 1876	...	1886	Assigned from original Central Province.
James MacBain	17 Nov. 1882	...	...	Assigned from original Central Province, retired by rotation, and re-elected to South Yarra Province.
Frederick Thomas Sargood	27 Nov. 1883	...	...	Accepted of an office of profit and re-elected. <small>NOTE.—The Hons. J. MacBain and F. T. Sargood having been elected without a poll having taken place, the date of their retirement to be decided by lot.</small>
SOUTHERN PROVINCE :				
The Honorables—				
Sir William John Clarke, Bart.	17 Aug. 1878	...	1888	Assigned from original South Province.
Donald Melville ... ..	...	30 Nov. 1882	1886	Assigned from original South Province.
Thomas Ferrier Hamilton	18 Aug. 1874	...	1884	
SOUTH-EASTERN PROVINCE :				
The Honorables—				
James Balfour	17 Aug. 1880	...	1890	Assigned from original South Province.
Frank Stanley Dobson	17 Nov. 1882	...	1888	Assigned from original South Province, retired by rotation, and re-elected for the South-Eastern Province.
James Buchanan... ..	...	29 Aug. 1876	1886	Assigned from original South Province.
NELSON PROVINCE :				
The Honorables—				
James Williamson ... ..	...	30 Nov. 1882	1888	Assigned from original Western Province, elected in place of the Hon. R. Simson retired by rotation from such Province.
Holford Highlord Wettenhall	28 Dec. 1882	...	1886	Elected on the resignation and in the place of The Hon. Sir C. Sladen, assigned from original Western Province.
Thomas Bromell ... ..	...	11 Sept. 1874	1884	Assigned from original Western Province.
WESTERN PROVINCE :				
The Honorables—				
Thomas Forrest Cumming ... ..	...	2 May 1881	1890	Assigned from original Western Province.
William Ross	29 Aug. 1878	...	1888	
Nathan Thornley	17 Nov. 1882	...	1886	
WELLINGTON PROVINCE :				
The Honorables—				
James Campbell	22 April 1884	...	1888	Elected in place of Hon. F. Ormond, assigned from original South-Western Province, and who retired by rotation from such Province; accepted an office of profit and re-elected.
George Frederick Belcher... ..	...	4 Sept. 1876	1886	Assigned from original South-Western Province.
Henry Cuthbert	20 Mar. 1880	...	1884	
SOUTH-WESTERN PROVINCE :				
The Honorables—				
Philip Russell ... ..	...	4 Sept. 1880	1890	Assigned from original South-Western Province.
Caleb Joshua Jenner	24 Aug. 1878	...	1888	
Francis Ormond ... ..	...	30 Nov. 1882	1886	

RETURN OF MEMBERS—*continued.*

Names arranged in Order of Retirement.	Elected at—		Dates of Retirement.	Remarks.
	Nomination.	Polling.		
NORTH-EASTERN PROVINCE :				
The Honables—				
Patrick Hanna	17 Nov. 1882	...	1888	The Hon. F. Brown elected in place of the Hon. R. S. Anderson, deceased, who with the Hon. J. A. Wallace was assigned from original Eastern Province.
Frederick Brown ... ..	...	27 Nov. 1883	1886	
John Alston Wallace	5 Sept. 1874	...	1884	
GIPPSLAND PROVINCE :				
The Honables—				
William McCulloch ... ..	...	16 Sept. 1880	1890	Assigned from original Eastern Province.
John George Dougharty ... ..	...	7 Aug. 1880	1888	
William Pearson... ..	17 Nov. 1882	...	1886	
NORTH-CENTRAL PROVINCE :				
The Honables—				
William Austin Zeal	17 Nov. 1882	...	1888	Elected for original North-Western Province (6th May 1882) in place of the Hon. W. Campbell, resigned; assigned to North-Central Province, retired by rotation, and re-elected.
William Edward Stanbridge ... ..	...	15 Dec. 1881	1886	
Nicholas Fitzgerald	4 Sept. 1874	...	1884	
NORTHERN PROVINCE :				
The Honables—				
Sir William Henry Fancourt Mitchell	4 Sept. 1880	...	1890	Assigned from original North-Western Province.
Francis Robertson ... ..	...	16 Sept. 1878	1888	
David Chaplin Sterry ... ..	...	30 Nov. 1882	1886	
NORTH-WESTERN PROVINCE :				
The Honables—				
James Bell ... ..	...	30 Nov. 1882	1888	
David Coutts ... ..	...	30 Nov. 1882	1886	
George Young ... ..	...	30 Nov. 1882	1884	

JOHN BARKER,
Clerk of the Legislative Council.

Legislative Council,
Melbourne, 10th June, 1884.

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OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 10TH JUNE, 1884.

1. The Council met, pursuant to the Proclamation of His Excellency the Administrator of the Government, bearing date the 14th day of May, 1884, which Proclamation was read by the Clerk, and is as follows:—

PROCLAMATION

By His Excellency the Honorable Sir WILLIAM FOSTER STAWELL, Knight, the Chief Justice of the Colony of Victoria, and Administrator of the Government of the said Colony, &c., &c., &c.

WHEREAS by *The Constitution Act* it was amongst other things enacted that it should be lawful for the Governor to fix such places within Victoria, and, subject to the limitation therein contained, such times for holding the first and every other Session of the Council and Assembly, and to vary and alter the same respectively in such manner as he might think fit; and also from time to time to prorogue the said Council and Assembly, and to dissolve the said Assembly, by Proclamation or otherwise, whenever he should deem it expedient: And whereas the said Council and Assembly, called "The Parliament of Victoria," stand prorogued until Tuesday the twentieth day of May instant: And it is expedient further to prorogue the same, and to fix the time for holding the next Session thereof: Now therefore I, the Administrator of the Government of Victoria, in exercise of the power conferred by the said Act, do by this my Proclamation further prorogue the said Parliament of Victoria from Tuesday the twentieth day of May instant, until Tuesday the tenth day of June next ensuing; and also I do hereby fix Tuesday the tenth day of June aforesaid as the time for the commencement and holding of the next Session of the said Council and Assembly, called the Parliament of Victoria, for the despatch of business, at Two o'clock in the afternoon, in the Parliament Houses, situate in Parliament-place, Spring-street, in the City of Melbourne: And the Honorable the Members of the Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

Given under my Hand and the Seal of the Colony, at Melbourne, this fourteenth day of May, in the year of our Lord One thousand eight hundred and eighty-four, and in the forty-seventh year of Her Majesty's reign.

(L.S.)

W. F. STAWELL.

By His Excellency's Command,
JAMES SERVICE,
Premier.

GOD SAVE THE QUEEN!

2. APPROACH OF THE ADMINISTRATOR OF THE GOVERNMENT.—The approach of His Excellency the Administrator of the Government was announced by the Usher.

His Excellency came into the Council Chamber, and commanded the Usher to desire the attendance of the Legislative Assembly in the Council Chamber, who, being come with their Speaker, His Excellency was pleased to speak as follows:—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

You will have learned with regret the great loss sustained by Her Majesty the Queen in the death of His Royal Highness the Duke of Albany. My Advisers, on receipt of the sad intelligence, immediately despatched a telegram on behalf of the people of Victoria respectfully expressing their sincere condolence with Her Majesty on her lamentable bereavement, the receipt of which Her Majesty has graciously acknowledged.

I am happy to inform you that the Australasian Convention, held in Sydney, for the purpose of considering the two questions of the Annexation of New Guinea and the Pacific Islands, and the Federation of the Australasian Colonies, unanimously arrived at important conclusions. The Minutes of the Proceedings will be laid before you, and you will be asked to endorse the resolutions adopted by the Convention.

The delegates at the Convention protested in the strongest manner against the declared intention of the Government of France to transport large numbers of relapsed criminals to the French possessions in the Pacific, and urged Her Majesty's Imperial Government to use every means in its power to prevent the adoption of a course so disastrous to the interests of Australasia; should, unfortunately, the protest of the Australasian Convention, the diplomatic action of the Imperial Government, and the unceasing exertions of my Advisers and the Governments of the other Colonies prove ineffective, my Advisers will be prepared to adopt such measures as the threatened danger may render necessary.

The appointments of the Commissioners required to give effect to the Railways Commissioners Act and the Public Service Act were made early in the present year. The gentlemen selected to fill the onerous offices thus created are now actively engaged in the work necessary to effectively carry out the duties imposed upon them by Parliament.

The Mallee Pastoral Leases Act, passed last session, has fully realized the intentions of Parliament, and proved entirely successful in its operation. The mallee blocks and nearly all the mallee allotments have been applied for, and are now in the occupation of substantial tenants under lease. Not only has the territory previously abandoned been taken up under the Act, but an area of four millions of acres never before occupied has been leased under its provisions. The work of reclamation has commenced on a large scale, and in all probability the whole of the mallee country will soon be rendered productive.

The several bodies entrusted with the conservation of water have taken full advantage of the increased powers conferred upon them by the Amending Statute, and concerted enterprises for the purposes of irrigation are already proposed in accordance with its provisions.

Shortly after the arrival of the Imperial military officers, the Council of Defence was constituted. I am happy to inform you that the enrolment of the Militia Force is steadily proceeding. Classes for military instruction have been initiated, cadet corps are being formed and rifle clubs established in many parts of the country. The fortifications recommended by Sir William Jervis are in course of completion, and the arrival of our powerful gun-boats may be expected towards the end of the month.

The Calcutta Exhibition afforded to our producers an opportunity of competing in a new market: of this opportunity they heartily availed themselves, and with such success that they have secured a large proportion of the honours awarded. For this encouraging result we are in a great degree indebted to the energy and ability displayed by the President and other members of the Commission appointed to represent Victoria.

In accordance with the promise made by my Advisers, I have issued a Commission to inquire into the treatment of the Insane, both in public and private institutions.

I expect shortly to receive the final Reports of the Education Commission and Shops Commission, which will then be laid before you for your consideration.

An abundant harvest, expanding commerce, and progressive industrial development have combined, under the blessing of Providence, to secure for the Colony a period of general prosperity.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

The Estimates for the coming year will be duly laid before you. They have been carefully framed with such regard for economy as is consistent with the efficiency of the Public Service.

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

A measure will be submitted to you, dealing in a comprehensive manner with the whole question of the utilization of the remaining Crown lands of the Colony.

Proposals for a considerable extension of our Railway system will be submitted to you without delay. There are still many districts in the Colony of which the advancement is retarded and the prosperity injuriously affected by the absence of Railway communication; it is also desirable that the large quantity of permanent-way material and rolling stock which has been obtained should be utilized as soon as possible.

An amendment of the Licensing Act has become necessary, and a Bill will be laid before you with a view to ensure a stricter regulation of the liquor traffic, and to make provision for a reduction in the number of public-houses.

The evidence submitted to the Shops Commission respecting the deficiencies of the present Factory Act, and the hours of labour in shops, has been taken into consideration, and a measure has been prepared dealing with this question.

A Bill will be introduced to amend the law relating to Banking Institutions, which recent experience has shown to be required.

A measure will be submitted for your consideration having for its object the consolidation and further amendment of the laws relating to Merchant Shipping and Seamen.

The importation, manufacture, custody, and employment of certain explosives are surrounded with so much peril to the community, that better provision is required for the protection of life and property, and stringent legislation on this subject will be proposed accordingly.

You will be asked to consider a Bill to provide for Mining on Private Property, embodying the principles discussed last Session; also Bills for the Protection of Women and for the amendment of the law relating to the Property of Married Women. An amendment of the Rabbit Bill, so as to secure the more effectual repression of that pest; measures for the conservation of State Forests, the constitution of a Metropolitan Board of Works, together with Bills for the legalization of Trades Unions, an amendment of the Patent Laws, a limitation of the number of Justices of the Peace, a Dog Bill, and a number of other practical measures, will be submitted to you; and I trust that, under the blessing of Divine Providence, the coming Session may prove as fruitful of useful legislation as that upon which you were congratulated some months ago.

Which being concluded, a copy of the Speech was delivered to the President, and a copy to Mr. Speaker, and the Legislative Assembly withdrew.
His Excellency the Administrator of the Government left the Council Chamber.

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

4. DECLARATIONS OF MEMBERS.—The Honorables the President, J. Balfour, J. G. Beaney, F. E. Beaver, J. Bell, T. Bromell, James Buchanan, Sir W. J. Clarke, Bart., David Coutts, H. Cuthbert, J. F. Cumming, Dr. Dobson, N. Fitzgerald, C. J. Ham, J. Graham, P. Hanna, W. E. Hearn, J. Lorimer, J. MacBain, W. McCulloch, D. Melville, W. Pearson, Francis Robertson, Philip Russell, W. E. Stanbridge, Holford H. Wettenhall, Jas. Williamson, W. A. Zeal, Wm. Ross, N. Thornley, Geo. Meares, and G. F. Belcher severally delivered to the Clerk the declaration required by the thirteenth clause of the Act 45 Victoria, No. 702, as hereunder set forth :—

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, WILLIAM HENRY FANCOURT MITCHELL, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Fifteen hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Metcalfe, and are known as Four thousand seven hundred acres, of the Barfold Estate, in the parish of Emberton, in the county of Dalhousie, in my own occupation.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Metcalfe are rated in the rate-book of such district upon a yearly value of One thousand five hundred pounds.

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

“W. H. F. MITCHELL.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, JAMES BALFOUR, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Four hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Prahran, and are known as house and grounds known as Tyalla, Toorak.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of such district upon a yearly value of Four hundred pounds.

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

“JAMES BALFOUR.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, JAMES GEORGE BEANEY, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Nine hundred and twenty-eight pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Melbourne, and are known as 44, 46, 48, and 50 Russell-street, and 114, 116, and 119 Collins-street east, in the city of Melbourne.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Melbourne are rated in the rate-book of such district upon a yearly value of Seven hundred and fifty pounds.

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

“JAMES GEO. BEANEY, M.D.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, FRANCIS EDIS BEAVER, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of the borough of Northcote, and are known as—

“Thirty acres of freehold land, more or less, with residences and out-offices erected thereon, situated at High-street, Northcote, and in my own occupation.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Borough of Northcote are rated in the rate-book of such district upon a yearly value of One hundred and fifty pounds.

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

“F. E. BEAVER.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, JAMES BELL, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and twenty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of borough of Dunolly, and are known as—

“Crown allotments 4, 5, 6, 7, and 9 of section 26, town of Dunolly.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of borough of Dunolly are rated in the rate-book of such district upon a yearly value of One hundred and twenty pounds.

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

“JAMES BELL.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, THOMAS BROMELL, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Fifteen hundred and sixty-three pounds ten shillings, above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Dundas, and are known as Hensley Park freehold estate.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Dundas are rated in the rate-book of such district upon a yearly value of £1563 10s.

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

“THOS. BROMELL.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, JAMES BUCHANAN, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred and twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Berwick, and are known as Harkaway, near Berwick, and now in the occupation of Ralph Brunt.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Berwick are rated in the rate-book of such district upon a yearly value of Two hundred and twenty-five pounds.

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

“JAMES BUCHANAN.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, WILLIAM JOHN CLARKE, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Nine hundred and eighty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further that such lands or tenements are situated in the municipal district of Merriang, and are known as—Three thousand eight hundred and ninety-three acres of land, shire of Merriang, parishes of Kalkallo and Mickleham.

“And I further declare that such of the said lands or tenements as are situated in the municipal district of Merriang are rated in the rate-book of such district upon a yearly value of Nine hundred and eighty pounds.

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

“W. J. CLARKE.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, DAVID COUTTS, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and twelve pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of East Loddon and Korong shires, and are known as 240 acres land, parish of Hayanmi, shire of East Loddon; 320 acres land, parish of Powlett; and 273 acres of land, parish of Salisbury West, shire of Korong.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of East Loddon are rated in the rate-book of such district upon a yearly value of Twenty-four pounds; and that such of the said lands or tenements as are situate in the municipal district of Korong are rated in the rate-book of such district upon a yearly value of Eighty-eight pounds; 240 acres of land, parish of Hayanmi, East Loddon shire; 320 acres of land, parish of Powlett; and 273 acres land, parish of Salisbury West, Korong shire.

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

“DAVID COUTTS.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, HENRY CUTIBERT, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the parishes of Cardigan, Burrumbet, and Ballarat, in the counties of Grenville and Ripon, the description of which lands and tenements are as follows:—

“Allotment 6 of sec. 11, Cardigan, county of Grenville.

“Allotment 2 of sec. 14, parish of Cardigan, county of Grenville.

“Part of allotment 4 of sec. 9, city of Ballarat, county of Grenville.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Ballarat and the shire of Ballarat are rated in the rate-book of such district upon a yearly value of £250.

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

“HENRY CUTHBERT.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, THOMAS FORREST CUMMING, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Three hundred and eighty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Malvern, and are known as Chesterfield, corner of Glenferrie and Toorak roads, part of section 24, parish of Prahran, shire of Malvern, and in the electoral division of Gardiner.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Malvern are rated in the rate-book of such district upon a yearly value of Three hundred and eighty pounds.

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

“THOS. F. CUMMING.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, FRANK STANLEY DOBSON, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Three hundred and seventy pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Hawthorn and Prahran, and are known as—

“House, Yarra-street, in the occupation of Joseph Raleigh; land in Yarra-street, aforesaid, in my own occupation; house in Church-street, Hawthorn, in the occupation of Mrs. M. A. Gilbert; and house in Darling-street, Prahran, in my own occupation.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Hawthorn are rated in the rate-book of such district upon a yearly value of Two hundred and forty pounds, and that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of such district upon a yearly value of One hundred and thirty pounds.

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

“F. STANLEY DOBSON.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, NICHOLAS FITZGERALD, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situate in the municipal districts of Castlemaine and St. Kilda, and are known as—

“Malt-houses, dwelling-houses at Castlemaine, in the county of Talbot, and at Alma Road, St. Kilda, in the county of Bourke.

“And I further declare that such of the said lands or tenements as are situate in the municipal districts of Castlemaine and St. Kilda are rated in the rate-book of such districts upon a yearly value of One thousand and eighty pounds.

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

“N. FITZGERALD.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, CORNELIUS JOB HAM, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Five hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Prahran, and are known as—

“Dwelling-house and premises (known as ‘Lalbert’) situated in the Orrong-road, Prahran, with about eleven acres of land, in my own occupation.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of such district upon a yearly value of Four hundred and fifteen pounds.

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

“C. J. HAM.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, JAMES GRAHAM, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Melbourne, and are known as stores and offices occupied by the firm of Graham Brothers and Company.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Melbourne are rated in the rate-book of such district upon a yearly value of Two hundred and fifty pounds.

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

“JAS. GRAHAM.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, PATRICK HANNA, of William-street, Melbourne, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Five hundred and seventy-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Melbourne, and are known as—

“121, 123, 125, 127, William-street and LaTrobe-street, Melbourne, and Alliance Engineering Workshops, LaTrobe-street, and the Royal Mint Foundry, 107 Little Lonsdale-street, city of Melbourne, and other freehold property in Victoria not requisite in this declaration.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Melbourne are rated in the rate-book of such district upon a yearly value of Five hundred and seventy-five pounds.

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

“PATRICK HANNA.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, WILLIAM EDWARD HEARN, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of upwards of One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Flinders and Kangerong, and are known as allotments 22 and part of 29 Wannaeue.

“And I further declare that such of the said lands or tenements as are situated in the municipal district of Flinders and Kangerong are rated in the rate-book of such district upon a yearly value of One hundred and thirty pounds.

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

“W. E. HEARN.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, JAMES LORIMER, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Four hundred and seventy pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment, and further, that such lands or tenements are situated in the municipal district of Malvern, and are known as Belcroft, Albany-road, Toorak, in my own occupation.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Malvern are rated in the rate-book of such district upon a yearly value of Four hundred and seventy pounds.

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

“JAMES LORIMER.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, JAMES MACBAIN, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Three hundred and eighty pounds, above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment, and further, that such lands or tenements are situated in the municipal district of Prahran, and are known as land containing 7 acres 2 roods and 5 perches or thereabouts, part of Crown portion 27, in parish of Prahran, county of Bourke, with dwelling-house, out-houses, stable, &c., &c., erected thereon, in my own occupation.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of such district upon a yearly value of Three hundred and eighty pounds.

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

“JAS. MACBAIN.”

"In compliance with the provisions of the Act 45 Victoria, No. 702, I, WM. McCULLOCH, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred and ninety-eight pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Broadmeadows, and are known as Glenroy.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Broadmeadows are rated in the rate-book of such district upon a yearly value of £298.

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

"WM. McCULLOCH."

"In compliance with the provisions of the Act 45 Victoria, No. 702, I, DONALD MELVILLE, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and seventy pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Brunswick and Pyalong, and are known as—

"House and twenty acres land situate in Albion-street west, Brunswick, house and land in Hope-street, Brunswick, one acre land, Stewart and Albion streets, Brunswick, and (206) two hundred and six acres land near Lancefield, and situate within the Shire of Pyalong.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Brunswick are rated in the rate-book of such district upon a yearly value of One hundred and forty-two pounds, and that such of the said lands or tenements as are situate in the municipal district of Pyalong are rated in the rate-book of such district upon a yearly value of Twenty-eight pounds.

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

"D. MELVILLE."

7 June '84.

"In compliance with the provisions of the Act 45 Victoria, No. 702, I, WILLIAM PEARSON, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two thousand nine hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Rosedale, and are known as—

"Kilmany Park, near Sale, containing 14,741 acres more or less freehold land.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Rosedale are rated in the rate-book of such district upon a yearly value of Two thousand nine hundred pounds; and that such of the said lands or tenements as are situate in the municipal district of Rosedale are rated in the rate-book of such district upon a yearly value of £2,900.

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

"WM. PEARSON."

"In compliance with the provisions of the Act 45 Victoria, No. 702, I, FRANCIS ROBERTSON, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Three hundred and forty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Essendon, and are known as house and land, Buckley street and Mount Alexander road, in my own occupation.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Essendon are rated in the rate-book of such district upon a yearly value of Three hundred and forty-five pounds, and that such of the said lands or tenements as are situate in the municipal district of Essendon are rated in the rate-book of such district upon a yearly value of Three hundred and forty-five pounds.

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

"FRANCIS ROBERTSON."

"In compliance with the provisions of the Act 45 Victoria, No. 702, I, PHILIP RUSSELL, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Ripon, and are known as lands in the parishes of Carngham and Chepstowe, in the county of Ripon, in my own occupation.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Ripon are rated in the rate-book of such district upon a yearly value of Two hundred and fifty pounds.

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

“PHILIP RUSSELL.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, WILLIAM EDWARD STANBRIDGE, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred and forty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Daylesford, and are known as allotment 4 of section 6, township of Daylesford.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Daylesford are rated in the rate-book of such district upon a yearly value of Two hundred and forty pounds.

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

“W. E. STANBRIDGE.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, HOLFORD HIGHLORD WETTENHALL, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Stawell shire, and are known as—

“Karra Karra Freehold Estate.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Stawell shire are rated in the rate-book of such district upon a yearly value of One hundred and three pounds.

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

“HOLFORD H. WETTENHALL.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, JAMES WILLIAMSON, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Four hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Prahran, and are known as—

“‘Tintern,’ Toorak.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of such district upon a yearly value of Four hundred pounds.

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

“JAS. WILLIAMSON.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, WILLIAM AUSTIN ZEAL, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria, of the yearly value of Six hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of South Melbourne and Prahran, and are known as—

“Crown allotment, section L, parish of South Melbourne.

“Crown allotments Nos. 3 and 4, section I, parish of South Melbourne.

“Parts of Crown portion 17 and 18, parish of Prahran.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of South Melbourne are rated in the rate-book of such district upon a yearly value of £351; and that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of such district upon a yearly value of £304.

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

“W. A. ZEAL.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, WILLIAM ROSS, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two thousand and sixty-nine pounds, above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Mount Rouse, and are known as the Gums Estate.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Mount Rouse are rated in the rate-book of such district upon a yearly value of Two thousand and sixty-nine pounds.

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

“ Wm. ROSS.”

“ In compliance with the provisions of the Act 45 Victoria, No. 702, I, NATHAN THORNLEY, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and thirty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Kew, Colac, Hamilton, and Portland, and are known as—

“ Part of Crown portion 71, parish of Boroondara, county of Bourke.

“ Part of Crown portion 17, parish of Cundare, county of Grenville.

“ Crown allotments 1, 2, 3, 4, 10, 10A, 51, 52, 55, 56, 57, 73, 74, 75, and 76, South Hamilton, county of Normanby.

“ Allotment 1 of sec. 7, township of Portland, county of Normanby.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Kew are rated in the rate-book of such district upon a yearly value of Eighty pounds, and that such of the said lands or tenements as are situate in the municipal district of Colac are rated in the rate-book of such district upon a yearly value of Twenty-five pounds, and that such of the said lands or tenements as are situate in the municipal district of Hamilton are rated in the rate-book of such district upon a yearly value of Twenty pounds, and that such of the said lands or tenements as are situate in the municipal district of Portland are rated in the rate-book of such district upon a yearly value of Five pounds.

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

“ N. THORNLEY.”

“ In compliance with the provisions of the Act 45 Victoria, No. 702, I, GEORGE MEARES, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Six hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Melbourne, and are known as—

“ James Dodshun and Co.’s warehouse, Little Flinders street, Melbourne.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of LaTrobe ward are rated in the rate-book of such district upon a yearly value of Five hundred and fifty pounds.

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

“ GEO. MEARES.”

“ In compliance with the provisions of the Act 45 Victoria, No. 702, I, GEORGE FREDERICK BELCHER, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Geelong North, and are known as :—

“ No. on roll 26, freehold, amount of rating £778 per annum.—Moorabool, Ryrie, and Little Malop streets, Villamanta Ward.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Geelong North are rated in the rate-book of such district upon a yearly value of Seven hundred and seventy-eight pounds.

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

“ G. F. BELCHER.”

5. **ISSUE AND RETURN OF WRITS.**—The President announced that he had received returns to the following Writs, issued by him during the recess, by which it appeared that the following gentlemen were duly elected for the several Provinces set opposite their respective names, viz. :—

Frederick Brown, Barrister-at-Law, for the North-Eastern Province.

Frederick Thomas Sargood, Merchant, for the South Yarra Province.

The Honorable James Campbell, Gentleman, for the Wellington Province.

6. **NEW MEMBERS.**—The Honorables F. Brown, F. T. Sargood, and J. Campbell being introduced took and subscribed the oath required by the 32nd clause of the Constitution Act, and severally delivered to the Clerk the declaration required by the thirteenth clause of the Act No. 702 as hereunder set forth :—

“ In compliance with the provisions of the Act 45 Victoria, No. 702, I, FREDERICK THOMAS SARGOOD, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Eight hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Caulfield, and are known as—

“ Forty-five acres of land and dwelling-house in East St. Kilda, known as Ripon Lea.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Caulfield are rated in the rate-book of such district upon a yearly value of Eight hundred pounds.

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

“F. T. SARGOOD.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, JAMES CAMPBELL, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and seventy-two pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of the shire of Bairnsdale, and are known as—

“Clifton Park Estate.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Bairnsdale are rated in the rate-book of such district upon a yearly value of One hundred and seventy-two pounds.

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

“JAMES CAMPBELL.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, FREDERICK BROWN, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Beechworth and Yackandandah, and are known as—

“Shrublands, and other tenements in Beechworth.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Beechworth are rated in the rate-book of such district upon a yearly value of One hundred and twenty pounds, and that such of the said lands or tenements as are situate in the municipal district of Yackandandah are rated in the rate-book of such district upon a yearly value of Fifteen pounds.

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

“FRED^K. BROWN.”

7. **STANDING ORDERS.**—The President announced that His Excellency the Governor had been pleased to approve of the Standing Orders adopted by the Council on the 23rd day of October, 1883.

8. **MESSAGE FROM HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT.**—The following Message from His Excellency the Administrator of the Government was presented by the Honorable F. T. Sargood, and the same was read, and is as follows:—

WILLIAM F. STAWELL,

Administrator of the Government.

Message No. 1.

The Administrator of the Government informs the Legislative Council that he has caused an Act intitled “*An Act to amend the Laws relating to Children and Wives, and to Divorce and Matrimonial Causes.*” which was reserved on the 3rd November last for the signification of Her Majesty’s pleasure thereon, and which received Her Majesty’s assent on the 4th March ultimo, to be proclaimed in the *Victoria Government Gazette*, a copy of which Proclamation is hereunto annexed.

Government Offices,

Melbourne, 9th June, 1884.

Ordered to lie on the Table, and, together with its enclosures, to be printed.

9. **PAPERS.**—The Honorable F. T. Sargood presented, by command of His Excellency the Administrator of the Government—

Australasian Convention, 1883.—Report of the Proceedings of the Convention of Delegates from all the Colonies of Australasia, held in Sydney, in November and December, 1883, to consider the subjects of the Annexation of Neighbouring Islands and the Federation of Australasia.

Tariff.—Minutes of the Proceedings of the Royal Commission 1881—1883.

Annexation, Federation, and Foreign Convicts.—Resolutions of Public Meetings, Municipal Bodies, etc., in support of the action taken by the Sydney Convention as to Annexation and Federation, and in Protest against the Deportation of Foreign Convicts to Neighbouring Islands.

Aborigines.—Nineteenth Report of the Board for the Protection of the

Sanatory Station.—Report for the Year ending 31st December, 1883.

Statistical Register of Victoria for the Year 1883—

Part I.—Blue Book.

Part VIII.—Interchange.

Part IX.—Religious, Moral, and Intellectual Progress.

Inspector of Mines.—Report of the Chief Inspector of Mines for the Year 1883.

Severally ordered to lie on the Table.

The Honorable N. Thornley presented, by command of His Excellency the Administrator of the Government—

Mining Surveyors and Registrars—Reports of—
 For the Quarter ended 30th September, 1883.
 For the Quarter ended 31st December, 1883.
 For the Quarter ended 31st March, 1884.

Agriculture.—Report of the Secretary for the Department of Agriculture for the Year 1883.
 Severally ordered to lie on the Table.

The Honorable F. T. Sargood presented pursuant to Act of Parliament—

Melbourne Harbour Trust—Accounts of, for the Quarter ended 31st December, 1883.
 Neglected and Criminal Children's Amendment Act 1874.—Regulations.—Orders in Council.
 Lunatic Asylums.—Return of the Inspector of Lunatic Asylums of the number of Patients visited and the number of Miles travelled by him during the six months ending 30th June, 1883.

Friendly Societies.—Fifth Annual Report of the proceedings of the Government Statist in connection with Friendly Societies. Report for the year 1882, to which are appended Valuations of Friendly Societies, Statistics of Friendly Societies, &c.

Census of Victoria 1881. Part VII.—Occupations of the People.
 Part VIII.—Sickness and Infirmary.

Severally ordered to lie on the Table.

10. MINING ON PRIVATE PROPERTY BILL.—The Honorable F. T. Sargood moved, That he have leave to bring in a Bill to provide for mining for Gold and Silver on Private Property.

Question—put and resolved in the affirmative.

Ordered—That the Honorable F. T. Sargood do prepare and bring in the Bill.

The Honorable F. T. Sargood then brought up a Bill intituled "*A Bill to provide for Mining for Gold and Silver on Private Property,*" and moved, That it be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday, the 17th instant.

11. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The President laid upon the Table the following Warrant appointing the Committee of Elections and Qualifications, viz.:—

VICTORIA.

Pursuant to the provisions of an Act of the Legislative Council of Victoria, passed in the nineteenth year of Her present Majesty's reign, intituled, "*An Act to provide for the Election of Members to serve in the Legislative Council and Legislative Assembly of Victoria respectively,*" I do hereby appoint—

The Honorable James Balfour,
 The Honorable George Frederick Belcher,
 The Honorable Henry Cuthbert,
 The Honorable William Edward Hearn,
 The Honorable James Lorimer,
 The Honorable George Meares, C.M.G.,

and

The Honorable Nathan Thornley,

to be Members of a Committee to be called "The Committee of Elections and Qualifications."

Given under my hand this 10th day of June, One thousand eight hundred and eighty four.

W. H. F. MITCHELL,
 President of the Legislative Council.

12. SPEECH OF HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT.—The President reported the Speech of His Excellency the Administrator of the Government.

The Honorable F. Brown moved, That a Committee be appointed to prepare an Address to His Excellency the Administrator of the Government in reply to His Excellency's Opening Speech.

Question—put and resolved in the affirmative.

The Honorable F. Brown moved, That the Committee consist of the Honorables James Lorimer, W. E. Hearn, N. Fitzgerald, J. Bell, J. G. Beaney, Jas. MacBain, J. Balfour, T. F. Cumming, and the Mover.

Question—put and resolved in the affirmative.

The Committee retired to prepare the Address.

The Honorable F. Brown brought up the Address prepared by the Committee, and moved, That it be received and taken into consideration to-morrow.

Question—put and resolved in the affirmative.

13. CHAIRMAN OF COMMITTEES.—The Honorable F. T. Sargood moved, by leave of the Council, That the Honorable Dr. Dobson be Chairman of Committees of the Council.

Question—put and resolved in the affirmative.

14. ADJOURNMENT.—The Honorable F. T. Sargood moved, That the Council, at its rising, adjourn until to-morrow at half-past four o'clock.

Question—put and resolved in the affirmative.

The Council adjourned at thirteen minutes past five o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
 Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 11TH JUNE, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. **THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.**—The President's Warrant, appointing "The Committee of Elections and Qualifications" was again laid upon the Table of the Council by the President.
5. **PAPERS.**—The Honorable F. T. Sargood presented, by command of His Excellency the Administrator of the Government—
 - Melbourne Mint—Despatch dated 30th October, 1883, from the Secretary of State for the Colonies, enclosing Thirteenth Report of the Deputy-Master of the Royal Mint, London, on the weight and fineness of gold coin struck at the Melbourne branch of the Royal Mint.
 - Shipping Returns—A General Summary of the Import, Export, Transhipment, and Shipping Returns, with an Abstract of Customs Revenue for the Year 1883; also Abstract Comparative Table, Years 1879–83, and Copy of the Victorian Tariff, &c., &c.
 - Land Acts—Report of Proceedings taken under the provisions of the Land Act 1869, the Land Act 1878, the Land Acts Amendment Act 1880, and the Land Act 1880, during the Year ending 31st December, 1883.
 Severally ordered to lie on the Table.
 - The Honorable F. T. Sargood presented, pursuant to Act of Parliament—
 - Public Accounts—General Regulations respecting.
 - Fisheries Act Amendment Act 1878—Notice of intention to prohibit fishing in portion of the Richardson river, at Donald.
 - University of Melbourne—Report of the Proceedings of the Council of, during the period beginning on the 1st day of June, 1882, and ending on the 31st day of October, 1883.
 - Melbourne Harbour Trust—Accounts of—for the quarter ended 30th September, 1883.
 - Pilot Board—Accounts of—for the year ended 31st August, 1883, together with the Audit Commissioners' Report thereon.
 Severally ordered to lie on the Table.
6. **STANDING ORDERS COMMITTEE.**—The Honorable F. T. Sargood moved, pursuant to notice, That the Honorables The President, Dr. Dobson, W. E. Hearn, C. J. Jenner, J. Lorimer, J. MacBain, and the Mover, be appointed a Select Committee on the Standing Orders of the House.
Question—put and resolved in the affirmative.
7. **PARLIAMENT BUILDINGS COMMITTEE (JOINT).**—The Honorable F. T. Sargood moved, pursuant to *amended* notice, That the Honorables the President, J. Balfour, W. Ross, N. Thornley, and C. J. Ham, be members of the Joint Committee of both Houses to manage and superintend the Parliament Buildings.
Question—put and resolved in the affirmative.
8. **LIBRARY COMMITTEE (JOINT).**—The Honorable N. Thornley moved, pursuant to notice, That the Honorables The President, N. Fitzgerald, J. Graham, H. Cuthbert, and J. Campbell, be members of the Joint Committee of both Houses to manage the Library.
Question—put and resolved in the affirmative.
9. **DAYS OF MEETING.**—The Honorable J. Campbell moved, pursuant to *amended* notice, That Tuesday, Wednesday, and Thursday in each week be the days on which the Council shall meet for despatch of business during the present Session, and that half-past four o'clock be the hour of meeting on each day; and that on Tuesday and Thursday in each week the transaction of Government business shall take precedence of all other business.
Question—put and resolved in the affirmative.
10. **PRINTING COMMITTEE.**—The Honorable N. Thornley moved, pursuant to notice, That the Honorables F. Ormond, T. F. Cumming, J. G. Beaney, W. McCulloch, and J. Bell, be appointed a Printing Committee.
Question—put and resolved in the affirmative.

11. LEAVE OF ABSENCE.—The Honorable J. MacBain moved, pursuant to notice, That leave of absence, during the remainder of the Session, be granted to the Honorable J. G. Dougharty.
Question—put and resolved in the affirmative.
12. INEBRIATES ACT AMENDMENT BILL.—The Honorable W. E. Hearn moved, pursuant to notice, That he have leave to bring in a Bill further to amend "*The Inebriates Act 1872.*"
Question—put and resolved in the affirmative.
Ordered—That the Honorable W. E. Hearn do prepare and bring in the Bill.
The Honorable W. E. Hearn then brought up a Bill intituled "*A Bill further to amend the Inebriates Act 1872,*" and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 17th June instant.
13. REFRESHMENT ROOMS COMMITTEE (JOINT).—The Honorable N. Thoruley moved, pursuant to amended notice, That the Honorables W. Pearson, G. F. Belcher, J. G. Beaney, J. Buchanan, and W. E. Stanbridge, be members of the Joint Committee of both Houses to manage the Refreshment Rooms.
Question—put and resolved in the affirmative.
14. ATTORNEYS AND SOLICITORS REMUNERATION BILL.—The Honorable James Campbell moved, pursuant to notice, That he have leave to bring in a Bill to provide for the Remuneration of Attorneys and Solicitors.
Question—put and resolved in the affirmative.
Ordered—That the Honorable James Campbell do prepare and bring in the Bill.
The Honorable James Campbell then brought up a Bill intituled "*A Bill to provide for the Remuneration of Attorneys and Solicitors,*" and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time, Tuesday, 24th June instant.
15. ADDRESS IN REPLY TO OPENING SPEECH OF HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT.—The Order of the Day for the consideration of the Report from the Committee appointed to prepare the Address in reply to the opening Speech of His Excellency the Administrator of the Government having been read, the Address was read, and is as follows:—

To His Excellency the Honorable Sir William Foster Stawell, the Chief Justice of the Colony of Victoria, and Administrator of the Government of the said Colony, &c., &c., &c.

We, Her Majesty's most dutiful and loyal subjects, the Members of the Legislative Council of Victoria, in Parliament assembled, beg leave to approach Your Excellency with renewed expressions of our loyalty and attachment to Her Majesty's Throne and Person.

We have learned with regret the great loss sustained by Her Majesty the Queen in the death of His Royal Highness the Duke of Albany. It affords us satisfaction to know that Your Excellency's Advisers, on receipt of the sad intelligence, immediately despatched a telegram on behalf of the people of Victoria, respectfully expressing their sincere condolence with Her Majesty on her lamentable bereavement; and we are pleased to learn that Her Majesty has graciously acknowledged the receipt of that expression of sympathy.

It has afforded us gratification to hear from Your Excellency that the Australasian Convention held in Sydney, for the purpose of considering the two questions of the Annexation of New Guinea and the Pacific Islands and the Federation of the Australasian Colonies, unanimously arrived at important conclusions. We are glad to be informed that the Minutes of the Proceedings will be laid before us, and we assure Your Excellency that the resolutions adopted by the Convention will receive our most earnest consideration.

We thank Your Excellency for informing us that the delegates at the Convention protested in the strongest manner against the declared intention of the Government of France to transport large numbers of relapsed criminals to the French possessions in the Pacific, and urged Her Majesty's Imperial Government to use every means in its power to prevent the adoption of a course so disastrous to the interests of Australasia. We are glad to know that should, unfortunately, the protest of the Australasian Convention, the diplomatic action of the Imperial Government, and the unceasing exertions of Your Excellency's Advisers and the Governments of the other Colonies prove ineffective, your Advisers will be prepared to adopt such measures as the threatened danger may render necessary.

It affords us satisfaction to know that early in the present year the appointments were made of the Commissioners required to give effect to the Railways Commissioners Act and the Public Service Act, and also that the gentlemen selected to fill the onerous offices thus created are now actively engaged in the work necessary to effectively carry out the duties imposed upon them by Parliament.

We are gratified to learn that the Mallee Pastoral Leases Act, passed last session, has fully realized the intentions of Parliament, and proved entirely successful in its operation, and that the Mallee Blocks and nearly all the Mallee Allotments have been applied for, and are now in the occupation of substantial tenants under lease. We are also gratified to learn that not only has the territory previously abandoned been taken up under the Act, but that an area of four millions of acres never before occupied has been leased under its provisions. It further affords us satisfaction to know that the work of reclamation has commenced on a large scale, and that in all probability the whole of the Mallee Country will soon be rendered productive.

We are pleased to hear that the several bodies entrusted with the Conservation of Water have taken full advantage of the increased powers conferred upon them by the Amending Statute, and that concerted enterprises for the purposes of irrigation are already proposed, in accordance with its provisions.

We thank Your Excellency for informing us that shortly after the arrival of the Imperial Military Officers the Council of Defence was constituted, and that the enrolment of the Militia Force is steadily proceeding; also, that classes for military instruction have been initiated, and that

Cadet Corps are being formed and Rifle Clubs established in many parts of the country. It also affords us satisfaction to know that the fortifications recommended by Sir William Jervois are in course of completion, and that the arrival of our powerful gun-boats may be expected towards the end of the month.

We are pleased to hear that the Calcutta Exhibition afforded to our producers an opportunity of competing in a new market, and that of this opportunity they heartily availed themselves, with such success that they have secured a large proportion of the honours awarded. We concur with Your Excellency that we are in a great degree indebted for this encouraging result to the energy and ability displayed by the President and other members of the Commission appointed to represent Victoria.

We thank Your Excellency for informing us that, in accordance with the promise made by your Advisers, a Commission has been issued to inquire into the treatment of the insane, both in public and private institutions.

We are glad to learn that Your Excellency expects shortly to receive the final reports of the Education Commission and Shops Commission, and that those reports will be laid before us.

We notice with satisfaction Your Excellency's statement that an abundant harvest, expanding commerce, and progressive industrial development have combined, under the blessing of Providence, to secure for the colony a period of general prosperity.

We are pleased to hear that a measure will be submitted to us dealing in a comprehensive manner with the whole question of the utilization of the remaining Crown lands of the colony.

We note with satisfaction that proposals for a considerable extension of our Railway system will be submitted to us without delay. We concur with Your Excellency that there are still many districts in the colony of which the advancement is retarded and the prosperity injuriously affected by the absence of railway communication, and that it is also desirable that the large quantity of permanent-way material and rolling stock which has been obtained should be utilized as soon as possible.

We concur with Your Excellency that an amendment of the Licensing Act has become necessary, and we are glad to learn that a Bill will be laid before us with a view to ensure a stricter regulation of the liquor traffic, and to make provision for a reduction in the number of public-houses.

We thank Your Excellency for informing us that the evidence submitted to the Shops Commission respecting the deficiencies of the present Factory Act, and the hours of labour in shops, has been taken into consideration, and that a measure has been prepared dealing with this question.

We are gratified to hear that a Bill will be introduced to amend the law relating to Banking Institutions, which recent experience has shown to be required.

We thank Your Excellency for informing us that a measure will be submitted for our consideration having for its object the consolidation and further amendment of the laws relating to Merchant Shipping and Seamen.

We concur with Your Excellency that the importation, manufacture, custody, and employment of certain explosives are surrounded with so much peril to the community that better provision is required for the protection of life and property, and it affords us satisfaction to know that stringent legislation on this subject will be proposed accordingly.

We also thank Your Excellency for informing us that we shall be asked to consider a Bill to provide for Mining on Private Property embodying the principles discussed last session; also Bills for the Protection of Women, and for the amendment of the law relating to the Property of Married Women. We are also pleased to learn that an amendment of the Rabbit Bill, so as to secure the more effectual repression of that pest; that measures for the conservation of State Forests, the constitution of a Metropolitan Board of Works, together with Bills for the legalization of Trades Unions, an amendment of the Patent Laws, a limitation of the number of Justices of the Peace, a Dog Bill, and a number of other practical measures, will be submitted to us; and we assure Your Excellency that these measures will receive our most earnest consideration.

We express our hope that, under the blessing of Divine Providence, the coming session may prove as fruitful of useful legislation as that upon which we were congratulated some months ago.

The Honorable F. Brown moved, That the Address be now adopted.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable F. Brown moved, That the Address be presented to His Excellency the Administrator of the Government by the President, and such Members as may desire to accompany him, at such time as

His Excellency may be pleased to receive the Address.

Question—put and resolved in the affirmative.

16. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave of the Council, That the House at its rising adjourn until Tuesday, 17th June instant.

Question—put and resolved in the affirmative.

The Council adjourned at twelve minutes past six o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 17TH JUNE, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. **THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.**—The President's Warrant, appointing "The Committee of Elections and Qualifications" was again laid upon the Table of the Council by the President.

5. **DECLARATIONS OF MEMBERS.**—The Honorables C. J. Jenner, J. A. Wallace, D. C. Sterry, and Francis Ormond severally delivered to the Clerk the declaration required by the thirteenth clause of the Act 45 Victoria, No. 702, as hereunder set forth :—

"In compliance with the provisions of the Act 45 Victoria, No. 702, I, **CALEB JOSHUA JENNER**, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of over One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Melbourne, and are known as :—

"No. 1. Shop and two houses, at the corner of King and Rosslyn streets, being Crown allotment 11, sec. 49, North Melbourne, county of Bourke.

"No. 2. Four shops, corner of King and La Trobe streets, portion of allotment No. 8, sec. 33, city of Melbourne, parish of North Melbourne.

"No. 3. Shop, corner King and La Trobe streets, part of allotment 18, sec. 31, city and parish of Melbourne, county of Bourke.

"No. 4. Shop, King-street, lot No. 6, of allotment No. 8, of sec. 17, city and parish of Melbourne.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Melbourne are rated in the rate-book of such district upon a yearly value of £424.

"No. 1. Rated in rate-book of the city of Melbourne, at One hundred and twenty-four pounds per annum.

"No. 2. Rated in rate-book of the city of Melbourne, at One hundred and fifty-six pounds per annum.

"No. 3. Rated in rate-book of the city of Melbourne, at Forty-four pounds per annum.

"No. 4. Rated in rate-book of the city of Melbourne, at One hundred pounds per annum.

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

"C. J. JENNER."

"In compliance with the provisions of the Act 45 Victoria, No. 702, I, **JOHN ALSTON WALLACE**, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of over Two hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Beechworth, Towong, and Port Melbourne, and are known as—

"No. 1. Lands and tenements situated at Wooragee, united shire of Beechworth, county of Bogong, area, 666a. Number in rate-book, 2157. Annual value, £63.

"No. 2. Lands and tenements situate near Bethanga, parish of Berringa, electoral district of Benambra, shire of Towong, area 639 acres 3 roods 39 perches. Number in rate-book, 1101. Annual value, £100.

"No. 3. Land and tenement, the Bay View Hotel, situate Beach-street, Port Melbourne (Sandridge), borough of Port Melbourne. Number in rate-book, 37. Annual value, £160.

"And I further declare that such of the said lands or tenements as are situate in the municipal districts of the united shire of Beechworth are rated in the rate-book of such district upon a yearly value of Sixty-three pounds, and that such of the said lands or tenements as are situate in the municipal district of Towong are rated in the rate-book of such district upon a yearly value of One hundred pounds, and that such of the said lands or tenements as are situate in the municipal district of Port Melbourne (Sandridge) are rated in the rate-book of such district upon a yearly value of One hundred and sixty pounds.

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

"JOHN A. WALLACE."

"In compliance with the provisions of the Act 45 Victoria, No. 702, I, DAVID CHAPLIN STERRY, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and eight pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Sandhurst, and are known as—

"Lands and buildings in Inglewood road, and land in Forest street, Sandhurst.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Sandhurst are rated in the rate-book of such district upon a yearly value of One hundred and eight pounds.

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

"D. C. STERRY."

"In compliance with the provisions of the Act 45 Victoria, No. 702, I, FRANCIS ORMOND, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Four hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Prahran, and are known as—

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of such district upon a yearly value of Four hundred and fifty pounds.

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

"FRANCIS ORMOND."

6. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Administrator of the Government—

Land Act 1869—Regulation—Order in Council.

Land Act 1869—Regulation—Order in Council.

Severally ordered to lie on the Table.

The Honorable F. T. Sargood presented, pursuant to Act of Parliament—

Victorian Military Forces—Regulations.

Ordered to lie on the Table.

7. PETITIONS.—The following Petitions expressing their conviction that the desire and intention of this House to give careful and impartial consideration to the Mining on Private Property Bill could be most clearly and effectually carried out by a reference of this Bill to a Select Committee, to be composed of Members chosen for their special acquaintance with the subject of mining, and the business and interests relating thereto, were presented as under :—

By the Honorable H. Cuthbert—

From the Members of the Board of Management of the Lady Hepburn Mining Company, No Liability.

From the Members of the Board of Management of the Hepburns Nos. 2 and 3 Gold Mining Company, No Liability.

Severally ordered to lie on the Table.

8. MARRIED WOMEN'S PROPERTY BILL.—The Honorable N. Thornley moved, pursuant to notice, That he have leave to bring in a Bill to consolidate and amend the Acts relating to the property of married women.

Question—put and resolved in the affirmative.

Ordered—That the Honorable N. Thornley do prepare and bring in the Bill.

The Honorable N. Thornley then brought up a Bill intituled "*A Bill to consolidate and amend the Acts relating to the Property of Married Women*," and moved, That it be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 24th June instant.

9. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, 1st July next :—

Mining on Private Property Bill.—To be read a second time.

10. **INEBRIATES ACT AMENDMENT BILL.**—The Honorable W. E. Hearn moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable W. E. Hearn moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable W. E. Hearn, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair ; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration Tuesday, 24th June instant.

11. **ADJOURNMENT.**—The Honorable F. T. Sargood moved, by leave of the Council, That the House, at its rising, adjourn until Tuesday, 24th June instant.

Question—put and resolved in the affirmative.

Council adjourned at eleven minutes past five o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 24TH JUNE, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. **PRESENTATION OF ADDRESS TO HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT.**—
The President announced to the Council that the Address of the Council to His Excellency the Administrator of the Government, adopted on the 11th instant, had been presented in accordance with the resolution of the Council, and that His Excellency had been pleased to make thereto the following reply :—
MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :
It affords me much gratification to receive your loyal Address, and to learn that your most earnest consideration will be given to the measures which may be submitted to you by my Advisers.
WILLIAM F. STAWELL.
Government Offices,
Melbourne, 18th June, 1884.
5. **PAPERS.**—The Honorable F. T. Sargood presented, by command of His Excellency the Administrator of the Government—
High Commissionership of the Western Pacific.—Despatch from the Secretary of State for the Colonies, suggesting an Australian Subsidy.
Royal Commission on Employés in Shops.—Final Report. Courts of Conciliation, with Minutes of Evidence, Appendix, &c.
Royal Commission on Employés in Shops.—Report on the operation of the Victorian Factory Act 1874, together with Minutes of Evidence, Appendix, &c.
Mineral Statistics of Victoria, for the Year 1883.
Severally ordered to lie on the Table.
The Honorable F. T. Sargood presented—
Supreme Court.—Regula Generalis, dated the 14th day of June, 1884.
Supreme Court.—The Judicature Act 1883. Rules of the Supreme Court 1884.
Severally ordered to lie on the Table.
6. **THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.**—The following members of the Committee of Elections and Qualifications, viz., the Honorable J. Balfour, the Honorable W. E. Hearn, the Honorable J. Lorimer, the Honorable G. Meares, C.M.G., and the Honorable N. Thornley, took the oath set forth in the Schedule to "The Electoral Act of 1856," at the Table of the Council, before the Clerk thereof.
7. **ATTORNEYS AND SOLICITORS REMUNERATION BILL.**—The Honorable James Campbell moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable J. Campbell moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable J. Campbell, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, on Wednesday, 2nd July next, again resolve itself into the said Committee.

8. MARRIED WOMEN'S PROPERTY BILL.—The Honorable N. Thornley moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable N. Thornley moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable N. Thornley, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.

Resolved—That the Council will, on Wednesday, 2nd July next, again resolve itself into the said Committee.

9. LEAVE OF ABSENCE—THE HONORABLE T. F. HAMILTON.—The Honorable J. Graham moved, pursuant to *amended* notice, That two months' leave of absence, from the 17th instant, be granted to the Honorable T. F. Hamilton, on account of continued ill-health in his family.

Question—put and resolved in the affirmative.

10. SEATS OF THE HONORABLES COLONEL SARGOOD AND J. G. BEANEY.—The Honorable W. E. Hearn moved, pursuant to *amended* notice, That the question, whether the Honorable Colonel Sargood and the Honorable Dr. Beaney have, since their respective elections, accepted any offices of profit under the Crown, whereby their seats in this House have become vacant, or whether either of them has so done, be referred to "The Committee of Elections and Qualifications."

Debate ensued.

Question—put and resolved in the affirmative.

11. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Wednesday, 2nd July next:—

Inebriates Act Amendment Bill—Adoption of Report.

12. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave of the Council, That the House, at its rising, adjourn until Wednesday, 2nd July next.

Question—put and resolved in the affirmative.

The Council adjourned at nineteen minutes to seven o'clock until Wednesday, 2nd July next, at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 2ND JULY, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. **DECLARATION OF MEMBER.**—The Honorable G. Young delivered to the Clerk the declaration required by the thirteenth clause of the Act 45 Victoria, No. 702, as hereunder set forth :—

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, GEORGE YOUNG, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and eighty-two pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Wimmera, and are known as—firstly, part of allotment 5 of section 1, town and parish of Horsham, county of Borung; secondly, allotment 3, parish of Kewell West, county of Borung.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Wimmera are rated in the rate-book of such district upon a yearly value of One hundred and eighty-two pounds.

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

“GEO. YOUNG.”

5. **THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.**—The following Members of the Committee of Elections and Qualifications, viz., the Honorable G. F. Belcher and the Honorable H. Cuthbert took the oath set forth in the Schedule to “The Electoral Act of 1856,” at the Table of the Council, before the Clerk thereof.
6. **THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.**—The President appointed to-morrow at 12 o'clock as the time and the Committee-room as the place of the first meeting of the said Committee.
7. **PETITIONS.**—The following Petitions, praying the House to amend the present Licensing Act, by striking out the portions of the Act empowering the issue of grocers' licenses, were presented by the Honorable Jas. Campbell as under :—

From certain members of the Victoria Tent Independent Order of Rechabites, Talbot.

From certain residents of Bungaree Junction.

Severally ordered to lie on the Table.

The Honorable D. Melville presented a Petition from William Marshall, styling himself chairman of a meeting held at Scott's Hotel, Melbourne, praying the House would, by passing the Bill introduced by the Honorable F. T. Sargood on the subject of Mining on Private Property, prevent in future the usurpation of the rights of the Crown, and the injury and damage and loss to the important mining industry of the colony, by preventing any charge upon the gross yield of gold or silver, and limiting all charges or rights of the freeholder to such as may be a fair, equitable, compensation for actual damage done or loss sustained by them through the occupation of their land for mining purposes.

Petition read, and ordered to lie on the Table.

A similar Petition was presented by the Honorable J. Lorimer from certain inhabitants of Melbourne, miners, and mining investors.

Ordered to lie on the Table.

The Honorable D. C. Sterry presented a Petition from certain residents of the important mining district of Sandhurst engaged in and otherwise dependent on mining, praying that the Mining on Private Property Bill as it now stands would receive the sanction of this House.

Petition read, and ordered to lie on the Table.

8. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Administrator of the Government—

Tuberculosis in Cattle.—Progress Report of the Board appointed to inquire relative to the existence and extent in Victoria of the disease in cattle known as Tuberculosis, whether its existence is likely to be detrimental to the public health, and what preventive means should be adopted.

Royal Commission on Employés in Shops.—Report on the Employment of Barmaids.

Severally ordered to lie on the Table.

The Honorable F. T. Sargood presented, pursuant to Act of Parliament—

Public Library, Museum, and National Gallery of Victoria.—Report of the Trustees, with the Reports of the Sectional Committees for 1883, &c., &c.

Ordered to lie on the Table.

9. ATTORNEYS AND SOLICITORS REMUNERATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same with amendments, the Council ordered the adoption of the Report to be made an Order of the Day for to-morrow; Bill, as amended, to be printed.

10. MARRIED WOMEN'S PROPERTY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.

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

11. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable James Buchanan, the following Order of the Day was read and discharged:—

"Inebriates Act Amendment Bill"—Adoption of Report.

12. INEBRIATES ACT AMENDMENT BILL.—The Honorable James Buchanan moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable James Buchanan, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with further amendments, the Council ordered the adoption of the Report to be made an Order of the Day for to-morrow.

Bill, as further amended, to be printed.

13. MINING ON PRIVATE PROPERTY BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.

The Honorable W. A. Zeal moved, That the debate be now adjourned until Wednesday, 9th July instant.

Debate ensued.

Question—That the debate be now adjourned until Wednesday, 9th July instant—put and resolved in the affirmative.

The Council adjourned at half-past six o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

VICTORIA.

No. 6.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 3RD JULY, 1884.

There being no quorum of Members present at the expiration of half an hour after the time appointed for the meeting of the Council, the President took the Chair, and, without question put, adjourned the Council to the next sitting day.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 8TH JULY, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITIONS.—The Honorable W. E. Stanbridge presented a Petition from the Newstead Loddon Leads Gold Mining Company, No Liability, under the corporate seal of the said Company, setting forth that the objects of the petitioner and the interests of many would best be served by the appointment of a Select Committee of this House to enquire into and to report on the whole question of Mining on Private Property, especially as to the customs in relation thereto that have long obtained, and the varying circumstances in connection therewith in each mining district in the colony.
Ordered to lie on the Table.
The Honorable W. E. Stanbridge presented a similar Petition from the Captain Hepburn Gold Mining Company, No Liability, Smeaton, under the corporate seal of the said company.
Ordered to lie on the Table.
The Honorable W. E. Stanbridge presented a Petition from The Hepburn Rocky Lead Gold Mining Company, No Liability, Mount Prospect, under the corporate seal of the said company, praying the House to consider the provisions of Wallace's Bill when dealing with the important matter of Mining on Private Property.
Ordered to lie on the Table.
5. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Administrator of the Government—
Western Pacific Orders in Council—Report of a Royal Commission appointed by the Imperial Government to inquire into the working of the Western Pacific Orders in Council, and the nature of the measures requisite to secure the attainment of the objects for which those Orders in Council were issued.
Ordered to lie on the Table.
The Honorable F. T. Sargood presented, pursuant to Act of Parliament—
Supreme Court—Regulæ Generales, dated the 1st day of July, 1884.
Ordered to lie on the Table.
6. ATTORNEYS AND SOLICITORS REMUNERATION BILL.—On the motion of the Honorable James Campbell, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable James Campbell, read a third time and *passed*.
The Honorable James Campbell moved, That the following be the title of the Bill:—“*An Act to provide for the Remuneration of Attorneys and Solicitors.*”
Question—put and resolved in the affirmative.
Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.
7. MARRIED WOMEN'S PROPERTY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

8. INEBRIATES ACT AMENDMENT BILL.—On the motion of the Honorable W. E. Hearn, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable W. E. Hearn, read a third time and *passed*.

The Honorable W. E. Hearn moved, That the following be the title of the Bill:—“*An Act further to amend ‘The Inebriates Act 1872.’*”

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.

The Council adjourned at two minutes past five o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 9TH JULY, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITIONS.—The Honorable J. A. Wallace presented a Petition from certain inhabitants of Sandy Creek and Newstead, miners and mining investors, praying that this House would, by passing the Bill introduced by the Honorable F. T. Sargood on the subject of Mining on Private Property, prevent in future the usurpation of the Rights of the Crown and the injury and damage and loss to the important mining industry of the colony, by preventing any charge upon the gross yield of gold or silver, and limiting all charges or rights of the freeholder to such as may be a fair equitable compensation for actual damage done or loss sustained by them through the occupation of their land for mining purposes.
Petition read, and ordered to lie on the Table.
Similar Petitions were presented as under :—
By the Honorable C. J. Ham—
From certain inhabitants of Melbourne and suburbs, miners and mining investors, and tradesmen.
By the Honorable C. J. Jenner—
From certain inhabitants of Melbourne and suburbs, miners, and mining investors.
Severally ordered to lie on the Table.
The Honorable D. C. Sterry presented a Petition from certain residents of the mining district of Sandhurst engaged in and otherwise dependent on mining, praying that the Mining on Private Property Bill, as it now stands, would receive the sanction of this House.
Ordered to lie on the Table.
The Honorable C. J. Ham presented a Petition from certain attorneys and solicitors of the Supreme Court, praying that the House would take such measures as might be necessary to procure the annulling of Order 65 of the new Rules to "*The Judicature Act 1883*," now lying on the Table of this House; and also that portion of such Rules which annuls the original Rules in so far as the same relates to Orders 63 and 64 forming part of the Schedule to such Act.
Petition read, and ordered to lie on the Table.
The Honorable J. Campbell presented a Petition from certain members of Pioneer Tent No. 3, I.O.R., Ballarat, praying the Council to amend the present Licensing Act by striking out the portions of the Act empowering the issue of grocers' licenses.
Ordered to lie on the Table.
5. STANDING ORDER (No. 58).—The Honorable H. Cuthbert moved, pursuant to *amended* notice, That Standing Order No. 58 of this Honorable House be referred to the Standing Orders Committee, with the view of their bringing up a report as to the advisability of rescinding or altering this rule.
Debate ensued.
Question—put and resolved in the affirmative.
6. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Wednesday, 16th July inst. :—
Mining on Private Property Bill—Adjourned debate on second reading.
7. MARRIED WOMEN'S PROPERTY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Council ordered the adoption of the report to be made an Order of the Day for to-morrow.—Bill, as amended, to be printed.

8. FEDERATION OF AUSTRALASIA.—The Honorable F. T. Sargood moved, pursuant to notice—

(1.) That this House, having had under consideration the following resolutions adopted at the Australasian Convention held in Sydney in November and December, 1883, namely :—

1. That further acquisition of dominion in the Pacific, south of the Equator, by any Foreign Power would be highly detrimental to the safety and well-being of the British possessions in Australasia, and injurious to the interests of the Empire.
2. That this Convention refrains from suggesting the action by which effect can best be given to the foregoing resolution, in the confident belief that the Imperial Government will promptly adopt the wisest and most effectual measures for securing the safety and contentment of this portion of Her Majesty's dominions.
3. That, having regard to the geographical position of the island of New Guinea, the rapid extension of British trade and enterprise in Torres Straits, the certainty that the island will shortly be the resort of many adventurous subjects of Great Britain and other nations, and the absence or inadequacy of any existing laws for regulating their relations with the native tribes, this Convention, while fully recognising that the responsibility of extending the boundaries of the Empire belongs to the Imperial Government, is emphatically of opinion that such steps should be immediately taken as will most conveniently and effectively secure the incorporation with the British Empire of so much of New Guinea and the small islands adjacent thereto as is not claimed by the Government of the Netherlands.
4. That although the understanding arrived at in 1878 between Great Britain and France, recognising the independence of the New Hebrides, appears to preclude this Convention from making any recommendation inconsistent with that understanding, the Convention urges upon Her Majesty's Government that it is extremely desirable that such understanding should give place to some more definite engagement, which shall secure those islands from falling under any foreign dominion; at the same time the Convention trusts that Her Majesty's Government will avail itself of any opportunity that may arise for negotiating with the Government of France, with the object of obtaining the control of those islands in the interests of Australasia.
5. That the Governments represented at this Convention undertake to submit and recommend to their respective Legislatures measures of permanent appropriation for defraying, in proportion to population, such share of the cost incurred in giving effect to the foregoing resolutions as Her Majesty's Government, having regard to the relative importance of Imperial and Australasian interests, may deem fair and reasonable.
6. That the Convention protests in the strongest manner against the declared intention of the Government of France to transport large numbers of relapsed criminals to the French possessions in the Pacific, and urges Her Majesty's Government to use every means in its power to prevent the adoption of a course so disastrous to the interests of Australasia and the Pacific Islands.
7. That the Convention expresses a confident hope that no penal settlement for the reception of European criminals will long continue to exist in the Pacific, and invites Her Majesty's Government to make to the Government of France such serious representations on this subject as may be deemed expedient—

records its entire approval of the said Resolutions.

(2.) That an Address be presented to His Excellency the Administrator of the Government, informing him of the foregoing resolution.

(3.) That an humble Address be presented to Her Majesty, praying that Her Majesty may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of constituting a Federal Council of Australasia upon the basis of the Draft Bill adopted by the Convention held in Sydney in the months of November and December, 1883.

Debate ensued.

Question—put and resolved in the affirmative.

9. FEDERATION OF AUSTRALASIA—ADDRESS TO THE QUEEN.—The Honorable F. T. Sargood moved, by leave of the Council, That the following Address to Her Majesty the Queen be now agreed to by the Council :—

To Her Most Gracious Majesty the Queen.

We, Your Majesty's faithful and dutiful subjects, the Members of the Legislative Council of Victoria, in Parliament assembled, approach Your Majesty's throne with feelings of loyalty, devotion, and attachment.

We pray that Your Majesty will be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of constituting a Federal Council of Australasia upon the basis of the Draft Bill adopted by the Convention held in Sydney in the months of November and December, 1883.

Question—put and resolved in the affirmative.

The Honorable F. T. Sargood moved, That an Address be presented to His Excellency the Administrator of the Government, requesting His Excellency to forward the foregoing Address to Her Majesty's Principal Secretary of State for the Colonies for presentation to Her Majesty.

Question—put and resolved in the affirmative.

10. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to facilitate the borrowing of money by the Melbourne Tramways Trust for the construction of Tramways,*" with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 9th July, 1884.

11. TRAMWAYS LOAN BILL.—The Honorable W. E. Hearn moved, That the Bill transmitted by the above Message, intituled “*An Act to facilitate the borrowing of money by the Melbourne Tramways Trust for the construction of Tramways,*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Wednesday, 16th July instant.
12. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave of the Council, that the House, at its rising, adjourn until Wednesday, 16th July instant.
Question—put and resolved in the affirmative.
- The Council adjourned at twenty-one minutes past ten o'clock until Wednesday, 16th July instant, at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 16TH JULY, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. **PRESENTATION OF ADDRESS TO HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT.**—
The President announced to the Council that he had presented to His Excellency the Administrator of the Government the Address agreed to by the Council on the 9th instant; and that His Excellency had been pleased to make the following reply thereto:—
MR. PRESIDENT AND HONORABLE GENTLEMEN :
I shall, with great pleasure, transmit your Address to Her Majesty's Principal Secretary of State for the Colonies for presentation to Her Majesty.
WILLIAM F. STAWELL.
Government Offices,
Melbourne, 11th July, 1884.
5. **PAPER.**—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—
Royal Commission on Education—Report of the Chairman of the Commissioners; Third and Final Report of the Commissioners; Memorandum by the Acting Chairman; and Memorandum by those Commissioners who have not signed the Report.
Ordered to lie on the Table.
6. **ADDRESS TO HIS EXCELLENCY SIR HENRY BROUGHAM LOCH.**—The Honorable F. T. Sargood moved, by leave, That the Council agree to the following Address to His Excellency Sir Henry Brougham Loch, on his assuming the office of Governor of this colony:—
To His Excellency Sir Henry Brougham Loch, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.
MAY IT PLEASE YOUR EXCELLENCY :
We, Her Majesty's faithful and loyal subjects, the Members of the Legislative Council of Victoria in Parliament assembled, desire to convey to Your Excellency the expression of our loyalty to Her Majesty's Throne, our affection to Her person, and our regard for the high office Her Majesty has been pleased to confer upon Your Excellency.
We beg that Your Excellency will receive our assurance that we shall at all times readily co-operate with Your Excellency in advancing the welfare of this part of Her Majesty's dominions, and in preserving the connection which exists with the mother country.
Question—put and resolved in the affirmative.
The Honorable F. T. Sargood moved, by leave, that the above Address be presented to His Excellency the Governor by the President and such Members of the Council as may desire to accompany him, at such time and place as His Excellency may be pleased to appoint.
Question—put and resolved in the affirmative.
7. **STANDING ORDERS COMMITTEE.**—The Honorable F. T. Sargood moved, by leave of the Council, That leave be given to the Standing Orders Committee to sit during any adjournment of the Council.
Question—put and resolved in the affirmative.
8. **PETITIONS.**—The Honorable W. E. Hearn presented a Petition from certain inhabitants of Melbourne and suburbs, miners and mining investors, praying that this House would, by passing the Bill introduced by the Honorable F. T. Sargood on the subject of Mining on Private Property, prevent in future the usurpation of the Rights of the Crown and the injury and damage and loss to the important mining industry of the colony, by preventing any charge upon the gross yield of gold or silver, and limiting all charges or rights of the freeholder to such as may be a fair equitable compensation for actual damage done or loss sustained by them through the occupation of their land for mining purposes.
Ordered to lie on the Table.

The Honorable W. A. Zeal presented a Petition from certain Gold Mining Companies, praying that the House would remit the consideration of "*The Mining on Private Property Bill*" to a Select Committee of this House, to take evidence thereon.
Petition read, and ordered to lie on the Table.

The Honorable James Campbell presented a Petition from certain residents of the City and Town of Ballarat, praying the House to amend the present Licensing Act by striking out the portions of the Act empowering the issue of grocers' licenses.
Ordered to lie on the Table.

9. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the 1st Order on the Paper for to-day be postponed until after the consideration of the 2nd Order for to-day.

10. TRAMWAYS LOAN BILL.—The Honorable W. E. Hearn moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable W. E. Hearn moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable W. E. Hearn, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same without amendment.

On the motion of the Honorable W. E. Hearn, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable W. E. Hearn, read a third time and *passed*.

The Honorable W. E. Hearn moved, That the following be the title of the Bill:—"An Act to facilitate the borrowing of money by the Melbourne Tramways Trust for the construction of Tramways."

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.

11. MINING ON PRIVATE PROPERTY BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read,

12. PETITION.—The Honorable N. Fitzgerald presented a Petition from certain residents of the Mining District of Castlemaine, praying that the Mining on Private Property Bill, as it now stands, would receive the sanction of this House.

Petition read, and ordered to lie on the Table.

13. MINING ON PRIVATE PROPERTY BILL.—The debate on the question, That this Bill be now read a second time, resumed.

The Honorable F. Brown moved, That the debate be adjourned until Tuesday next.

Question—That the debate be adjourned until Tuesday next—put and resolved in the affirmative.

14. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of One million and fifty-four thousand and ninety-five pounds to the service of the year One thousand eight hundred and eighty-four and five,*" with which they desire the concurrence of the Legislative Council.

PETER LALOR,

Legislative Assembly Chamber,

Speaker.

Melbourne, 16th July, 1884.

15. CONSOLIDATED REVENUE BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled "*An Act to apply out of the Consolidated Revenue the sum of One million and fifty-four thousand and ninety-five pounds to the service of the year One thousand eight hundred and eighty-four and five,*" be now read a first time.

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

The Honorable F. T. Sargood moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same without amendment.

On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.

The Honorable F. T. Sargood moved, That the following be the title of the Bill :—“ *An Act to apply out of the Consolidated Revenue the sum of One million and fifty-four thousand and ninety-five pounds to the service of the year One thousand eight hundred and eighty-four and five.*”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.

16. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave of the Council, that the Council, at its rising, adjourn until Tuesday, 22nd July instant.

Question—put and resolved in the affirmative.

17. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, 22nd July instant :—
Married Women's Property Bill—Adoption of Report.

The Council adjourned at eleven minutes past ten o'clock until Tuesday, 22nd July instant, at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

No. 10.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 22ND JULY, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PRESENTATION OF ADDRESS TO HIS EXCELLENCY SIR H. B. LOCH, K.C.B.—The President announced to the Council that he had presented to his Excellency Sir Henry B. Loch, K.C.B., the Address agreed to by the Council on the 16th instant, and that His Excellency had been pleased to make the following reply thereto:—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

It is with sincere pleasure I welcome your assurances that you will at all times readily co-operate with me in advancing the welfare of this part of Her Majesty's dominion. The magnificent reception which has been accorded me, in honour of the high office which, by Her Majesty's favour, I hold, shows how deeply imbued in the hearts of all classes of this great colony are the feelings of loyalty and attachment to the throne and Her Majesty's person, which find such graceful and earnest expression in the resolution of your Honorable House, and it will be my grateful duty to communicate to Her Majesty the sentiments embodied in your Address. The highest measure of success that any man filling a public position can hope to attain is to endeavour to discharge dispassionately, impartially, and to the best of his ability, the duties of his office, and thus it will always be my desire to act, in co-operation with you, in all that may advance the welfare of this colony.

Government Offices,
Melbourne, 17th July, 1884.

5. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable F. T. Sargood, and the same was read, and is as follows:—

HENRY B. LOCH,
Governor.

Message.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of Parliaments, viz. :—

“An Act to facilitate the borrowing of money by the Melbourne Tramways Trust for the construction of Tramways.”

“An Act to apply out of the Consolidated Revenue the sum of One million and fifty-four thousand and ninety-five pounds to the service of the year One thousand eight hundred and eighty-four and five.”

Government Offices,
Melbourne, 21st July, 1884.

6. STANDING ORDERS COMMITTEE.—The Honorable W. E. Hearn, Chairman, brought up a Report from this Committee.
Report read, and ordered to lie on the Table, and to be printed.
7. PAPERS.—The Honorable F. T. Sargood presented, by Command of His Excellency the Governor—
Reserved Lands in Victoria.—Reports by District Surveyors on the nature, extent, and condition of reserved lands within the districts under their charge.
Calcutta International Exhibition, 1883-4.—Report of the Royal Commission for Victoria at the Calcutta International Exhibition, 1883-4.
Severally ordered to lie on the Table.

The Honorable F. T. Sargood presented, pursuant to Act of Parliament—
Water Conservation Act 1881—Order in Council.—Regulations relating to Pumping Leases.
Mining Statute 1865—Order in Council. Mining Districts and Divisions—Alteration of Limits and Boundaries.
Severally ordered to lie on the Table.

8. PETITIONS.—The following Petitions praying that the Council would, by passing the Bill introduced by the Honorable F. T. Sargood, on the subject of Mining on Private Property, prevent in future the usurpation of the rights of the Crown, and the injury and damage and loss to the important mining industry of the colony, by preventing any charge upon the gross yield of gold or silver, and limiting all charges or rights of the freeholder to such as may be a fair equitable compensation for actual damage done or loss sustained by them through the occupation of their land for mining purposes, were presented as under:—

By the Honorable F. E. Beaver, from certain inhabitants of Richmond, miners, and mining investors.

By the Honorable F. E. Beaver, from certain inhabitants of Melbourne and Suburbs, miners, and mining investors.

By the Honorable James Williamson, from certain inhabitants of Ararat, miners, and mining investors, and freeholders.

By the Honorable F. Brown, from certain inhabitants of Reedy Creek, miners, and mining investors.

By the Honorable Geo. Meares, C.M.G., from certain inhabitants of Abbotsford, Richmond, and Melbourne, miners, and mining investors.

Severally ordered to lie on the Table.

9. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the first Order be postponed until after the consideration of the second Order for to-day.

10. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable N. Thornley, the following Order of the Day was read and discharged:—

“Married Women’s Property Bill”—Adoption of Report.

11. MARRIED WOMEN’S PROPERTY BILL.—The Honorable N. Thornley moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration of clauses 9 and 11.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable N. Thornley, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of clauses 9 and 11 of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.

Resolved—That the Council will, on Tuesday, 29th July instant, again resolve itself into the said Committee.

12. MINING ON PRIVATE PROPERTY BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read, Debate resumed.

The Honorable F. E. Beaver moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That the debate be adjourned until to-morrow.

Debate ensued.

Question—put and resolved in the affirmative.

13. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until to-morrow at five o’clock.

Question—put and resolved in the affirmative.

14. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to regulate the Practice of the Legal Profession,*” with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 22nd July, 1883.*

* Sic in orig.

15. LEGAL PROFESSION PRACTICE BILL.—The Honorable F. E. Beaver moved, That the Bill transmitted by the above Message, intituled “*An Act to regulate the Practice of the Legal Profession,*” be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 5th August next.

The Council adjourned at twenty-eight minutes past ten o’clock until to-morrow at five o’clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 23RD JULY, 1884.

1. The Council met in accordance with adjournment.
 2. The President took the Chair.
 3. The President read the prayer.
 4. PETITIONS.—The Honorable James Bell presented a Petition from certain residents of the mining district of Maryborough, engaged in and otherwise dependent on mining, praying that the Mining on Private Property Bill as it now stands would receive the sanction of the Council.
Ordered to lie on the Table.
The Honorable W. A. Zeal presented a Petition from William Bertram Ochiltree, of Park Hill, Joyce's Creek, landowner, praying that a provision be inserted in the Mining on Private Property Bill now before the Council to provide for cases similar to that of the petitioner, as set forth in the Petition; and also that such Bill might be referred to a Select Committee of the Council to take evidence and report thereon before such Bill is passed.
Ordered to lie on the Table.
 5. INDUSTRIAL AND REFORMATORY INSTITUTIONS.—The Honorable F. E. Beaver moved, pursuant to *amended* notice, That a Return be laid on the Table of the Council showing:—
 - (1.) Arrears due by persons who have been ordered to contribute towards the support of their children sent by order of benches of magistrates to the Industrial and Reformatory Institutions of the colony.
 - (2.) The periods in arrear on 30th June, 1884.
 - (3.) The number of children ordered into the institutions.
 - (4.) The number of persons indebted.
 - (5.) The reasons, if any, why the arrears are not collected.Question—put and resolved in the affirmative.
 6. MINING ON PRIVATE PROPERTY.—The Honorable H. Cuthbert moved, pursuant to notice, That a Return be laid on the Table of the Council, giving the names of the owners of private property engaged in mining for gold on private property, the number of men employed by them, the names of lessees engaged during the last six months in mining on private property, the date of lease, term and number of men employed, and the rent payable by them.
Debate ensued.
Question—put and resolved in the affirmative.
 7. MINING ON PRIVATE PROPERTY BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
Debate resumed.
Question—That this Bill be now read a second time—put and resolved in the affirmative.—Bill read a second time.
The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
 8. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 29th July instant.
Question—put and resolved in the affirmative.
- The Council adjourned at twenty-eight minutes past ten o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

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Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 29TH JULY, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. **PETITIONS.**—The Honorable Henry Cuthbert presented a Petition from John Magor, styling himself Chairman of the Mining Board of the Mining District of Ballarat, praying the House to give the suggestions set forth in the Petition favorable consideration, and cause such amendments to be made in the Bill as would render it suitable to the requirements of the mining community.
Petition read, and ordered to lie on the Table.
The Honorable James Campbell presented a Petition from certain inhabitants of Melbourne and suburbs, miners and mining investors, praying the Council would, by passing the Bill introduced by the Honorable F. T. Sargood on the subject of Mining on Private Property, prevent in future the usurpation of the rights of the Crown, and the injury and damage and loss to the important mining industry of the colony by preventing any charge upon the gross yield of gold or silver, and limiting all charges or rights of the freeholder to such as may be a fair equitable compensation for actual damage done or loss sustained by them through the occupation of their land for mining purposes.
Petition read, and ordered to lie on the Table.
5. **PAPER.**—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—
Post Office and Telegraph Department—Report upon the affairs of the—for the year 1883.
Ordered to lie on the Table.
6. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Council ordered that the consideration of the several Orders of the Day be postponed until after the consideration of the Notice of Motion on the Paper for to-day.
7. **STANDING ORDER—REPEAL OF.**—The Honorable W. E. Hearn moved, pursuant to notice, the following be adopted by the Legislative Council as a Standing Order of the Council, viz.:—That Standing Order of the Council No. 58, adopted on the 23rd day of October, 1883, be repealed.
Question—put and resolved in the affirmative.
The Honorable W. E. Hearn then moved, pursuant to notice, That such Order be laid before His Excellency the Governor for approval.
Question—put and resolved in the affirmative.
8. **MARRIED WOMEN'S PROPERTY BILL.**—The Order of the Day for the further re-consideration of clauses 9 and 11 of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further re-consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had agreed to further amendments in this Bill, the Council ordered the adoption of the Report to be made on Order of the Day for to-morrow.—Bill as further amended to be printed.
9. **MINING ON PRIVATE PROPERTY BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

The Council adjourned at thirteen minutes to ten o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

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Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 30TH JULY, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITION.—The Honorable T. F. Cumming presented a Petition from certain Merchants, Storekeepers, and other residents of the Borough of Portland, praying the Council would take the resolutions set forth in the Petition into favorable consideration, and grant a continuation of the Grocer's License.
Ordered to lie on the Table.
5. ADJOURNMENT FOR REFRESHMENT.—The Honorable C. J. Jenner moved, pursuant to notice, That, in the opinion of this House, the time for adjournment for refreshment shall not exceed one hour.
Debate ensued.
Question—put.
Council divided.

Ayes, 19.

The Hon. J. Balfour
F. E. Beaver
J. Bell
F. Brown
J. Campbell
C. J. Ham
P. Hanna
W. E. Hearn, LL.D.
C. J. Jenner
J. MacBain
W. McCulloch
G. Meares, C.M.G.
D. Melville
W. Pearson
F. Robertson
F. T. Sargood
J. A. Wallace
H. H. Wettenhall
D. C. Sterry (*Teller*).

Noes, 12.

The Hon. G. F. Belcher
T. Bromell
D. Coutts
T. F. Cumming
F. S. Dobson, LL.D.
J. Graham
J. Lorimer
P. Russell
W. E. Stanbridge
J. Williamson
G. Young
H. Cuthbert (*Teller*).

And so it was resolved in the affirmative.

6. MARRIED WOMEN'S PROPERTY BILL.—On the motion of the Honorable N. Thornley, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable N. Thornley, read a third time and *passed*.
The Honorable N. Thornley moved, That the following be the title of the Bill:—“*An Act to consolidate and amend the Acts relating to the property of Married Women.*”
Question—put and resolved in the affirmative.
Ordered—That the Bill be transmitted to the Legislative Assembly, with a Message desiring their concurrence therein.
 7. MINING ON PRIVATE PROPERTY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
- The Council adjourned at three minutes to ten o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

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OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 31ST JULY, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. MINING ON PRIVATE PROPERTY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday, 5th day of August next, again resolve itself into the said Committee.

The Council adjourned at thirteen minutes to nine o'clock until Tuesday next, at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

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OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 5TH AUGUST, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. **STANDING ORDER.**—The President announced that His Excellency the Governor had been pleased to approve of the Standing Order of the Council adopted on the 29th July last.
5. **PETITIONS.**—The Honorable F. Brown presented a Petition from certain Miners of the Beechworth Mining Division of the Beechworth Mining District, praying that the Council would, by passing the Bill introduced by the Honorable F. T. Sargood, on the subject of Mining on Private Property, prevent in future the injury and damage and loss to the important mining industry of the colony by limiting all charges or rights of the freeholder to such as may be a fair equitable compensation for actual damage done or loss sustained by them through the occupation of their land for mining purposes.
Petition received, and ordered to lie on the Table.
The following Petitions, praying the Council not to pass any measure that would reduce the value of land, make titles less secure, and make the landowners' and miners' interests opposed, were presented by the Honorable W. A. Zeal, as under :—
From certain landowners and residents of Newstead, Glengower, and Yandoit.
From certain landowners and residents of Newstead, &c.
Received and severally ordered to lie on the Table.
The Honorable W. A. Zeal presented a Petition from certain "Australians" resident in the neighbourhood of Maldon, praying the Council not to pass any law that would take away what the Petitioners have been taught, and fully believe, to be their right under English law until they, "the native-born," could have an opportunity of being heard through their representatives in Parliament.
Petition received, and ordered to lie on the Table.
6. **PAPERS.**—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—
Goldfields of Victoria—Reports of the Mining Registrars for the quarter ended 30th June, 1884.
Ordered to lie on the Table.
The Honorable F. T. Sargood presented, pursuant to Act of Parliament—
Friendly Societies—Report of the Registrar of—for the year ending 31st December, 1883.
Ordered to lie on the Table.
7. **MINING ON PRIVATE PROPERTY BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
8. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until to-morrow :—
Legal Profession Practice Bill—To be read a second time.

The Council adjourned at twenty-eight minutes past six o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

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OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 6TH AUGUST, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPER.—The Honorable F. T. Sargood presented, pursuant to Act of Parliament—
Supreme Court—Regulæ Generales, dated the first day of August, 1884.
Ordered to lie on the Table.
5. MINING ON PRIVATE PROPERTY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same with amendments.
The Honorable F. T. Sargood moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration of Clauses 2, 3, 4, 5, 6, 12, 13, 14, 19, 24, 28, 29, 30, 31, 37, 38, 39, 40, 44, 45, and the Second, Third, and Fourth Schedules.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of the above Clauses and Schedules of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with further amendments, the Council ordered the same to be taken into consideration Tuesday, 12th August instant; Bill as further amended to be printed.
6. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, that the Council, at its rising, adjourn until Tuesday, the 12th August instant.
Question—put and resolved in the affirmative.
7. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, 12th August instant:—
Legal Profession Practice Bill—To be read a second time.

The Council adjourned at six minutes past nine o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 12TH AUGUST, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The Honorable W. E. Hearn, Chairman, brought up the Report from this Committee.
Report read, and, together with the Minutes of Evidence and Proceedings of the Committee, ordered to lie on the Table, and to be printed.
5. SUBSTANTIVE GENERAL LAW CONSOLIDATION BILL.—The Honorable W. E. Hearn moved, by leave of the Council, That he have leave to bring in a Bill to declare, consolidate, and amend the substantive General Law, Title I.
Question—put and resolved in the affirmative.
Ordered—That the Honorable W. E. Hearn do prepare and bring in the Bill.
The Honorable W. E. Hearn then brought up a Bill intituled “*A Bill to declare, consolidate, and amend the substantive General Law, Title I,*” and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 26th August instant.
6. PAPER.—The Honorable J. Campbell presented, pursuant to Act of Parliament—
Victorian Military Forces.—Regulations for the Victorian Artillery.
Ordered to lie on the Table.
7. ADJOURNMENT.—The Honorable J. Campbell moved, by leave, that the Council, at its rising, adjourn until Tuesday, the 19th August instant.
Question—put and resolved in the affirmative.
8. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 19th August instant:—
Mining on Private Property Bill.—Adoption of Report.
Legal Profession Practice Bill.—To be read a second time.

The Council adjourned at three minutes to five o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

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OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 19TH AUGUST, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—
Western Pacific High Commission.—Correspondence respecting the Report of the Committee of Inquiry appointed by Her Majesty's Imperial Government.
Ordered to lie on the Table.
The Honorable F. T. Sargood presented, pursuant to Act of Parliament—
Supreme Court.—Regulæ Generales, dated the 1st day of August, 1884.
Ordered to lie on the Table.
5. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable F. T. Sargood, the following Order of the Day was read and discharged :—
Mining on Private Property Bill.—Adoption of Report.
6. MINING ON PRIVATE PROPERTY BILL.—The Honorable F. T. Sargood moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration of Clauses 2, 5, 13, 14, B, 19, 23, 24, 25, 27, 28, A, 36, 37, 38, 44, and Schedules 1, 2, 3, and 4.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of the above Clauses and Schedules of this Bill.
The President resumed the Chair ; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with further amendments, the Council ordered the same to be taken into consideration Tuesday, 26th August instant ; Bill as further amended to be printed.
7. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to further amend ‘The Companies Statute 1864,’*” with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 19th August, 1884.
8. COMPANIES STATUTE FURTHER AMENDMENT BILL.—The Honorable James Balfour moved, That the Bill transmitted by the above Message intituled “ *An Act to further amend ‘The Companies Statute 1864,’*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time, Tuesday 26th August instant.
9. LEGAL PROFESSION PRACTICE BILL.—The Honorable F. E. Beaver moved, That this Bill be now read a second time.
The Honorable D. C. Sterry moved, That the debate be now adjourned.
Debate ensued.
Question—That the debate be now adjourned, by leave withdrawn.
Debate continued.
The Honorable N. Fitzgerald moved, That the debate be now adjourned.
Question—That the debate be now adjourned until to-morrow—put and resolved in the affirmative.

The Council adjourned at twelve minutes to ten o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

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OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 20TH AUGUST, 1884.

1. The Council met in accordance with adjournment.
 2. The President took the Chair.
 3. The President read the prayer.
 4. PETITIONS.—The following Petitions, praying the Council would take certain statements set forth in the Petitions with respect to the continuation of the grocer's license into favorable consideration, were presented by the Honorable H. H. Wettenhall, from—
 - Certain inhabitants of Beaufort, Waterloo, and surrounding district.
 - Certain persons.
 - Certain inhabitants of Beaufort, Waterloo, and the surrounding district.Severally ordered to lie on the Table.
 5. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—
 - Penal Establishments and Goals.—Report of the Inspector-General, for the year 1883.Ordered to lie on the Table.
The Honorable F. T. Sargood presented, pursuant to Act of Parliament—
 - Hospitals for the Insane—Report of the Inspector of Lunatic Asylums on—for the year ending 31st December, 1883.
 - Railway Loan Act 1881, No. 717, and Act No. 735.—An Estimate of the Expenditure which the Board of Land and Works proposes to incur during the year ending 30th June, 1885, under Loan Act No. 717, and the Application Act thereto No. 735, for certain purposes.Severally ordered to lie on the Table.
 6. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
 - Debate resumed.
 - The Honorable N. Fitzgerald moved, as an amendment, That all the words after the word "be" be omitted, with a view to insert instead thereof the words "committed to a Select Committee."
 - Debate continued.
 - The Honorable James MacBain moved, That the debate be now adjourned.
 - Question—That the debate be now adjourned until Tuesday, 26th August instant—put and resolved in the affirmative.
 7. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council at its rising adjourn until Tuesday, 26th August instant.
Question—put and resolved in the affirmative.
- The Council adjourned at twenty-two minutes past six o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 26TH AUGUST, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITION.—The Honorable N. Thornley presented a Petition from certain residents of Coleraine, praying the House would take the statements set forth in the Petition, for granting a continuation of the grocer's license, into favorable consideration.
Petition received, and ordered to lie on the Table.
5. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—
Statistical Register of the Colony of Victoria for 1883.—Part II.—Population.
Ordered to lie on the Table.
The Honorable F. T. Sargood presented, pursuant to Act of Parliament—
Explosives—Report of the Inspector of—to the Honorable the Minister of Mines, for the year 1883.
Ordered to lie on the Table.
6. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable F. T. Sargood, the following Order of the Day was read and discharged :—
Mining on Private Property Bill.—Adoption of Report.
7. MINING ON PRIVATE PROPERTY BILL.—The Honorable F. T. Sargood moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration of Clauses 2, 13, and 23, and of the Schedules.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of the above Clauses and Schedules of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with further amendments, the Council ordered the same to be taken into consideration to-morrow; Bill, as further amended, to be printed.
8. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to apply out of ‘The Railway Loan Account 1881’ and ‘The Victorian Loan and Debenture Redemption Account 1883’ certain sums of money for Permanent-way Material, Rolling Stock, and other works,*” with which they desire the concurrence of the Legislative Council.
PETER LALOR,
Speaker.
Legislative Assembly Chamber,
Melbourne, 26th August, 1884.
9. RAILWAY LOAN ACCOUNT 1881 APPLICATION BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “*An Act to apply out of ‘The Railway Loan Account 1881’ and ‘The Victorian Loan and Debenture Redemption Account 1883’ certain sums of money for Permanent-way Material, Rolling Stock, and other works,*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time to-morrow.

10. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, 9th September next:—
Substantive General Law Consolidation Bill—To be read a second time.
11. **COMPANIES STATUTE FURTHER AMENDMENT BILL.**—The Honorable James Balfour moved, That this Bill be now read a second time.
 Debate ensued.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable James Balfour moved, That this Bill be committed to a Committee of the whole Council on Tuesday, 2nd September next.
 Question—put and resolved in the affirmative.
12. **LEGAL PROFESSION PRACTICE BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill “be” now read a second time; and on the amendment, to omit all the words after the word “be” with a view to insert instead thereof “committed to a Select Committee,” having been read,
 Debate resumed.
 The Honorable Dr. Dobson moved, That the debate be now adjourned.
 Question—That the debate be now adjourned until to-morrow—put and resolved in the affirmative.

The Council adjourned at twenty-seven minutes past nine o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 27TH AUGUST, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITION.—The Honorable D. C. Sterry presented a Petition from Abraham Harkness, styling himself chairman of ratepayers and other inhabitants of Sandhurst, in public meeting assembled, in favour of the abolition of grocers' licenses.
Petition received, and ordered to lie on the Table.
5. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—
Protectorate of New Guinea.—Correspondence respecting Secretary of State's Despatch, proposing a colonial subsidy of £15,000.
Victorian Railways.—Report of the Board of Land and Works for the year ending 31st December, 1883.
Severally ordered to lie on the Table.
6. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable F. T. Sargood, the following Order of the Day was read and discharged:—
Mining on Private Property Bill.—Adoption of Report.
7. MINING ON PRIVATE PROPERTY BILL.—The Honorable F. T. Sargood moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration of Clauses 26 and 31, and of Sections 29, 40, and 42, of Schedule 2 of this Bill.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of the above Clauses and Sections of Schedule 2 of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with further amendments, the Council ordered the same to be taken into consideration Tuesday, 2nd September next.
8. RAILWAY LOAN ACCOUNT 1881 APPLICATION BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same without amendment.
On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.
The Honorable F. T. Sargood moved, That the following be the title of the Bill:—“*An Act to apply out of 'The Railway Loan Account 1881' and 'The Victorian Loan and Debenture Redemption Account 1883' certain sums of money for Permanent-Way Material, Rolling Stock, and other Works.*”
Question—put and resolved in the affirmative.
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.

9. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the resumption of the debate on the question—That this Bill “be” now read a second time; and on the amendment, to omit all the words after the word “be” with a view to insert instead thereof “committed to a Select Committee”—having been read,

Debate resumed.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

Ayes, 14.

The Hon. J. Balfour
 F. E. Beaver
 J. Bell
 J. Campbell
 D. Coutts
 C. J. Ham
 C. J. Jenner
 W. McCulloch
 W. E. Stanbridge
 J. A. Wallace
 H. H. Wettenhall
 G. Young
 W. A. Zeal
 D. C. Sterry (*Teller*).

Noes, 11.

The Hon. F. Brown
 Dr. Dobson
 N. Fitzgerald
 J. Lorimer
 G. Meares, C.M.G.
 D. Melville
 F. Ormond
 P. Russell
 F. T. Sargood
 N. Thornley
 J. MacBain (*Teller*).

And so it was resolved in the affirmative.

Question—That this Bill be now read a second time—put and resolved in the affirmative.

The Honorable F. E. Beaver moved, That the Bill be committed on Tuesday, 2nd September next.

Question—put and resolved in the affirmative.

10. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council at its rising adjourn until Tuesday, 2nd September next.

Question—put and resolved in the affirmative.

The Council adjourned at a quarter to seven o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 2ND SEPTEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. **RETURN TO WRITS.**—The President announced that he had received returns to Writs he had issued for the election of Members to serve for the undermentioned Provinces, in the place of Members who retired by rotation, by which it appeared that the following Members had been returned for the several Electoral Provinces set opposite their respective names, viz. :—
Frederick Thomas Sargood, for the South Yarra Province ;
Nicholas Fitzgerald, brewer, for the North Central Province ;
John Alston Wallace, land and mine owner, for the North-Eastern Province ;
George Young, stock and station agent, for the North-Western Province.
5. **SWEARING IN OF MEMBERS.**—The Honorables F. T. Sargood and N. Fitzgerald, being introduced, took the oath required by the 32nd clause of the Constitution Act, and delivered to the Clerk declarations as hereunder set forth :—

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, **FREDERICK THOMAS SARGOOD**, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Eight hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment ; and further, that such lands or tenements are situated in the municipal district of Caulfield, and are known as—

“Forty-five acres of land and dwelling-house in East St. Kilda, known as Ripon Lea.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Caulfield are rated in the rate-book of such district upon a yearly value of Eight hundred pounds.

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

“F. T. SARGOOD.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, **NICHOLAS FITZGERALD**, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment ; and further, that such lands or tenements are situate in the municipal districts of Castlemaine and St. Kilda, and are known as—

“Malt-houses, dwelling-houses at Castlemaine, in the county of Talbot, and at Alma Road, St. Kilda, in the county of Bourke.

“And I further declare that such of the said lands or tenements as are situate in the municipal districts of Castlemaine and St. Kilda are rated in the rate-book of such districts upon a yearly value of One thousand and eighty pounds.

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

“N. FITZGERALD.”

6. **PETITIONS.**—The Honorable James Lorimer presented a Petition from certain Barristers-at-Law of the Supreme Court, practising in the colony, praying that the Council might see fit to reject the Bill to regulate the practice of the Legal Professions, or refer the same to a Committee of the Council, in order that evidence might be obtained as to the effect of similar legislation elsewhere. Petition read, and ordered to lie on the Table.

A similar Petition was presented by the Honorable J. Lorimer, from certain other Barristers-at-Law. Petition received, and ordered to lie on the Table.

The Honorable W. E. Hearn moved, by leave of the Council, That the Petitions from the Barristers be referred to the Committee of the whole on the Legal Professions Practice Bill, and that it be an instruction to the Committee that they have power to examine witnesses and call for papers.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable P. Hanna presented a Petition from certain residents of Shepparton, praying the Council would grant a continuation of the grocers' license. Petition received, and ordered to lie on the Table.

7. PAPER.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—
Public Service Board—Progress Report.
Ordered to lie on the Table.
8. MINING ON PRIVATE PROPERTY BILL.—On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time.
On the motion of the Honorable F. T. Sargood, the Council ordered that the following words be omitted from line 2 of paragraph 28 of the Second Schedule, viz.—“after the expiration of the last-mentioned month.”
Question—That this Bill do pass—put and resolved in the affirmative.
The Honorable F. T. Sargood moved, That the following be the title of the Bill :—“*An Act to provide for Mining for Gold and Silver on Private Property.*”
Question—put and resolved in the affirmative.
Ordered—That the Bill be transmitted to the Legislative Assembly, with a Message desiring their concurrence therein.
9. COMPANIES STATUTE FURTHER AMENDMENT BILL.—The Order of the Day for the committal of this Bill having been read,
On the motion of the Honorable J. Balfour, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same with an amendment, the Council ordered the same to be taken into consideration Tuesday, 9th September instant—Bill, as amended, to be printed.
10. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the committal of this Bill having been read,
On the motion of the Honorable F. E. Beaver, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday, 9th September instant, again resolve itself into the said Committee.
11. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 9th September instant.
Question—put and resolved in the affirmative.

The Council adjourned at twelve minutes to six o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

No. 23.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 9TH SEPTEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable F. T. Sargood, and the same was read, and is as follows :—

HENRY B. LOCH,
Governor.

Message.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“An Act to apply out of “The Railway Loan Account 1881,” and “The Victorian Loan and Debenture Redemption Account 1883” certain sums of money for Permanent-way Material, Rolling-stock, and other works.

Government Offices,
Melbourne, 1st September, 1884.

Ordered to lie on the Table.

5. SWEARING IN OF MEMBER.—The Honorable J. A. Wallace, being introduced, took the oath required by the 32nd clause of the Constitution Act, and delivered to the Clerk the declaration as hereunder set forth :—

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, JOHN ALSTON WALLACE, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of over Two hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Beechworth, Towong, and Port Melbourne, and are known as—

“No. 1. Lands and tenements situated at Wooragee, united shire of Beechworth, county of Bogong, area, 666a. Number in rate-book, 2157. Annual value, £63.

“No. 2. Lands and tenements situate near Bethanga, parish of Berringa, electoral district of Benambra, shire of Towong, area, 639 acres 3 roods 39 perches. Number in rate-book, 1101. Annual value, £100.

“No. 3. Land and tenement, the Bay View Hotel, situate Beach-street, Port Melbourne (Sandridge), borough of Port Melbourne. Number in rate-book, 37. Annual value, £160.

And I further declare that such of the said lands or tenements as are situate in the municipal districts of the united shire of Beechworth are rated in the rate-book of such district upon a yearly value of Sixty-three pounds, and that such of the said lands or tenements as are situate in the municipal district of Towong are rated in the rate-book of such district upon a yearly value of One hundred pounds, and that such of the said lands or tenements as are situate in the municipal district of Port Melbourne (Sandridge) are rated in the rate-book of such district upon a yearly value of One hundred and sixty pounds.

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

“JOHN A. WALLACE.”

6. PETITION.—The Honorable James Balfour presented a Petition from certain persons, praying the Council would grant a continuation of the Grocer's License. Petition received, and ordered to lie on the Table.

7. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—
Asylums for the Insane and Inebriate—Royal Commission on.—First Progress Report.
Royal Commission on Education.—Table of Contents; Index to Analysis; Index to and
Analysis of the General Evidence; Index of Witnesses (General); Index of Subjects;
Index of Questions (General); Evidence in Detail (General) from Question 2106 to end—
(Evidence in Detail, Questions 1–2105, accompanied First Report);—Synopsis of Evidence
(Religious); Index of Witnesses, Part I.; Religious Instruction in State Schools, Part II.;
The Alleged Grievances of a Portion of the Population (Religious); Index of Questions
(Religious); Evidence in Detail (Religious);—and Appendices.—(Being continuation of
Paper No. 47.)

Severally ordered to lie on the Table.

The Honorable F. T. Sargood presented, pursuant to Acts of Parliament—

Kyneton Shire Waterworks Trust.—Detailed Statement *re* Application of Kyneton Shire
Waterworks Trust for an Additional Loan of £2,000.

Victorian Railways.—Report of the Victorian Railways Commissioners for the Quarter ending
30th June, 1884.

Benalla Waterworks Trust.—Detailed Statement *re* Application of Benalla Waterworks Trust
for an Additional Loan of £5,000.

Borough Echuca Water Trust.—Detailed Statement *re* Application of Borough Echuca Water
Trust for an Additional Loan of £2,000.

Neglected and Criminal Children's Amendment Act 1874.—Regulation.—Order in Council.

Severally ordered to lie on the Table.

8. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt
of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act for
granting to Her Majesty certain Duties of Excise in lieu of certain other duties,*" with which they
desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 9th September, 1884.

9. DISTILLATION ACT AMENDING BILL.—The Honorable F. T. Sargood moved, That the Bill trans-
mitted by the above Message, intituled "*An Act for granting to Her Majesty certain Duties of
Excise in lieu of certain other duties,*" be now read a first time.

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

10. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt
of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act for
granting to Her Majesty certain Duties of Customs in lieu of certain other duties,*" with which
they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 9th September, 1884.

11. CUSTOMS DUTIES BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above
Message, intituled "*An Act for granting to Her Majesty certain Duties of Customs in lieu of
certain other duties,*" be now read a first time.

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

12. REMOVAL OF DOUBTS BILL.—The Honorable F. T. Sargood moved, pursuant to notice, That he have
leave to bring in a Bill to remove doubts as to the power of the Governor in Council in certain
cases.

Question—put and resolved in the affirmative.

Ordered—That the Honorable F. T. Sargood do prepare and bring in the Bill.

The Honorable F. T. Sargood then brought up a Bill intituled "*A Bill to remove doubts as to the
power of the Governor in Council in certain cases,*" and moved, That it be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a
second time Tuesday, 16th September instant.

13. INDUSTRIAL SCHOOLS.—The Honorable N. Fitzgerald moved, pursuant to notice, That a Return, in
the following form, be laid upon the Table of the Council:—

INDUSTRIAL SCHOOLS.

RETURN OF VISITING COMMITTEES AND CHILDREN ON 1ST AUGUST, 1884.

COMMITTEES.				CHILDREN.								
District.	Names of Committee.	Addresses.	Religion.	Names.	Sexes.	Ages.	Religion.	Dates of Committal.	If Boarded out, or Licensed out.	Foster Parents' Home.		
										Names.	Addresses.	Religion.
									*			

* B for Boarded out; L for Licensed out.

Debate ensued.

Motion, by leave, withdrawn.

14. **SUBSTANTIVE GENERAL LAW CONSOLIDATION BILL.**—The Honorable W. E. Hearn moved, That this Bill be now read a second time.
 Debate ensued.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable W. E. Hearn moved, That this Bill be committed to a Select Committee.
 Question—put and resolved in the affirmative.
15. **DISCHARGE OF ORDER OF THE DAY.**—On the motion of the Honorable James Balfour, the following Order of the Day was read and discharged :—
Companies Statute further Amendment Bill.
16. **COMPANIES STATUTE FURTHER AMENDMENT BILL.**—The Honorable J. Balfour moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable J. Balfour, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
 The President resumed the Chair ; and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with a further amendment.
 On the motion of the Honorable J. Balfour, the Council adopted the Report from the Committee of the whole on this Bill.
 The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. Balfour, read a third time and *passed*.
 The Honorable J. Balfour moved, That the following be the title of the Bill :—“ *An Act to further amend ‘ The Companies Statute 1864.’* ”
 Question—put and resolved in the affirmative.
 Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council have agreed to the same with an amendment, and requesting their concurrence therein.
17. **LEGAL PROFESSION PRACTICE BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
 The President resumed the Chair ; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
 Resolved—That the Council will, on Tuesday, 16th September instant, again resolve itself into the said Committee.

‘The Council adjourned at three minutes past seven o’clock until to-morrow at half-past four o’clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 10TH SEPTEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. **SWEARING IN OF MEMBER.**—The Honorable George Young, being introduced, took the oath required by the 32nd clause of the Constitution Act, and delivered to the Clerk the declaration as hereunder set forth :—

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, GEORGE YOUNG, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and eighty-two pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Wimmera, and are known as—firstly, part of allotment 5 of section 1, town and parish of Horsham, county of Borung; secondly, allotment 3, parish of Kewell West, county of Borung.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Wimmera are rated in the rate-book of such district upon a yearly value of One hundred and eighty-two pounds.

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

“GEO. YOUNG.”

5. **PETITION.**—The Honorable James MacBain presented a Petition from certain inhabitants of South Melbourne and St. Kilda in reference to the existence, on the south side of the Yarra, and in the immediate vicinity of and actually under the railway line from Melbourne to St. Kilda, near where the same branches off from the Sandridge Line, of an open cesspool, about a quarter of a mile long and from twenty to twenty-five yards wide, into which three drains empty themselves from the neighbouring localities.

Petition read, and ordered to lie on the Table.

6. **PAPER.**—The Honorable F. T. Sargood presented, pursuant to Act of Parliament—
Victorian Railways.—Estimate of Expenditure under the Temporary Advances Act 1883,
No. 729.

Ordered to lie on the Table.

7. **CUSTOMS DUTIES BILL.**—The Honorable F. T. Sargood moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same without amendment.

On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.

The Honorable F. T. Sargood moved, That the following be the title of the Bill :—“*An Act for granting to Her Majesty certain Duties of Customs in lieu of certain other duties.*”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.

8. DISTILLATION ACT AMENDING BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same without amendment.

On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.

The Honorable F. T. Sargood moved, That the following be the title of the Bill:—“*An Act for granting to Her Majesty certain Duties of Excise in lieu of certain other Duties.*”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly, acquainting them that the Council have agreed to the Bill without amendment.

9. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, that the House, at its rising, adjourn until Tuesday, 16th September instant.

Question—put and resolved in the affirmative.

The Council adjourned at two minutes past five o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 16TH SEPTEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. RETURNS TO WRITS.—The President announced that he had received returns to Writs he had issued for the election of Members to serve for the under-mentioned Provinces, in the place of Members who retired by rotation, by which it appeared that the following Members had been returned for the several Electoral Provinces set opposite their respective names, viz. :—
James George Beaney, for the North Yarra Province.
Henry Cuthbert, solicitor, for the Wellington Province.
Thomas Henty, gentleman, for the Southern Province.

5. SWEARING IN OF MEMBERS.—The Honorables J. G. Beaney, Henry Cuthbert, and Thomas Henty, being introduced, severally took the oath required by the 32nd clause of the Constitution Act, and delivered to the Clerk the declarations as hereunder set forth :—

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, JAMES GEORGE BEANEY, M.D., do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Nine hundred and twenty-eight pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Melbourne, and are known as 44, 46, 48, and 50 Russell-street, and 114, 116, 118, and 120 Collins-street east, in the city of Melbourne.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Melbourne are rated in the rate-book of such district upon a yearly value of Seven hundred and fifty pounds.

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

“JAMES GEORGE BEANEY, M.D.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, HENRY CUTHBERT, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the parishes of Cardigan, Burrumbeet, and Ballarat, in the counties of Grenville and Ripon, the description of which lands and tenements are as follows :—

“Allotment 6 of sec. 11, Cardigan, county of Grenville.

“Allotment 2 of sec. 14, parish of Cardigan, county of Grenville.

“Part of allotment 4 of sec. 9, city of Ballarat, county of Grenville.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Ballarat and the shire of Ballarat are rated in the rate-book of such district upon a yearly value of £250.

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

“HENRY CUTHBERT.”

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, THOMAS HENTY, of “Brockley,” North Brighton, in the colony of Victoria, gentleman, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Five hundred and eighty pounds, above all charges and incumbrances affecting the same other than any public or parliamentary tax or municipal or other rate or assessment: And further, that such lands or tenements are situated in the municipal district of Berwick, and are known as the Pakenham Park Estate,

consisting of Four thousand three hundred and ninety-seven acres, or thereabouts, situate in the parishes of Nar-nar-noon and Pakenham, in the county of Mornington : And I further declare that such lands or tenements are rated in the rate-book of such district upon a yearly value of Six hundred and ninety-eight pounds : And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“THOMAS HENTY.”

6. PETITION.—The Honorable N. Thornley presented a Petition from certain residents of the Coleraine district, praying the House would grant a continuation of the Grocers' License.
Petition received, and ordered to lie on the Table.
7. THE LEGAL PROFESSION PRACTICE BILL.—MESSAGE TO THE LEGISLATIVE ASSEMBLY.—The Honorable F. E. Beaver moved, by leave of the Council, That a Message be transmitted to the Legislative Assembly requesting that permission be given to M. H. Davies, Esq., a Member of the Assembly, if he thinks fit, to be examined as a witness, and give evidence before the Committee of the whole Council on “*The Legal Profession Practice Bill.*”
Question—put and resolved in the affirmative.
8. PAPER.—The Honorable F. T. Sargood presented, pursuant to Act of Parliament—
Friendly Societies Act 1877.—Regulations.
Ordered to lie on the Table.
9. REMOVAL OF DOUBTS BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable F. T. Sargood moved, That this Bill be committed to a Committee of the whole Council to-morrow.
Question—put and resolved in the affirmative.
10. SUBSTANTIVE GENERAL LAW CONSOLIDATION BILL.—The Honorable W. E. Hearn moved, pursuant to *amended* notice, That the following Members be the Select Committee to which the Bill to declare, consolidate, and amend the Substantive General Law—Title I., has been referred :—
Honorable J. Balfour, F. Brown, J. Buchanan, Dr. Dobson, N. Fitzgerald, J. MacBain, Geo. Meares, C.M.G., D. Melville, H. Cuthbert, and the Mover, three to form a quorum ; and the Committee to have leave to sit on days on which the Council is not sitting.
Question—put and resolved in the affirmative.
11. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair ; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
- The Council adjourned at twenty-four minutes to seven o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 17TH SEPTEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPER.—The Honorable F. T. Sargood presented, pursuant to Act of Parliament—
Melbourne Harbour Trust—The Accounts of the—For the Quarter ended 31st March, 1884.
Ordered to lie on the Table.
5. STANDING ORDERS COMMITTEE.—The Honorable F. T. Sargood moved, pursuant to notice, That the Honorable F. T. Sargood be appointed Member of the Select Committee on the Standing Orders of the Council.
Question—put and resolved in the affirmative.
6. LIBRARY COMMITTEE.—The Honorable F. T. Sargood moved, pursuant to notice, That the Honorables N. Fitzgerald and H. Cuthbert be appointed Members of the Joint Committee of both Houses to manage the Library.
Question—put and resolved in the affirmative.
7. PRINTING COMMITTEE.—The Honorable F. T. Sargood moved, pursuant to notice, That the Honorable F. E. Beaver be appointed Member of the Printing Committee.
Question—put and resolved in the affirmative.
8. REFRESHMENT ROOMS COMMITTEE.—The Honorable F. T. Sargood moved, pursuant to notice, That the Honorable J. G. Beaney be appointed Member of the Joint Committee of both Houses to manage the Refreshment Rooms.
Question—put and resolved in the affirmative.
9. HOSPITALS AND CHARITABLE INSTITUTIONS BILL.—The Honorable J. Campbell moved, pursuant to notice, That he have leave to bring in a Bill to amend an Act intituled "*An Act for Hospitals and Charitable Institutions.*"
Question—put and resolved in the affirmative.
Ordered—That the Honorable J. Campbell do prepare and bring in the Bill.
The Honorable J. Campbell then brought up a Bill intituled "*A Bill to amend an Act intituled 'An Act for Hospitals and Charitable Institutions,'*" and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time, Tuesday, 23rd September instant.
10. REMOVAL OF DOUBTS BILL.—The Order of the Day for the committal of this Bill having been read—the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday, 23rd September instant, again resolve itself into the said Committee.
11. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday, 23rd September instant, again resolve itself into the said Committee.

12. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend 'The Statute of Trusts 1864,'*" with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 16th September, 1884.

13. STATUTE OF TRUSTS AMENDMENT BILL.—The Honorable D. Melville moved, That the Bill transmitted by the above Message, intituled "*An Act to amend 'The Statute of Trusts 1864,'*" be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time, Tuesday, 23rd September instant.

14. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 23rd September instant.

Question—put and resolved in the affirmative.

The Council adjourned at twelve minutes past nine o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 23RD SEPTEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The President laid upon the Table the following Warrant appointing a Member of “The Committee of Elections and Qualifications,” viz.—

VICTORIA.

Pursuant to the provisions of an Act of the Legislative Council of Victoria, passed in the nineteenth year of Her present Majesty’s reign, intituled “*An Act to provide for the Election of Members to serve in the Legislative Council and Legislative Assembly of Victoria respectively,*” I do hereby appoint—

The Honorable Frederick Brown

to be a Member of a Committee to be called “The Committee of Elections and Qualifications.”

Given under my hand this 23rd day of September, One thousand eight hundred and eighty-four.

W. H. F. MITCHELL,
President of the Legislative Council.

5. RETURN TO WRIT.—The President announced that he had received a return to a Writ he had issued for the election of a Member to serve for the Electoral Province of Nelson, by which it appeared that Thomas Bromell, sheep-farmer, had been duly elected to serve for the said Province.
6. SWEARING IN OF A MEMBER.—The Honorable Thomas Bromell, being introduced, took the oath required by the 32nd clause of the Constitution Act, and delivered to the Clerk a declaration as hereunder set forth :—

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, THOMAS BROMELL, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Fifteen hundred and sixty-three pounds ten shillings, above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Dundas, and are known as Hensley Park freehold estate.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Dundas are rated in the rate-book of such district upon a yearly value of £1563 10s.

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

“THOS. BROMELL.”

7. LEGAL PROFESSION PRACTICE BILL.—ATTENDANCE OF THE JUDGES.—The Honorable James MacBain moved, by leave of the Council, That the Judges, other than the Chief Justice, be not requested to attend and give evidence before the Committee of the whole on the Legal Profession Practice Bill. Question—put and resolved in the affirmative.
8. PETITION.—The Honorable James Lorimer presented a Petition from certain attorneys and solicitors of the Supreme Court, praying the Council to take such steps as might be necessary to prevent the passing of the Legal Profession Practice Bill. Petition read, and ordered to lie on the Table, and to be referred to the Committee of the whole on the Legal Profession Practice Bill.
9. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until to-morrow :—
 - Hospitals and Charitable Institutions Bill.—To be read a second time.*
 - Removal of Doubts Bill.—To be further considered in Committee.*
 - Statute of Trusts Amendment Bill.—To be read a second time.*

10. **LEGAL PROFESSION PRACTICE BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
11. **ABSENCE OF THE PRESIDENT.**—The Clerk having informed the Council that the President was unavoidably absent, the Council, on the motion of the Honorable F. T. Sargood, and in accordance with the provisions of the Act No. 702, chose the Honorable W. E. Hearn to fill, temporarily, the office and perform all the duties of the President during his absence.

The Acting-President took the Chair.

12. **LEGAL PROFESSION PRACTICE BILL.**—The Honorable Dr. Dobson reported that the Committee had made progress in this Bill, and that he was directed to move that the Committee may have leave to sit again.

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

13. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The Acting-President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly acquaint the Legislative Council that they have given leave to M. H. Davies, Esq., a Member, to attend, if he think fit, to be examined as a witness, and give evidence before a Committee of the Legislative Council on "*The Legal Profession Practice Bill.*"

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 23rd September, 1884.

The Council adjourned at five minutes to ten o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 24TH SEPTEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The President's Warrant appointing a Member of the Committee of Elections and Qualifications was again laid upon the Table by the President.
5. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 30th September instant:—
Hospitals and Charitable Institutions Bill.—To be read a second time.
Removal of Doubts Bill.—To be further considered in Committee.
Statute of Trusts Amendment Bill.—To be read a second time.
6. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday, 30th September instant, again resolve itself into the said Committee.
7. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of One million two hundred and forty-two thousand and forty-four pounds to the service of the year One thousand eight hundred and eighty-four and five,*" with which they desire the concurrence of the Legislative Council.
PETER LALOR,
Speaker.
Legislative Assembly Chamber,
Melbourne, 24th September, 1884.
8. CONSOLIDATED REVENUE BILL (2).—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled "*An Act to apply out of the Consolidated Revenue the sum of One million two hundred and forty-two thousand and forty-four pounds to the service of the year One thousand eight hundred and eighty-four and five,*" be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time this day.
The Honorable F. T. Sargood moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same without amendment.
On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable T. Sargood, read a third time and *passed*.

The Honorable F. T. Sargood moved, That the following be the title of the Bill:—“*An Act to apply out of the Consolidated Revenue the sum of One million two hundred and forty-two thousand and forty-four pounds to the service of the year One thousand eight hundred and eighty-four and five.*”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.

9. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 30th September instant.

Question—put and resolved in the affirmative.

The Council adjourned at a quarter past ten o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 30TH SEPTEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The President's Warrant appointing a Member of "The Committee of Elections and Qualifications" was again laid upon the Table of the Council by the President.
5. MESSAGES FROM HIS EXCELLENCY THE GOVERNOR.—The following Messages from His Excellency the Governor were presented by the Honorable F. T. Sargood, and the same were read, and are as follow :—

HENRY B. LOCH,
Governor.

Message, No. . .

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

" *An Act for granting to Her Majesty certain Duties of Excise in lieu of certain other Duties.*"
" *An Act for granting to Her Majesty certain Duties of Customs in lieu of certain other Duties.*"

Government Offices,
Melbourne, 24 September, 1884.

HENRY B. LOCH,
Governor.

Message, No. . .

The Governor informs the Legislative Council that he has, on this day, at the Government House, given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

" *An Act to apply out of the Consolidated Revenue the sum of One million two hundred and forty-two thousand and forty-four pounds to the service of the year One thousand eight hundred and eighty-four and five.*"

Government House,
Melbourne, 25 September, 1884.

Severally ordered to lie on the Table.

6. PAPERS.—The Honorable F. T. Sargood presented, pursuant to Act of Parliament—
 - Fisheries Acts.—Notice of Proclamation to prohibit the use of any trammel, trawl, or other net or engine, whether fixed or unfixed, to be employed in fishing in Lake Colac.
 - Fisheries Acts.—Notice of Proclamation to prohibit the use of any trammel, trawl, or other net or engine, whether fixed or unfixed, to be employed in fishing in Lake Terang.
 - Fisheries Acts.—Notice of Proclamation to abolish the close season for fish at Lake Colac and its tributaries.
 - Fisheries Acts.—Notice of Proclamation to abolish the close season for fish at Lake Terang and its tributaries.
 - Fisheries Acts.—Notice of Proclamation to prohibit the use of any trammel, trawl, or other net or engine, whether fixed or unfixed, to be employed in fishing in that portion of Hobson's Bay included within a line drawn from the extreme outer or eastern side of the Breakwater pier to the inner or eastern extremity of the railway pier, at Williamstown.

Severally ordered to lie on the Table.

The Honorable F. T. Sargood presented—

Mining on Private Property.—Return to an Order of the Legislative Council, dated 23rd July, 1884, for a Return giving the names of the owners of private property engaged in mining for gold on private property, the number of men employed by them, the names of lessees engaged during the half-year ended 31st July, 1884, in mining on private property, the date of lease, term and number of men employed, and the rent payable by them.

Industrial and Reformatory Institutions.—Return to an Order of the Legislative Council, dated 23rd July, 1884, for a Return showing :—

- (1.) Arrears due by persons who have been ordered to contribute towards the support of their children sent by order of benches of magistrates to the Industrial and Reformatory Institutions of the colony.
- (2.) The periods in arrear on 30th June, 1884.
- (3.) The number of children ordered into the institutions.
- (4.) The number of persons indebted.
- (5.) The reasons, if any, why the arrears are not collected.

Severally ordered to lie on the Table.

7. PETITIONS.—The following Petitions, praying the House would pass the Bill now before the Council for the amalgamation of the Legal Professions, were presented, as under :—

By the Honorable P. Hanna, from certain residents of Shepparton and the surrounding districts.

By the Honorable F. E. Beaver—

From certain residents of St. Arnaud and the surrounding districts.

From certain residents of Numurkah and the surrounding districts.

From certain residents of Dunolly and the surrounding districts.

From certain attorneys, solicitors, proctors, and conveyancers of the Supreme Court, practising at Shepparton and Numurkah.

From certain attorneys, solicitors, proctors, and conveyancers of the Supreme Court.

Severally ordered to lie on the Table.

The Honorable James Lorimer presented a Petition from certain attorneys and solicitors of the Supreme Court, praying the House to take such steps as may be necessary to prevent the passing of the Legal Professions Practice Bill.

Ordered to lie on the Table, and to be referred to the Committee of the whole on the Legal Professions Practice Bill.

8. REMOVAL OF DOUBTS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same with amendments, the Council ordered that the adoption of the Report be taken into consideration to-morrow; Bill, as amended, to be printed.

9. PUBLIC HEALTH.—The Honorable Dr. Beaney moved, pursuant to notice, That, in the opinion of this House, it is desirable that the Government should forthwith appoint a Royal Commission to take evidence and report upon all matters relating to the public health, viz. :—

(1.) The organization and operations of the Central Board of Health.

(2.) The relations of the Central Board to the Local Boards of Health in the colony.

(3.) The law regulating quarantine.

(4.) The prevention of epidemics, and the provision necessary for dealing with small-pox, cholera, typhoid fever, and other contagious diseases.

(5.) The public health in relation to—

(a) Drainage.

(b) River pollution.

(c) Food supply in relation to slaughter and bake-houses.

(d) The water supply.

(e) The regulation of trades.

(f) Vaccination.

(g) Medical and vital statistics.

(h) The causes of sickness and mortality as indicated by these statistics.

(i) The sanitary condition of prisons, hospitals, benevolent asylums, and similar institutions.

(j) The Building Act in relation to factories and private dwellings.

Debate ensued.

The Honorable Dr. Dobson moved, That the debate be now adjourned.

Question—That the debate be now adjourned until Tuesday, 7th October next,—put and resolved in the affirmative.

10. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

11. ABSENCE OF THE PRESIDENT.—The Clerk having informed the Council that the President was unavoidably absent, the Council, on the motion of the Honorable J. Campbell, chose the Honorable W. E. Hearn to fill, temporarily, the office and perform all the duties of the President during his absence.

The Acting-President took the Chair.

12. LEGAL PROFESSION PRACTICE BILL.—The Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.

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

13. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed, as under :—

Hospitals and Charitable Institutions Bill.—To be read a second time, until Tuesday, 14th October next;

Statute of Trusts Amendment Bill.—To be read a second time, until to-morrow.

The Council adjourned at ten minutes past nine o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 1ST OCTOBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend 'The Companies Statute 1864,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment made in such Bill by the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 30th September, 1884.

5. GAME ACT AMENDMENT BILL.—The Honorable D. C. Sterry moved, pursuant to notice, That he have leave to bring in a Bill to amend the Act to protect Game.
Question—put and resolved in the affirmative.
Ordered—That the Honorable D. C. Sterry do prepare and bring in the Bill.
The Honorable D. C. Sterry then brought up a Bill intituled "*A Bill to amend the Act to protect Game,*" and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 7th October instant.
6. REMOVAL OF DOUBTS BILL.—On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.
The Honorable F. T. Sargood moved, That the following be the title of the Bill:—" *An Act to remove doubts as to the power of the Governor in Council in certain cases.*"
Question—put and resolved in the affirmative.
Ordered—That the Bill be transmitted to the Legislative Assembly, with a Message desiring their concurrence therein.
7. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
8. ABSENCE OF THE PRESIDENT.—The Clerk having informed the Council that the President was unavoidably absent, the Council, on the motion of the Honorable F. T. Sargood, and in accordance with the provision of the Act No. 702, chose the Honorable W. E. Hearn to fill, temporarily, the office and perform all the duties of the President during his absence.
The Acting-President took the Chair.
9. LEGAL PROFESSION PRACTICE BILL.—The Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday, 7th October instant, again resolve itself into the said Committee.
10. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Wednesday, 8th October instant :—
Statute of Trusts Amendment Bill.—To be read a second time.
11. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, that the Council, at its rising, adjourn until Tuesday, 7th October instant.
Question—put and resolved in the affirmative.

The Council adjourned at nineteen minutes past nine o'clock until Tuesday next, at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 7TH OCTOBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPER.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—
Statistical Register of the Colony of Victoria for the year 1883. Part III.—Finance, &c.
Ordered to lie on the Table.
5. PETITION.—The Honorable D. C. Sterry presented a Petition from certain attorneys, solicitors, and proctors of the Supreme Court of Victoria, practising at Sandhurst and elsewhere in the Midland Bailiwick, praying the House would give favorable consideration to the subject-matter of the Petition, and that the House would refuse to pass the Bill for the amalgamation of both branches of the legal profession.
Petition read and ordered to lie on the Table.
6. MR. WOLLASTON.—The Honorable J. Balfour moved, pursuant to *amended* notice, That there be laid upon the Table of the Council—
 - (1.) Copies of all papers and correspondence in connection with the case of Mr. Wollaston, State school teacher at Campbelltown, who was recently fined £5 by the Education Department for “gross disobedience.”
 - (2.) A return showing all the punishments inflicted by the Department on State school teachers during the twelve months ending 30th September, 1884.
 Question—put and resolved in the affirmative.
7. PAPER.—The Honorable F. T. Sargood presented—
Mr. Wollaston.—Return to above Order.
Ordered to lie on the Table.
8. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend and consolidate the Laws relating to the Sale and Occupation of Crown Lands, and for other purposes,*” with which they desire the concurrence of the Legislative Council.
PETER LALOR,
Legislative Assembly Chamber,
Melbourne, 7th October, 1884.
Speaker.
9. CROWN LANDS BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “*An Act to amend and consolidate the Laws relating to the Sale and Occupation of Crown Lands, and for other purposes,*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 14th October instant.
10. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to provide for the Creation of Corporate Bodies of Trustees in which property belonging to the Church of England in Victoria may be vested and to make further provisions in reference thereto,*” with which they desire the concurrence of the Legislative Council.
PETER LALOR,
Legislative Assembly Chamber,
Melbourne, 7th October, 1884.
Speaker.
11. CHURCH OF ENGLAND PROPERTY TRUSTEES BILL.—The Honorable H. Cuthbert moved, by leave of the Council, That a Message be sent to the Legislative Assembly requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings of the Select Committee of that House, to which the Bill was referred during the present Session of Parliament.
Question—put and resolved in the affirmative.
12. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council the Bill intituled “*An Act to provide for the Incorporation and Government of the Zoological and Acclimatisation Society of Victoria and for other purposes,*” with which they desire the concurrence of the Legislative Council.
PETER LALOR,
Legislative Assembly Chamber,
Melbourne, 7th October, 1884.
Speaker.

13. **THE ZOOLOGICAL AND ACCLIMATISATION SOCIETY'S INCORPORATION BILL.**—The Honorable C. J. Jenner moved, by leave of the Council, That a Message be sent to the Legislative Assembly requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings of the Select Committee of that House, to which this Bill was referred during the present Session of Parliament.

Question—put and resolved in the affirmative.

14. **PUBLIC HEALTH.**—The Order of the Day for the resumption of the debate on the question, That, in the opinion of this House, it is desirable that the Government should forthwith appoint a Royal Commission to take evidence and report upon all matters relating to the public health, viz. :—

- (1.) The organization and operations of the Central Board of Health.
- (2.) The relations of the Central Board to the Local Boards of Health in the colony.
- (3.) The law regulating quarantine.
- (4.) The prevention of epidemics, and the provision necessary for dealing with small-pox, cholera, typhoid fever, and other contagious diseases.
- (5.) The public health in relation to—
 - (a) Drainage.
 - (b) River pollution.
 - (c) Food supply in relation to slaughter and bake-houses.
 - (d) The water supply.
 - (e) The regulation of trades.
 - (f) Vaccination.
 - (g) Medical and vital statistics.
 - (h) The causes of sickness and mortality as indicated by these statistics.
 - (i) The sanitary condition of prisons, hospitals, benevolent asylums, and similar institutions.
 - (j) The Building Act in relation to factories and private dwellings—

having been read.

Debate resumed.

Motion, by leave, withdrawn.

15. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until to-morrow :—

Game Act Amendment Bill.—To be read a second time.

16. **LEGAL PROFESSION PRACTICE BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

17. **ABSENCE OF THE PRESIDENT.**—The Clerk having informed the Council that the President was unavoidably absent—the Council, on the motion of the Honorable F. T. Sargood, and in accordance with the provisions of the Act No. 702, chose the Honorable W. E. Hearn to fill temporarily the office and perform all the duties of the President during his absence.

The Acting-President took the Chair.

18. **LEGAL PROFESSION PRACTICE BILL.**—The Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.

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

19. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The Acting-President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council copies of the Report and Evidence of the Select Committee of the Legislative Assembly on the Bill intituled "*An Act to provide for the creation of Corporate Bodies of Trustees in which property belonging to the Church of England in Victoria may be vested, and to make further provisions in reference thereto,*" in accordance with the request of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 7th October, 1884.

20. **CHURCH OF ENGLAND PROPERTY TRUSTEES BILL.**—The Honorable J. Lorimer, on behalf of the Honorable H. Cuthbert, having produced a certificate showing that the sum of £20 had been paid into the hands of the Treasurer, for the public uses of the colony by the promoters of this Bill, moved, That the Bill be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time.

The Honorable J. Lorimer moved, That the second reading of the Bill be made an Order of the Day for Wednesday, 15th October instant.

Question—put and resolved in the affirmative.

21. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The Acting-President announced the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council copies of the Report and Evidence of the Select Committee of the Legislative Assembly on the Bill intituled "*An Act to provide for the incorporation and government of the Zoological and Acclimatisation Society of Victoria, and for other purposes,*" in accordance with the request of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 7th October, 1884.

The Council adjourned at twenty-two minutes past ten o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 8TH OCTOBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. THE ZOOLOGICAL AND ACCLIMATISATION SOCIETY'S INCORPORATION BILL.—The Honorable C. J. Jenner moved, pursuant to notice, That so much of the Standing Order of the Council as relates to the payment of the sum of Twenty pounds into the hands of the Treasurer prior to the first reading of a private Bill be suspended, and that the Bill intituled "*An Act to provide for the incorporation and government of the Zoological and Acclimatisation Society of Victoria, and for other purposes,*" be treated during its passage through the Council as a public Bill in all respects.
Question—put and resolved in the affirmative.
The Honorable C. J. Jenner then moved, That the Bill transmitted by Message from the Legislative Assembly intituled "*An Act to provide for the incorporation and government of the Zoological and Acclimatisation Society of Victoria, and for other purposes,*" be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, and ordered to be read a second time Tuesday, 14th October instant.
5. STATUTE OF TRUSTS AMENDMENT BILL.—The Honorable J. Balfour moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable J. Balfour moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable J. Balfour, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday, 14th October instant, again resolve itself into the said Committee.
6. GAME ACT AMENDMENT BILL.—The Honorable D. C. Sterry moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable D. C. Sterry moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable D. C. Sterry, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday, 14th October instant, again resolve itself into the said Committee.
7. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday, 14th October instant, again resolve itself into the said Committee.
8. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 14th October instant.
Question—put and resolved in the affirmative.

The Council adjourned at seventeen minutes to seven o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

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Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 14TH OCTOBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. VISITOR.—The Honorable F. T. Sargood moved, by leave, That a chair be provided, on the floor of the Chamber, for Sir W. Manning, one of the Judges of the Supreme Court of New South Wales.
Question—put and resolved in the affirmative.
5. PAPERS.—The Honorable F. T. Sargood presented, pursuant to Act of Parliament—
Victorian Naval Forces.—Regulations.
Victorian Military Forces.—Additional Regulations.
Yan Yean Water Supply.—Cash Statement, from 1st July, 1883 to 30th June, 1884, and Balance sheet.
Education—Report of the Minister of Public Instruction for the year 1883-4.
Severally ordered to lie on the Table.
6. HOSPITALS AND CHARITABLE INSTITUTIONS BILL.—The Honorable J. Campbell moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable J. Campbell moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable J. Campbell, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
7. CROWN LANDS BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.
The Honorable J. MacBain moved, That the debate be now adjourned.
Question—That the debate be now adjourned until Tuesday, 21st October instant—put and resolved in the affirmative.
8. ZOOLOGICAL AND ACCLIMATISATION SOCIETY'S INCORPORATION BILL.—The Honorable C. J. Jenner moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable C. J. Jenner moved, That this Bill be committed to a Committee of the whole Council to-morrow.
Question—put and resolved in the affirmative.
9. STATUTE OF TRUSTS AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same with an amendment, the Council ordered the Report to be taken into consideration on Wednesday, 22nd October instant—Bill, as amended, to be printed.
10. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the Law relating to Bills of Lading*," with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

11. **BILLS OF LADING BILL.**—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled "*An Act to amend the Law relating to Bills of Lading*," be now read a first time. Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 21st October instant.
12. **GAME ACT AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof. The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same without amendment. On the motion of the Honorable D. C. Sterry, the Council adopted the Report from the Committee of the whole on this Bill. The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable D. C. Sterry, read a third time and *passed*. The Honorable D. C. Sterry moved, That the following be the title of the Bill :—"*An Act to amend an Act to protect Game*." Question—put and resolved in the affirmative. Ordered—That the Bill be transmitted to the Legislative Assembly, with a Message desiring their concurrence therein.
13. **LEGAL PROFESSION PRACTICE BILL.**—The President having announced to the Council that he had received replies from their Honors the Chief Justices, to whom he had addressed letters requesting their opinion on the provisions of this Bill, the Honorable F. E. Beaver moved, by leave, that such letters be printed and referred to the Committee of the whole on the Bill. Question—put and resolved in the affirmative.
14. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, 28th October instant :—
Legal Profession Practice Bill.—To be further considered in Committee.
15. **ADJOURNMENT.**—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 21st October instant. Question—put and resolved in the affirmative.

The Council adjourned at fourteen minutes to ten o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 21ST OCTOBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPER.—The Honorable F. T. Sargood presented—
Mr. Wollaston—Completion of Return to an Order of the Legislative Council, dated 7th October instant, for—
 - (1.) Copies of all papers and correspondence in connection with the case of Mr. Wollaston, State school teacher at Campbelltown, who was recently fined £5 by the Education Department for “gross disobedience.”
 - (2.) A return showing all the punishments inflicted by the Department on State school teachers during the twelve months ending 30th September, 1884.

Ordered to lie on the Table.

5. CROWN LANDS BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read,
Debate resumed.
The Honorable H. Cuthbert moved, That the debate be now adjourned.
Question—That the debate be now adjourned until to-morrow—put and resolved in the affirmative.

6. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to provide for Mining for Gold and Silver on Private Property,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same, with amendments, to which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 21st October, 1884.

On the motion of the Honorable F. T. Sargood, the Council ordered the said amendments to be printed, and taken into consideration on Tuesday, 28th October instant.

7. BILLS OF LADING BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.

Resolved—That the Council will, on Tuesday, 28th October instant, again resolve itself into the said Committee.

8. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed as under :—

Hospitals and Charitable Institutions Bill.—To be further considered in Committee, until Thursday, 23rd October instant;

Zoological and Acclimatisation Society's Incorporation Bill.—To be committed;

Church of England Property Trustees Bill.—To be read a second time, until to-morrow.

The Council adjourned at nineteen minutes past ten o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

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Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 22ND OCTOBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. **STATUTE OF TRUSTS AMENDMENT BILL.**—The Order of the Day for the adoption of the Report from the Committee of the whole on this Bill having been read, the Honorable W. A. Zeal moved, That such Order be discharged.
Debate ensued.
Question—put and resolved in the affirmative.
The Honorable W. A. Zeal then moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable W. A. Zeal, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday, 28th October instant, again resolve itself into the said Committee.
5. **CROWN LANDS BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read,—
Debate resumed.
Question—That this Bill be now read a second time—put and resolved in the affirmative.—Bill read a second time.
The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable F. T. Sargood, The President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday, 28th October instant, again resolve itself into the said Committee.
6. **ZOOLOGICAL AND ACCLIMATISATION SOCIETY'S INCORPORATION BILL.**—The Honorable C. J. Jenner moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable C. J. Jenner, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same without amendment, the Council ordered the Report to be taken into consideration Tuesday, 28th October instant.
7. **CHURCH OF ENGLAND PROPERTY TRUSTEES BILL.**—The Honorable H. Cuthbert moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, this day, again resolve itself into the said Committee.

8. **SUSPENSION OF STANDING ORDER.**—The Honorable H. Cutbert moved, by leave of the Council, That Standing Order No. 15, relating to Private Bills, be suspended, in order to allow the Church of England Property Trustees Bill to pass through more than one stage this day.
Question—put and resolved in the affirmative.
9. **CHURCH OF ENGLAND PROPERTY TRUSTEES BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof. The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the Report to be taken into consideration Tuesday, 28th October instant.
10. **ADJOURNMENT.**—The Honorable F. T. Sargood moved, by leave, That the Council at its rising adjourn until Tuesday, 28th October instant.
Question—put and resolved in the affirmative.

The Council adjourned at one minute past ten o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 28TH OCTOBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPER.—The Honorable F. T. Sargood presented, pursuant to Act of Parliament—
Savings Banks—Statements and Returns for the year ending 30th June, 1884.
Ordered to lie on the Table.
5. MINING ON PRIVATE PROPERTY BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Assembly in this Bill having been read, the said amendments were read, and are as follow :—
 - (1.) Clause 2, page 2, lines 13 and 14, omit “now or which may be hereafter,” and insert after “Crown,” line 14, “before the twenty-ninth day of December One thousand eight hundred and eighty-four.”
 - (2.) „ „ line 19, omit “with the owner of any land or.”
 - (3.) „ „ „ omit “other.”
 - (4.) „ „ line 20, before “claiming” insert “(other than the owner).”
 - (5.) „ „ „ omit “such” and insert “any.”
 - (6.) Clause 4, page 3, line 4, after “lease” insert “of the whole area.”
 - (7.) „ „ „ after “land” insert “the subject of such lease or agreement.”
 - (8.) „ „ line 7, after “four months” insert “and in the event of a mining lease being granted to such owner he shall take it subject to any obligations entered into by any of the parties to such lease or agreement or their assignees with any tributer or sub-tributer, provided that such owner shall take the benefit of any tribute payable by such tributer or sub-tributer.”
 - (9.) Clause 10, lines 12 and 13, omit “granted under the provisions of this Act for a term not exceeding fifteen years.”
 - (10.) Clause 16, line 15, after “when” insert “if approved of by him.”
 - (11.) „ line 19, after “percentage” insert “on the net profits.”
 - (12.) Clause 29, line 17, omit “the” after “in” and insert “some.”
 - (13.) „ line 18, omit “nearest” and insert “near.”
 - (14.) After clause 29 insert new clause—
“30. The term for which a mining lease may be granted under this Act shall in the case of land mined in or on under an agreement existing on the first day of August One thousand eight hundred and eighty-four be for the unexpired term of such agreement not exceeding seven years and in all other cases not exceeding fifteen years from the time of granting the same, and the yearly rent to be payable in respect thereof shall be at the rate of One shilling for every acre demised. Provided that every mining lease granted under the authority of this Act shall contain a condition that if the lessee his executors administrators and assigns fail at any time during the term to fulfil the conditions and terms therein contained or to use the land *bonâ fide* for the purposes for which it is demised, such mining lease shall for any such failure be voidable at the will of the Governor in Council.”
 - (15.) Clause 31, line 41, after “done” insert “and which has not been already compensated for under any previous agreement.”
 - (16.) Clause 33, line 23, omit “thereon” and insert “on the land comprised in such mining lease.”
 - (17.) After clause 35, insert new clause—
“36. In case it is necessary for the proper working of a mine comprised in any mining lease granted under this Act or of a lease or claim held under the ‘Mining Statute 1865’ that water should be conveyed therefrom or brought thereto from any river stream or other watercourse or from any waterhole dam reservoir or place where water is artificially stored, if the person or persons requiring such water be entitled to take the same, it shall be lawful for the Governor in Council in the name and on behalf of Her Majesty to enter upon so much of any private land as may be required for the construction of a race or flume, or for the laying of pipes for the bringing of such water to or from the said mine or claim and to grant to the person requiring or using such water a lease of such private land as may be required for such construction, and the rent for the land comprised in any such lease shall be One shilling per acre per annum. Every such lease shall be obtained and compensation for the land comprised therein and for the injuriously affecting of any other land shall be ascertained and paid as hereinbefore provided, and shall be as nearly as may be in the form and subject to and contain the terms provisions and conditions contained in mining leases under this Act.”

- (18.) Clause 37, line 9, after "Act," insert "or after the registration of any agreement made between the holder of a miner's right and the owner of any private land as hereinafter provided."
- (19.) " line 12, after "lease," insert "or to land the subject of such agreement as the case may be."
- (20.) " line 14, after "lease," insert "or agreement."
- (21.) " at end of clause add "or land the subject of any such agreement as aforesaid"
- (22.) Clause 43, line 31, omit "applicant."
- (23.) " line 34, omit "applicant."
- (24.) Clause 49, line 9, after "takes," insert "or."
- (25.) " " omit "or conceals."
- (26.) " line 11, after "lease," insert "or under a miner's right as hereinafter provided."
- (27.) " line 13, omit "or conceals."
- (28.) " " after "take," insert "or."
- (29.) " line 14, omit "or conceal."
- (30.) Clause 50, lines 23 and 24, omit "Orders in Council," and insert "regulations."
- (31.) " line 30, omit "any" before "such."
- (32.) " " omit "Order in Council," and insert "regulations."
- (33.) " line 32, omit "previous Order in Council," and insert "regulations."
- (34.) Second Schedule, after Regulation 28 insert new Regulation—

"29. Before executing the said lease the applicant shall pay to the Receiver of Crown Revenue for the district in which the land is situate the sum of One pound as a fee for the preparation of the lease, and shall also pay the half-year's rent then due as reserved in the said lease, and in the case of the applicant being an owner, who has either by himself or his agent, mined in or on such land during the six months immediately preceding the passing of this Act, or being a party to a lease or agreement existing on the first day of August One thousand eight hundred and eighty-four, and purporting to give the right to mine in or on such land, or an assignee of such party, or being a person who claims the right to mine in or on such land under any agreement, and makes application within eight months after the passing of this Act, the costs of survey in accordance with the scale of fees in Appendix B hereto, and shall produce receipts for such payments to the warden before executing the lease; and unless so produced the warden shall not allow such lease to be executed; but the applicant shall after complying with the requirements aforesaid, be permitted by the warden to execute the lease."

- (35.) Second Schedule, after Regulation 39 insert new Regulation—

"40. Any person or persons being the lawful holder or holders of the lease granted by the Governor in Council, except any person or persons who by operation of law is entitled to sell or dispose of such lease for the benefit of creditors or a creditor, in which case no licence shall be necessary, shall (if desirous of so doing) apply to the Minister of Mines for a licence, under the hand and seal of the Governor in Council, to transfer, underlet, mortgage, or otherwise dispose of or encumber such lease, or the premises comprised therein, or any part or parts thereof; and it shall be lawful for the Governor in Council to grant or refuse such application. Every such application must be accompanied with a remittance of One pound, which will be returned if the application be refused. Unless the person or persons so applying is or are the legal holder or holders of the lease, such licence if granted shall have no effect. Such licence if granted shall be in the form set out in the Appendix L hereto annexed or as near thereto as practicable."

- (36.) Second Schedule, after Regulation 41 insert new Regulation—

"42. The lease, and every transfer, sub-lease, mortgage, or encumbrance thereof, or any part or parts of the premises comprised therein, shall be registered, and every power of attorney authorized by Rule 39 shall be filed in manner provided by law for the registration and filing of similar instruments in the colony; and the fees to be paid on such registration and filing, and the duties of persons conducting the same shall be the same as in ordinary cases of a similar nature."

- (37.) Second Schedule, page 25, before "Mining" in the heading to Appendix J, insert "The."

- (38.) " " page 26, paragraph 4, omit "the" after "determine when."

On the motion of the Honorable F. T. Sargood, amendments 1, 2, 3, 4, 5, 6, 7, and 8, were read a second time and agreed to.

Amendment 9 read a second time.

The Honorable F. T. Sargood moved, That the Council agree with the Assembly in this amendment. On the motion of the Honorable H. Cuthbert, the further consideration of this amendment was postponed until after the consideration of amendment 14.

Amendment 10 read a second time.

The Honorable F. T. Sargood moved, That the Council agree with the Assembly in this amendment. Debate ensued.

Question—put and negatived.

Amendment 11 read a second time.

The Honorable F. T. Sargood moved, That the Council agree with the Assembly in this amendment. Debate ensued.

Question—put and negatived.

Amendments 12 and 13 read a second time and agreed to.

Amendment 14 read a second time.

The Honorable F. T. Sargood moved, That the Council agree with the Assembly in this amendment. The Honorable N. Fitzgerald moved, That the word "August" be omitted from line 2 thereof, and the word "November" be inserted instead thereof.

Debate ensued.

Amendment, by leave, withdrawn.

The Honorable H. Cuthbert moved, That the said amendment 14 be amended by omitting from line 4 thereof the word "seven" and by inserting the word "fifteen" in lieu thereof.

Debate ensued.

Question—That the word "seven" proposed to be omitted, stand part of the amendment—put.
Council divided.

Ayes, 11.

The Hon. Dr. Beaney
J. Campbell
D. Coutts
Dr. Dobson
C. J. Ham
W. McCulloch
D. Melville
F. T. Sargood
D. C. Sterry
N. Thornley
F. E. Beaver (*Teller*).

Noes, 21.

The Hon. J. Balfour
J. Bell
T. Bromell
F. Brown
J. Buchanan
Sir W. J. Clarke, Bart.
T. F. Cumming
N. Fitzgerald
W. E. Hearn
T. Henty
C. J. Jenner
J. Lorimer
J. MacBain
F. Ormond
W. Pearson
P. Russell
W. E. Staunbridge
J. A. Wallace
J. Williamson
W. A. Zeal
H. Cuthbert (*Teller*).

And so it passed in the negative.

Question—That the word "fifteen" proposed to be inserted in place of the word "seven" omitted, be so inserted—proposed.

The Honorable J. Bell moved, That the word "fifteen" be omitted from the said amendment, with a view to insert the word "eleven" instead thereof.

Question—That the word "fifteen" stand part of the last proposed amendment—put and negatived.

Question—That the word "eleven" proposed to be inserted in place of the word "fifteen" omitted, be so inserted—put and resolved in the affirmative.

Question—That the word "eleven" be inserted in the said amendment 14, in the place of the word "seven" omitted—put and resolved in the affirmative.

Question—That the Council agree with the said amendment 14, as so amended—put and resolved in the affirmative.

Question—That the Council agree with the Assembly in amendment 9—put and resolved in the affirmative.

And the said several amendments, 15 to 38, both inclusive, were read a second time and agreed to by the Council.

Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council have agreed to some of the amendments, have disagreed to others, and have agreed to one of the said amendments with an amendment, with which they desire the concurrence of the Legislative Assembly.

6. **BILLS OF LADING BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.

Resolved—That the Council will, on Tuesday, 11th November next, again resolve itself into the said Committee.

7. **HOSPITALS AND CHARITABLE INSTITUTIONS BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Council ordered the adoption of the Report to be made an Order of the Day for Tuesday, 4th November next.—Bill as amended to be printed.

8. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Council ordered that the consideration of the following Orders of the Day be postponed until to-morrow :—

Crown Lands Bill—To be further considered in Committee.

Legal Profession Practice Bill—To be further considered in Committee.

Statute of Trusts Amendment Bill—To be further re-considered in Committee.

9. **ZOOLOGICAL AND ACCLIMATISATION SOCIETY'S INCORPORATION BILL.**—On the motion of the Honorable C. J. Jenner the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable C. J. Jenner, read a third time and passed.

The Honorable C. J. Jenner moved, That the following be the title of the Bill :—“ *An Act to provide for the Incorporation and Government of the Zoological and Acclimatisation Society of Victoria and for other purposes.*”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.

10. CHURCH OF ENGLAND PROPERTY TRUSTEES BILL.—On the motion of the Honorable W. E. Hearn the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable W. E. Hearn, read a third time and *passed*.

The Honorable W. E. Hearn moved, That the following be the title of the Bill :—“ *An Act to provide for the creation of Corporate Bodies of Trustees in which property belonging to the Church of England in Victoria may be vested, and to make further provisions in reference thereto.*”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.

The Council adjourned at thirteen minutes past eleven o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 29TH OCTOBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PASSENGERS, HARBORS, AND NAVIGATION STATUTE FURTHER AMENDMENT BILL.—The Honorable F. E. Beaver moved, pursuant to notice, That he have leave to bring in a Bill to further amend "*The Passengers, Harbors, and Navigation Statute 1865.*"
Question—put and resolved in the affirmative.
Ordered—That the Honorable F. E. Beaver do prepare and bring in the Bill.
The Honorable F. E. Beaver then brought up a Bill intituled "*A Bill to further amend 'The Passengers, Harbors, and Navigation Statute 1865,'*" and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time to-morrow.
5. CROWN LANDS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, this day, again resolve itself into the said Committee.
6. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair.
7. CROWN LANDS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
8. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until to-morrow :—
Statute of Trusts Amendment Bill—To be further re-considered in Committee.

The Council adjourned at twenty-one minutes past ten o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

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Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 30TH OCTOBER, 1884.

1. The Council met in accordance with adjournment.
 2. The President took the Chair.
 3. The President read the prayer.
 4. CROWN LANDS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable W. E. Hearn reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday, 11th November next, again resolve itself into the said Committee.
 5. STATUTE OF TRUSTS AMENDMENT BILL.—The Order of the Day for the further re-consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further re-consideration thereof.
The President resumed the Chair; and the Honorable W. E. Hearn having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Council ordered that the consideration of the Report be made an Order of the Day for Tuesday, 11th November next.—Bill, as amended, to be printed.
 6. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, 11th November next :—
Passengers, Harbors, and Navigation Statute further amendment Bill—To be read a second time.
 7. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 11th November next.
Debate ensued.
Question—put and resolved in the affirmative.
- The Council adjourned at twenty-eight minutes to eleven o'clock until Tuesday, 11th November next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

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Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 11TH NOVEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITIONS.—The Honorable W. E. Hearn presented a Petition from the Right Reverend the Bishop of Melbourne on behalf of the Assembly of the Bishop, the Clergy, and the Laity of the Church of England in the Diocese of Melbourne, praying the House would take such steps as to the House might seem to be necessary to abate the nuisance referred to in the Petition.
Ordered to lie on the Table.
The Honorable W. E. Hearn presented a Petition from the Right Reverend the Bishop of Melbourne on behalf of the Assembly of the Bishop, the Clergy, and the Laity of the Church of England in the Diocese of Melbourne, praying that the Council would take such steps as to the Council might seem desirable for giving effect to the recommendations set forth in the Petition.
Ordered to lie on the Table.
5. PAPERS.—The Honorable F. T. Sargood presented, by Command of His Excellency the Governor—
Pension of Sir Andrew Clarke—Correspondence and opinion of Imperial Law Officers.
Imperial Federation—Correspondence respecting a Conference on the subject, held in London, on the 29th of July, 1884.
Severally ordered to lie on the Table.
The Honorable F. T. Sargood presented—
Industrial and Reformatory Institutions—Supplementary Return to an Order of the Legislative Council, dated 23rd July last, for a Return showing :—
(1.) Arrears due by persons who have been ordered to contribute towards the support of their children sent by order of benches of magistrates to the Industrial and Reformatory Institutions of the colony.
(2.) The periods in arrear on 30th June, 1884.
(3.) The number of children ordered into the institutions.
(4.) The number of persons indebted.
(5.) The reasons, if any, why the arrears are not collected.
Ordered to lie on the Table.
6. SUBSTANTIVE GENERAL LAW CONSOLIDATION BILL.—The Honorable Dr. Dobson brought up the Report from the Committee to which this Bill was referred.
Ordered to lie on the Table, to be printed, and to be taken into consideration in Committee of the whole to-morrow.
7. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed as under :—
Bills of Lading Bill—To be further considered in Committee, until Tuesday, 25th November instant ;
Crown Lands Bill—To be further considered in Committee, until after the consideration of the other Orders on the Paper for to-day.
8. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable James Campbell, the following Order of the Day was read and discharged :—
Hospitals and Charitable Institutions Bill.—Adoption of Report.
9. HOSPITALS AND CHARITABLE INSTITUTIONS BILL.—The Honorable James Campbell moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable James Campbell, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
The President resumed the Chair ; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with further amendments, the Council ordered the same to be taken into consideration to-morrow—Bill, as further amended, to be printed.
10. STATUTE OF TRUSTS AMENDMENT BILL.—On the motion of the Honorable James Balfour, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable James Balfour, read a third time and *passed*.

The Honorable James Balfour, moved, That the following be the title of the Bill:—" *An Act to amend the Statute of Trusts 1864.*"

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.

11. PASSENGERS, HARBORS, AND NAVIGATION STATUTE FURTHER AMENDMENT BILL.—The Honorable F. E. Beaver moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable F. E. Beaver moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable F. E. Beaver, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the same to be taken into consideration this day.

On the motion of the Honorable F. E. Beaver, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. E. Beaver, read a third time and *passed*.

The Honorable F. E. Beaver moved, That the following be the title of the Bill:—" *An Act to further amend 'The Passengers Harbors and Navigation Statute 1865.'*"

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Assembly, with a Message desiring their concurrence therein.

12. CROWN LANDS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.

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

13. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled " *An Act to amend 'The Mallee Pastoral Leases Act 1883,'*" with which they desired the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 11th November, 1884.

PETER LALOR,
Speaker.

14. MALLEE PASTORAL LEASES ACT AMENDMENT BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled " *An Act to amend 'The Mallee Pastoral Leases Act 1883,'*" be now read a first time.

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

The Honorable F. T. Sargood, moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable F. T. Sargood, moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of the Bill.

The President resumed the chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council ordered the same to be taken into consideration this day. On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.

The Honorable F. T. Sargood moved, That the following be the title of the Bill:—" *An Act to amend 'The Mallee Pastoral Leases Act 1883.'*"

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly, acquainting them that the Council have agreed to this Bill without amendment.

The Council adjourned at ten minutes to eleven o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 12TH NOVEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITIONS.—The Honorable W. Ross presented a Petition from certain residents of Hamilton and its vicinity, praying the House would take the resolutions set forth in the Petition in favor of a continuation of the grocers' licence into favorable consideration.
Petition read, and ordered to lie on the Table.
A similar Petition was presented by the Honorable D. Melville from certain persons.
Ordered to lie on the Table.
5. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable W. E. Hearn, the following Order of the Day was read and discharged :—
Substantive General Law Consolidation Bill—Consideration of Report of Select Committee.
Ordered—That the Bill be withdrawn.
6. SUBSTANTIVE GENERAL LAW CONSOLIDATION BILL (2).—The Honorable W. E. Hearn then moved, by leave of the Council, That he have leave to bring in a Bill to declare, consolidate, and amend the Substantive General Law.
Question—put and resolved in the affirmative.
Ordered—That the Honorable W. E. Hearn do prepare and bring in the Bill.
The Honorable W. E. Hearn then brought up a Bill, intituled “*A Bill to declare, consolidate, and amend the Substantive General Law,*” and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time this day.
The Honorable W. E. Hearn moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable W. E. Hearn moved, That this Bill be committed to a Committee of the whole Council on Tuesday, 18th November instant.
Question—put and resolved in the affirmative.
7. HOSPITALS AND CHARITABLE INSTITUTIONS BILL.—On the motion of the Honorable J. Campbell, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. Campbell, read a third time and *passed*.
The Honorable J. Campbell moved, That the following be the title of the Bill :—“*An Act to amend an Act intituled ‘An Act for Hospitals and Charitable Institutions, and for other purposes.’*”
Question—put and resolved in the affirmative.
Ordered—That the Bill be transmitted to the Legislative Assembly, with a Message desiring their concurrence therein.
8. CROWN LANDS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

9. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorise the construction of certain Lines of Railway by the State, and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 12th November, 1884.

PETER LALOR,
Speaker.

10. RAILWAYS CONSTRUCTION BILL.—The Honorable J. Campbell moved, That the Bill transmitted by the above Message, intituled "*An Act to authorise the construction of certain Lines of Railway by the State, and for other purposes,*" be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 18th November instant.

The Council adjourned at thirteen minutes to eleven o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 13TH NOVEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, by Command of His Excellency the Governor—
Schedule D to Act 18 & 19 Vic. cap. 55.—Statement of Expenditure under—during the year 1883-4.

Ordered to lie on the Table.

The Honorable F. T. Sargood presented, pursuant to Act of Parliament—

Maryborough Waterworks Trust. — Detailed Statement required by Section 92 of “The Victorian Water Conservation Act 1883,” *re* application of the Maryborough Waterworks Trust for an additional Loan of £12,000.

Ordered to lie on the Table.

5. CROWN LANDS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday, 18th November instant, again resolve itself into the said Committee.
6. MESSAGES FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Messages from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to provide for Mining for Gold and Silver on Private Property,*” and acquaint the Legislative Council that the Legislative Assembly do not insist on their amendments in this Bill with which the Legislative Council have disagreed, and that they have agreed to an amendment made by the Legislative Council in an amendment of the Legislative Assembly.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 13th November, 1884.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending an amendment in the Bill intituled “*An Act to provide for the creation of corporate bodies of Trustees in which property belonging to the Church of England in Victoria may be vested, and to make further provisions in reference thereto,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the said amendment recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 12th November, 1884.

And the said Message was read, and is as follows:—

HENRY B. LOCH,
Governor.

Message No. . .

Pursuant to the provisions of section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly for their consideration the following amendment, which he desires to be made in the Bill intituled “*An Act to provide for the creation of corporate bodies of Trustees in which property belonging to the Church of England in Victoria may be vested, and to make further provisions in reference thereto*”:—In the enacting portion of the preamble, after the words “Legislative Assembly” omit the words “in the” and substitute the words “of Victoria in this.”

Government Offices,
Melbourne, 5th November, 1884.

7. CHURCH OF ENGLAND TRUSTEES INCORPORATION BILL.—The Honorable James MacBain moved, That the Council do concur with the Legislative Assembly in making the amendments recommended by His Excellency the Governor in this Bill.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly, acquainting them that the Legislative Council have concurred with the Legislative Assembly in the said amendments recommended by his Excellency the Governor.

The Council adjourned at twenty-five minutes to eleven o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 18TH NOVEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. WELLINGTON PROVINCE ELECTION.—The President announced that a subpoena had been served on the Clerk of the Council this day, requiring him to attend at the Police Court, situate in Talbot, on Tuesday, the 25th day of November instant, then and there to give evidence touching a certain complaint preferred against James Hunt, for that he, the said James Hunt, on the 11th day of September, 1884, unlawfully did vote twice as a ratepaying elector at an election of a Member to serve in the Legislative Council for the Wellington Province, and to produce the Writ of the Honorable the President of the Legislative Council for the election of a Member for the Wellington Province, issued on the 20th day of August last; the original roll of ratepaying electors for the Talbot Borough Division of the said Province, certified by the Electoral Registrar; two voting papers used at such election at the polling places of Talbot and Amherst by the said James Hunt; the declaration of William Scott, Returning Officer; the appointments of Henry Josephs, substitute for Returning Officer; Patrick Douglas, Deputy Returning Officer; Giddes and William Henry Ross, Scrutineers; and E. P. Dowding, Poll Clerk, together with their several declarations as such. The Honorable F. T. Sargood then moved, by leave of the Council, That the Clerk or some other officer of the Council have leave to attend at the Police Court at Talbot, and produce the documents set forth in the said subpoena.
Question—put and resolved in the affirmative.
5. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable F. T. Sargood, and the same was read, and is as follows:—
HENRY B. LOCH,
Governor. Message No. .
The Governor informs the Legislative Council that he has, on this day, at the Government House, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz.:—
“An Act to provide for the incorporation and government of the Zoological and Acclimatization Society of Victoria, and for other purposes.”
“An Act to amend ‘The Mallee Pastoral Leases Act 1883.’”
Government House,
Melbourne, 12 Novr., 1884.
Ordered to lie on the Table.
6. PETITION.—The Honorable J. Balfour presented a Petition from certain persons requesting the Council would take the united grievance and claims set forth in the Petition into their just and most favorable consideration, and restore the Mornington Branch of the Mornington and Hastings united lines of railway to the place it ought and was intended to occupy in the Railway Bill now before this Chamber.
Ordered to lie on the Table, and to be referred to the Committee of the whole on “The Railways Construction Bill.”
7. PAPERS.—The Honorable F. T. Sargood presented, pursuant to Act of Parliament—
Wimmera United Waterworks Trust.—Additional Loan of £67,000—Detailed Statement and Report as required by Sec. 92, Act No. 778.
Swan Hill Shire Waterworks Trust.—Detailed Statement *re* application of the Swan Hill Shire Waterworks Trust, for an additional Loan of £56,625.
Severally ordered to lie on the Table.
8. RESCISSION OF SESSIONAL ORDER.—The Honorable F. T. Sargood moved, pursuant to notice—
(1.) That the Sessional Order appointing the days on which the Council shall meet for the despatch of business be read and rescinded.
(2.) That, during the remainder of the session, Tuesday, Wednesday, Thursday, and Friday in each week, be the days on which the Council shall meet for despatch of business, and that half-past four o'clock be the hour of meeting on each day.
Debate ensued.
Ordered—That the further debate be adjourned until Tuesday, 25th November instant.

9. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until after the consideration of the second Order for to-day :—
Railways Construction Bill.—To be read a second time.
10. **CROWN LANDS BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
11. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to authorise a payment out of the Assurance Fund under the Transfer of Land Statute,*” with which they desire the concurrence of the Legislative Council.
PETER LALOR,
Legislative Assembly Chamber,
Melbourne, 18 November, 1884. Speaker.
12. **ASSURANCE FUND PAYMENT BILL.**—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “*An Act to authorise a payment out of the Assurance Fund under the Transfer of Land Statute,*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time to-morrow.
13. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend ‘The Residence Areas Act 1881,’*” with which they desire the concurrence of the Legislative Council.
PETER LALOR,
Legislative Assembly Chamber,
Melbourne, 18 November, 1884. Speaker.
14. **RESIDENCE AREAS ACT AMENDMENT BILL.**—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “*An Act to amend ‘The Residence Areas Act 1881,’*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time to-morrow.
15. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until to-morrow :—
Railways Construction Bill.—To be read a second time.
16. **SUBSTANTIVE GENERAL LAW CONSOLIDATION BILL (2).**—The Honorable W. E. Hearn moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable W. E. Hearn, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same without amendment.
On the motion of the Honorable W. E. Hearn, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable W. E. Hearn, read a third time and *passed*.
The Honorable W. E. Hearn moved, That the following be the title of the Bill :—“*An Act to declare ‘consolidate and amend the Substantive General Law.’*”
Question—put and resolved in the affirmative.
Ordered—That the Bill be transmitted to the Legislative Assembly, with a Message desiring their concurrence therein.

The Council adjourned at half-past ten o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 19TH NOVEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITION.—The Honorable J. Buchanan presented a Memorial from certain persons, being selectors and landholders in the parishes of Jeetho, Jumbunna, Corinella, Woolamai, and Wonthagga, praying the Council would cause to be inserted in the Railway Bill now before Parliament a clause to provide for the construction of a line of railway in connection with the Great Southern Railway at a point near its intersection with the Bass River, following the route surveyed as an alternative one for the Great Southern, down the Bass Valley and terminating at or near the Lower Powlett, or wherever may be deemed most expedient.
Ordered to lie on the Table, and to be referred to the Committee of the whole on the Railways Construction Bill.
5. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until after the consideration of the 3rd Order for to-day:—
Crown Lands Bill.—To be further considered in Committee.
6. ASSURANCE FUND PAYMENT BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same without amendment.
On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.
The Honorable F. T. Sargood moved, That the following be the title of the Bill:—“*An Act to authorise a payment out of the Assurance Fund under ‘The Transfer of Land Statute.’*”
Question—put and resolved in the affirmative.
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.
7. RESIDENCE AREAS ACT AMENDMENT BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same without amendment.
On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.

The Honorable F. T. Sargood moved, That the following be the title of the Bill :—“ *An Act to amend ‘ The Residence Areas Act 1881.’* ”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.

8. CROWN LANDS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair ; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Council ordered the Report be taken into consideration to-morrow.—Bill as amended to be printed.

9. MESSAGES FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Messages from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “ *An Act to remove doubts as to the power of the Governor in Council in certain cases,* ” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same without amendment.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 19 November, 1884.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “ *An Act to further amend ‘ The Passengers, Harbors, and Navigation Statute 1865,’* ” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same without amendment.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 19 November, 1884.

10. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act for the legalization of Trades Unions,* ” with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 19th November, 1884.

11. TRADES UNIONS BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “ *An Act for the legalization of Trades Unions,* ” be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 25th November instant.

12. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to make provision for the Amendment of Errors and Informalities in proceedings before Justices of the Peace,* ” with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 19th November, 1884.

13. JUSTICES OF THE PEACE PROCEEDINGS BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “ *An Act to make provision for the Amendment of Errors and Informalities in proceedings before Justices of the Peace,* ” be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time, Tuesday, 25th November instant.

14. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to amend the Laws concerning Letters Patent for Inventions,* ” with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 19th November, 1884.

15. PATENTS BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “ *An Act to amend the Laws concerning Letters Patent for Inventions,* ” be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 25th November instant.

16. RAILWAYS CONSTRUCTION BILL.—The Honorable James Campbell moved, That this Bill be now read a second time.

The Honorable J. MacBain moved, That the debate be now adjourned.

Question—That the debate be now adjourned until to-morrow—put and resolved in the affirmative.

17. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorize the Melbourne Tramway and Omnibus Company Limited to construct Tramway Branches in the cities of Melbourne and Collingwood and in the borough of St. Kilda, and to amend 'The Melbourne Tramway and Omnibus Company's Act 1883,' and for other purposes,*" with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, November, 1884.

18. MELBOURNE TRAMWAY AND OMNIBUS COMPANY'S ADDITIONAL BRANCHES BILL.—The Honorable W. E. Hearn moved, by leave of the Council, That a Message be sent to the Legislative Assembly requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings of the Select Committee of that House, to which the Bill was referred during the present session of Parliament.

Question—put and resolved in the affirmative.

The Council adjourned at four minutes to ten o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 20TH NOVEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITIONS.—The Honorable J. A. Wallace presented a Petition from certain ratepayers and other residents in the town and district of Wodonga, praying that the Council, having at heart the claims of districts yet unsupplied with railways, the wise and honest expenditure of the public funds, and the interests of the whole country, would cause enquiry to be made as to the necessity of the Beechworth-Yackandandah line, the suitability of the route adopted; also that the Council would consider the merits of the route Melbourne *via* Wodonga to Yackandandah.
Petition received and ordered to lie on the table.
The Honorable Dr. Dobson presented a Petition from George B. Halford, styling himself chairman of residents and property holders of Beaconsfield and Gembrook, in meeting assembled, praying the Council to introduce the Beaconsfield and Gembrook line into the Railway Bill, as an experimental line on the narrow gauge principle.
Petition received and ordered to lie on the Table, and to be referred to the Committee of the whole on the Railways Construction Bill.
5. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable F. T. Sargood, the following Order of the Day was read and discharged :—
Crown Lands Bill.—Adoption of Report.
6. CROWN LANDS BILL.—The Honorable F. T. Sargood moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration of clauses 23, 24, 25, 29, 34, 35, 40, 64, 72, 74, 93, 124, and new clauses.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of such clauses.
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with further amendments, the Council ordered the same to be taken into consideration Tuesday, 25th November instant—Bill, as further amended, to be printed.
7. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council copies of the Report and Evidence of the Select Committee of the Legislative Assembly on the Bill intituled “*An Act to authorize the Melbourne Tramway and Omnibus Company Limited to construct Tramway Branches in the cities of Melbourne and Collingwood and in the borough of St. Kilda, and to amend ‘The Melbourne Tramway and Omnibus Company’s Act 1883,’ and for other purposes,*” in accordance with the request of the Legislative Council.
PETER LALOR,
Speaker.
Legislative Assembly Chamber,
Melbourne, 19th November, 1884.
8. MELBOURNE TRAMWAY AND OMNIBUS COMPANY’S ADDITIONAL BRANCHES BILL.—The Honorable W. E. Hearn produced a certificate showing that a sum of £20 had been paid to the Treasurer for the public uses of the colony, to meet the expenses of this Bill, and moved, That the Bill intituled “*An Act to authorize the Melbourne Tramway and Omnibus Company Limited to construct ‘Tramway Branches in the cities of Melbourne and Collingwood and in the borough of St. Kilda, and to amend ‘The Melbourne Tramway and Omnibus Company’s Act 1883,’ and for other purposes,*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time.
The Honorable W. E. Hearn moved, That the second reading of this Bill be made an Order of the Day, Tuesday, 25th November instant.
Question—put and resolved in the affirmative.

9. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to amend an Act intituled ‘ An Act to make better provision for the office of Agent-General,’*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 20th November, 1884.

PETER LALOR,
Speaker.

10. AGENT-GENERAL’S ACT AMENDMENT BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “ *An Act to amend an Act intituled ‘ An Act to make better provision for the office of Agent-General,’*” be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 25th November instant.

11. PETITION.—The Honorable Jas. Buchanan presented a Petition from R. G. Benson, styling himself chairman of a meeting of the landowners and residents of the Shire of Oakleigh and of others, praying that the House would so amend the Railway Bill as to substitute Oakleigh as the starting point for the line to Fern-tree Gully, and that the same might be made as nearly direct from thence to the terminus as might be found practicable.

Petition received and ordered to lie on the Table, and to be referred to the Committee of the whole on the Railways Construction Bill.

12. RAILWAYS CONSTRUCTION BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read,
Debate resumed.

The Honorable C. J. Jenner moved, That the debate be now adjourned.

Question—That the debate be now adjourned until Tuesday, 25th November instant—put and resolved in the affirmative.

The Council adjourned at seventeen minutes past ten o’clock until Tuesday next at half-past four o’clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 25TH NOVEMBER, 1884.

1. The Council met in accordance with adjournment.
2. DEATH OF SIR WILLIAM H. F. MITCHELL.—The Clerk, at the Table, acquainted the House that it was his painful duty to inform them of the death of the Honorable Sir W. H. F. Mitchell, who for so many years had held office as President of the Council.
The Honorable F. T. Sargood, addressing himself to the Clerk, moved, That, as a mark of respect to the memory of their late President, the Council do now adjourn until Thursday next.
The question was put by the Clerk, and was resolved in the affirmative.

Whereupon the Council adjourned at five o'clock until Thursday next at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 27TH NOVEMBER, 1884.

1. The Council met in accordance with adjournment.

2. ELECTION OF PRESIDENT.—The Honorable F. T. Sargood, addressing himself to the Clerk, who standing up, pointed to him, and then sat down, proposed to the Council as their President, the Honorable James MacBain; and moved, That the Honorable James MacBain do take the Chair of the Council as President, in which motion he was seconded by the Honorable W. E. Hearn.

Whereupon the Honorable James MacBain, being unanimously called to the Chair, expressed in his place his sense of the honour proposed to be conferred on him, and submitted himself to the Council, when he was again called to the Chair and conducted thereto by the Honorable Members who proposed and seconded him, and thereupon sat down in the Chair.

Then the Honorable F. T. Sargood, having congratulated the President elect, announced that he was commanded to declare that His Excellency the Governor would be prepared to receive the President elect at a quarter past six o'clock at Government House.

At half-past seven o'clock the President took the Chair and read the Prayer.

3. PRESENTATION OF THE PRESIDENT TO HIS EXCELLENCY THE GOVERNOR.—The President reported that he had, accompanied by many Members of the Council, presented himself to His Excellency the Governor, who had been pleased to approve of the choice made by the Council, and had addressed him in the following terms:—

MR. PRESIDENT—

I have great pleasure in approving the selection made by the Legislative Council, and in congratulating you on the high honour conferred upon you by the Council in electing you to preside over their deliberations.

HENRY B. LOCH,
Governor.

Government House,
27th November, 1884.

4. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—Annexation, Federation, and Foreign Convicts—Correspondence.

Ordered to lie on the Table.

The Honorable F. T. Sargood presented, pursuant to Act of Parliament—Victorian Military Forces—Regulations.

The Fisheries Act Amendment Act 1878—Notice of Proclamation to prohibit the taking of any species of Fish in any river, creek, or stream in the Colony of Victoria by any other means than by hook and line.

Severally ordered to lie on the Table.

5. VOLUNTEER STATUTE 1865 AMENDMENT BILL.—The Honorable F. T. Sargood moved, by leave of the Council, that he have leave to bring in a Bill to amend "*The Volunteer Statute 1865*," and for other purposes.

Question—put and resolved in the affirmative.

Ordered—That the Honorable F. T. Sargood do prepare and bring in the Bill.

The Honorable F. T. Sargood then brought up a Bill intituled "*A Bill to amend 'The Volunteer Statute 1865,' and for other purposes*," and moved, That it be now read a first time.

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

6. PETITIONS.—The Honorable W. Pearson presented a Memorial from certain residents of Dargo and surrounding district, praying the Council would give the Memorial earliest and most favorable consideration.

Petition read, and ordered to lie on the Table.

The Honorable J. A. Wallace presented a Petition from certain miners and other residents of the district of Chiltern, praying the Council to disallow certain provisions of the Land Bill referred to in the Petition.

Petition read, and ordered to lie on the Table.

The Honorable H. H. Wettenhall presented a Petition from certain residents in the Borough and Shire of Stawell and Borough and Shire of St. Arnaud, praying that the claim of the Petitioners for railway extension be considered, and that the line of railway referred to in the Petition be included in the Railway Bill now before the House.

Petition received and ordered to be referred to the Committee of the whole on the Railways Construction Bill.

The Honorable J. Buchanan presented a Petition from certain inhabitants of Pakenham, praying that the Great Southern Railway should start from Pakenham.

Petition received and ordered to be referred to the Committee of the whole on the Railways Construction Bill.

The Honorable G. Young presented a Petition from certain inhabitants of Murtoa and district, in favor of granting a deviation proposed referred to in the Petition, namely, making Murtoa, and not Lubeck, the starting point.

Petition received and ordered to be referred to the Committee of the whole on the Railways Construction Bill.

7. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend the Licensing Act 1876,*” with which they desire the concurrence of the Legislative Council.

PETER LALOR,

Legislative Assembly Chamber,

Melbourne, 27th November, 1884.

Speaker.

8. LICENSING ACT AMENDMENT BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “*An Act to amend the Licensing Act 1876,*” be now read a first time. Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time to-morrow.

9. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to further amend ‘The Local Government Act 1874,’*” with which they desire the concurrence of the Legislative Council.

PETER LALOR,

Legislative Assembly Chamber,

Melbourne, 27th November, 1884.

Speaker.

10. LOCAL GOVERNMENT ACT 1874 FURTHER AMENDMENT BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “*An Act to further amend ‘The Local Government Act 1874,’*” be now read a first time.

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

11. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to abate the nuisance relating to Dogs,*” with which they desire the concurrence of the Legislative Council.

PETER LALOR,

Legislative Assembly Chamber,

Melbourne, 27th November, 1884.

Speaker.

12. DOG BILL.—The Honorable N. Thornley moved, That the Bill transmitted by the above Message, intituled “*An Act to abate the nuisance relating to Dogs,*” be now read a first time.

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

13. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to provide for the remuneration of Attorneys and Solicitors,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same without amendment.

PETER LALOR,

Legislative Assembly Chamber,

Melbourne, 27th November, 1884.

Speaker.

14. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor, recommending an amendment in the Bill intituled “*An Act to amend ‘The Residence Areas Act 1881,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the said amendment recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

PETER LALOR,

Legislative Assembly Chamber,

Melbourne, 27 November, 1884.

Speaker.

And the said Message was read, and is as follows:—

HENRY B. LOCH,

Governor.

Pursuant to the provisions of Section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly for their consideration the following amendments, which he desires to be made in the Bill intituled “*An Act to amend ‘The Residence Areas Act 1881,’*” :—In clause 2, in lieu of the words “section ten” substitute the words “section two.”

Government Offices,

Melbourne, 25 November, 1884.

15. RESIDENCE AREAS ACT AMENDMENT BILL.—The Honorable F. T. Sargood moved, That the Council do concur with the Legislative Assembly in making the amendment recommended by His Excellency the Governor in this Bill.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly, acquainting them that the Legislative Council have concurred with the Legislative Assembly in the said amendment recommended by His Excellency the Governor.

16. THE LATE SIR W. H. F. MITCHELL.—The Honorable F. T. Sargood moved, by leave of the Council, That the House deplores the loss which the Parliament and this colony have sustained by the death of the Honorable Sir W. H. F. Mitchell, the late President of the Council, and desires to record its acknowledgment of the ability and integrity which have marked his long career in the various high positions which he has occupied with such conspicuous distinction.

Debate ensued.

Question—put and unanimously resolved in the affirmative.

17. RESCISSION OF SESSIONAL ORDER.—The Order of the Day for the resumption of the debate on the question—(1.) That the Sessional Order appointing the days on which the Council shall meet for the despatch of business be read and rescinded.

(2.) That during the remainder of the session, Tuesday, Wednesday, Thursday, and Friday, in each week, be the days on which the Council shall meet for despatch of business, and that half-past four o'clock be the hour of meeting on each day—having been read,

Debate resumed.

The Honorable F. T. Sargood moved, by leave of the Council—(1.) That the Sessional Order appointing the days on which the Council shall meet for the despatch of business be read.

(2.) That the Council do meet for despatch of business to-morrow, and that half-past four o'clock be the hour of meeting.

Question—put and resolved in the affirmative.

18. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed as under :—

Bills of Lading Bill.—To be further considered in Committee—until Thursday, 11th December next ;

Trades Unions Bill.—To be read a second time,

Justices of the Peace Proceedings Bill.—To be read a second time,

Patents Bill.—To be read a second time, until after the consideration of the 6th Order for to-day.

19. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable F. T. Sargood, the following Order of the Day was read and discharged :—

Crown Lands Bill.—Adoption of Report.

20. CROWN LANDS BILL.—The Honorable F. T. Sargood moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration of clauses 25, 35, 40, 74, and 97.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of the above clauses of this Bill.

The President resumed the Chair ; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with further amendments, the Honorable F. T. Sargood moved, That the consideration of the Report be made an Order of the Day for to-morrow.

Debate ensued.

Council divided.

Ayes, 24.

The Hon. F. E. Beaver
F. Brown
J. Campbell
Sir W. J. Clarke, Bart.
T. F. Cumming
H. Cuthbert
Dr. Dobson
N. Fitzgerald
J. Graham
C. J. Ham
P. Hanna
W. E. Hearn
T. Henty
C. J. Jenner
D. Melville
F. Robertson
W. Ross
P. Russell
F. T. Sargood
W. E. Stanbridge
J. A. Wallace
J. Williamson
G. Young
N. Thornley (*Teller*).

Noes, 9.

The Hon. J. Bell
T. Bromell
J. Buchanan
W. McCulloch
F. Ormond
W. Pearson
D. C. Sterry
H. H. Wettenhall
W. A. Zeal (*Teller*).

And so it was resolved in the affirmative.

21. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable F. T. Sargood, and the same was read and is as follows :—

HENRY B. LOCH,
Governor.

Message.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“An Act to provide for Mining for Gold and Silver on Private Property.”

“An Act to provide for the creation of corporate Bodies of Trustees in which property belonging to the Church of England in Victoria may be vested, and to make further provisions in reference thereto.”

“An Act to authorize a payment out of the Assurance Fund under ‘The Transfer of Land Statute.’”

“An Act to remove doubts as to the power of the Governor in Council in certain cases.”

“An Act to further amend ‘The Passengers, Harbors, and Navigation Statute 1865.’”

Government Offices,

Melbourne, 25 November, 1884.

Ordered to lie on the Table.

22. TRADES UNIONS BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable F. T. Sargood, The President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair ; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
23. JUSTICES OF THE PEACE PROCEEDINGS BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.
The Honorable W. E. Hearn moved, That the debate be now adjourned.
Question—That the debate be now adjourned until to-morrow—put and resolved in the affirmative.
24. PATENTS BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair ; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
25. AGENT-GENERAL'S ACT AMENDMENT BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.
Debate ensued.
The Honorable Dr. Dobson moved, That the debate be now adjourned.
Question—That the debate be now adjourned until to-morrow—put and resolved in the affirmative.
26. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until to-morrow :—
Railways Construction Bill.—Adjourned debate on second reading.
27. MELBOURNE TRAMWAY AND OMNIBUS COMPANY'S ADDITIONAL BRANCHES BILL.—The Honorable W. E. Hearn moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable W. E. Hearn moved, That this Bill be committed to a Committee of the whole Council to-morrow.
Question—put and resolved in the affirmative.

The Council adjourned at twenty-four minutes past eleven o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, 28TH NOVEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITIONS.—The Honorable James Williamson presented a Petition from the council of the Shire of Hampden, under the corporate seal of the said Shire, praying the Council would not sanction the proposed increase of the Dog Tax.
Petition read and ordered to lie on the Table.
The Honorable Jas. Buchanan presented a Petition from T. Bruce Hutton, styling himself chairman of a public meeting of the residents of Dandenong and surrounding district, praying the Council to pass the Great Southern Line as scheduled in the present Railway Bill, retaining the starting point from Dandenong.
Petition received and ordered to lie on the Table.
The Honorable F. Ormond presented a Petition from the mayor, aldermen, councillors, and burgesses of the Town of Geelong, under the corporate seal of the said town, praying the Council would adopt that clause of the Local Government Amending Bill which would give to the corporation of the Town of Geelong the power to construct gas-works, and charge for gas supplied.
Petition received and ordered to lie on the Table.
The Honorable G. F. Belcher presented a Petition from the Directors of the Geelong Gas Company under the corporate seal of the said Company, praying the Council would, as it did before, strike out the clause from the Local Government Amending Bill, of which the Petitioners complain.
Petition received and ordered to lie on the Table, and to be referred to the Committee of the whole on the Local Government Act Further Amendment Bill.
The Honorable W. McCulloch presented a Petition from certain residents of Drouin West, praying that the Council would call for witnesses to enable the Petitioners to verify their statements.
Petition read and ordered to lie on the Table.
A similar Petition was presented by the Honorable W. McCulloch from certain residents of Jindivick.
Petition received and ordered to lie on the Table.
5. PAPERS.—The Honorable J. Campbell presented, pursuant to Act of Parliament—
Post Office Savings Bank—Statement of Accounts of the Post Office Savings Bank in Victoria for the year ended 31st December, 1883.
Commission to Licensed Vendors of Stamps or duly appointed Managers of Banking Companies or Corporations—Rates of commission payable to.
Commission to be paid to Licensed Vendors of Stamps—Reduced rates of commission to be paid on purchase of postage or duty stamps.
Press Messages.—Order in Council.—Rates chargeable on Intercolonial Press Messages transmitted between Victoria and Queensland.
Severally ordered to lie on the Table.
6. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of Orders Nos. 1 to 4 be postponed until after the consideration of Order of the Day No. 10.
7. CROWN LANDS BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole on this Bill having been read,
The Honorable D. C. Sterry moved, That the Order of the Day be discharged.
Debate ensued.
Question—put and negatived.
On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported, the Honorable F. T. Sargood moved, That the Bill be now read a third time.
Debate ensued.
Question—put and resolved in the affirmative.
Question—That the Bill do pass—put and resolved in the affirmative.
The Honorable F. T. Sargood moved, That the following be the title of the Bill:—“*An Act to amend and consolidate the laws relating to the sale and occupation of Crown Lands and for other purposes.*”
Question—put and resolved in the affirmative.
Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.

8. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Council ordered that the consideration of Orders of the Day 6, 7, 8, and 9, be postponed until after the consideration of the 10th Order for to-day.
9. **RAILWAYS CONSTRUCTION BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read,
 Debate resumed.
 Question—That this Bill be now read a second time—put and resolved in the affirmative.—Bill read a second time.
 The Honorable James Campbell moved, That this Bill be now committed to a Committee of the whole Council.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable James Campbell, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.
 Resolved—That the Council will, on Tuesday, 2nd December next, again resolve itself into the said Committee.
10. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Council ordered that the consideration of the following Orders of the Day be postponed as under :—
- Volunteer Statute 1865 Amendment Bill.—To be read a second time,*
Licensing Act Amendment Bill.—To be read a second time,
Local Government Act further Amendment Bill.—To be read a second time,
Dog Bill.—To be read a second time,
Trades Unions Bill.—To be further considered in Committee,
Justices of the Peace Proceedings Bill.—Adjourned debate on second reading,
Patents Bill.—To be further considered in Committee,
Agent-General's Act Amendment Bill.—Adjourned debate on second reading, until Tuesday,
 2nd December next ;
Melbourne Tramway and Omnibus Company's Additional Branches Bill.—To be committed,
 until Wednesday, 3rd December next.

The Council adjourned at twelve minutes past eleven o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,
 Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 2ND DECEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITIONS.—The Honorable F. E. Beaver presented a Petition from the members of the Outer Circle Railway League, praying the Council to pass the Outer Circle Railway in the Bill now before the Council.
Ordered to lie on the Table, and to be referred to the Committee of the whole on the Railways Construction Bill.
The Honorable James Buchanan presented a Petition from certain residents of Dandenong and surrounding districts, praying the Council to pass the Great Southern Railway Line, as scheduled in the present Bill, retaining the starting point from Dandenong.
Petition received, ordered to lie on the Table, and to be referred to the Committee of the whole on the Railways Construction Bill.
The Honorable J. A. Wallace presented a Petition from certain residents of Wangaratta, Moyhu, Laceby, Oxley, Hedi, and Upper King, praying the Council to take the statements contained in the Petition into favourable consideration.
Petition received, ordered to lie on the Table, and to be referred to the Committee of the whole on the Railways Construction Bill.
The Honorable N. Thornley presented a Petition from the Council of the shire of Minhamite, under the corporate seal of the said shire, praying that a line of railway be scheduled in the Railway Bill now before the Council to connect the towns of Kerang and Branxholme.
Petition received, and ordered to lie on the Table, and to be referred to the Committee of the whole on the Railways Construction Bill.
The Honorable N. Thornley presented a Petition from the Villiers Railway League, praying that the Council would take the statements in the Petition into favorable consideration, and pass the line referred to in the Petition, as agreed to in the Legislative Assembly.
Petition received, and ordered to lie on the Table, and to be referred to the Committee of the whole on the Railways Construction Bill.
The Honorable P. Hanna presented a Petition from certain members of the Seymour to Sandhurst Railway League, praying the House to eliminate from the present Railway Bill all lines that are not known to be needful and urgent, and that in the interval, between this and the next session of Parliament in which they might be introduced, full reports from the Railway Engineers as to their probable cost, and from the Railway Commissioners as to the policy of their construction, might be obtained.
Petition received, and ordered to lie on the Table, and to be referred to the Committee of the whole on the Railways Construction Bill.
5. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—
The Observatory—Nineteenth Report of the Board of Visitors to—with the Annual Report of the Government Astronomer.
Statistical Register of the Colony of Victoria, for the year 1883—
Part IV.—Interchange.
Part V.—Vital Statistics, &c.
Part VI.—Production.
Part VII.—Accumulation.
Severally ordered to lie on the Table.
The Honorable F. T. Sargood presented, pursuant to Act of Parliament—
Victorian Railways.—Report of the Victorian Railways Commissioners for the Quarter ending 31st March, 1884.
Victorian Naval Forces.—Dress Regulations.—Uniform to be worn by the Officers of the Victorian Naval Forces.
Lunatic Asylums.—Return of the Inspector of Lunatic Asylums of the number of patients visited, and the number of miles travelled by him, during the six months ended 30th June, 1884.
Severally ordered to lie on the Table.
6. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of Orders of the Day, Nos. 1 and 2, be postponed until after the consideration of Order No. 3.

7. LICENSING ACT AMENDMENT BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same with an amendment.

On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.

The Honorable F. T. Sargood moved, That the following be the title of the Bill:—“*An Act to amend ‘The Licensing Act 1876.’*”

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council have agreed to the same with an amendment, and requesting their concurrence therein.

8. RAILWAYS CONSTRUCTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.

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

9. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend ‘The Licensing Act 1876,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment made in such Bill by the Legislative Council.

PETER LALOR,

Speaker.

Legislative Assembly Chamber,
Melbourne, 2nd December, 1884.

10. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until to-morrow:—

Volunteer Statute 1865 Amendment Bill.—To be read a second time,

Local Government Act further Amendment Bill.—To be read a second time,

Dog Bill.—To be read a second time,

Trades Unions Bill.—To be further considered in Committee,

Justices of the Peace Proceedings Bill.—Adjourned debate on second reading,

Patents Bill.—To be further considered in Committee,

Agent-General's Act Amendment Bill.—Adjourned debate on second reading.

The Council adjourned at nineteen minutes past eleven o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 3RD DECEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITION.—The Honorable J. Balfour presented a Petition from the Rev. J. Clark, styling himself Moderator of the General Assembly of the Presbyterian Church of Victoria, praying the Council speedily to declare its approval of certain proposals set forth in the Petition in reference to religious instruction in State schools.
Petition received, and ordered to lie on the Table.
5. MELBOURNE TRAMWAY AND OMNIBUS COMPANY'S ADDITIONAL BRANCHES BILL.—The Honorable W. E. Hearn moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable W. E. Hearn, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same with amendments.
The Honorable W. E. Hearn moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration of the Third Schedule.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable W. E. Hearn, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of the Third Schedule of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with further amendments.
6. SUSPENSION OF STANDING ORDER.—The Honorable W. E. Hearn moved, by leave of the Council, That Standing Order relating to Private Bills, No. 15, be suspended, in order to allow the Melbourne Tramway and Omnibus Company's Additional Branches Bill to pass through more than one stage this day.
Question—put and resolved in the affirmative.
7. MELBOURNE TRAMWAY AND OMNIBUS COMPANY'S ADDITIONAL BRANCHES BILL.—On the motion of the Honorable W. E. Hearn, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable W. E. Hearn, read a third time and *passed*.
The Honorable W. E. Hearn moved, That the following be the title of the Bill:—“*An Act to authorize the Melbourne Tramway and Omnibus Company Limited to construct Tramway Branches in the cities of Melbourne and Collingwood, and in the borough of St. Kilda, and to amend ‘The Melbourne Tramway and Omnibus Company's Act 1883,’ and for other purposes.*”
Question—put and resolved in the affirmative.
Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.
8. RAILWAYS CONSTRUCTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same with amendments.

The Honorable J. Buchanan moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable J. Buchanan, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with further amendments.

On the motion, by leave, of the Honorable J. Campbell, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. Campbell, read a third time and *passed*.

The Honorable J. Campbell moved, That the following be the title of the Bill:—“*An Act to authorize the construction of lines of Railway by the State and for other purposes.*”

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.

9. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to authorize the raising of money for the redemption or payment of certain Debentures, and for other purposes,*” with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 3rd December, 1884.

10. LOAN BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “*An Act to authorize the raising of money for the redemption or payment of certain debentures, and for other purposes,*” be now read a first time.

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

11. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend ‘The Waterworks Act 1880,’ and for other purposes,*” with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 3rd December, 1884.

12. WATERWORKS ACT 1880 AMENDMENT BILL.—The Honorable J. Campbell moved, That the Bill transmitted by the above Message, intituled “*An Act to amend ‘The Waterworks Act 1880,’ and for other purposes,*” be now read a first time.

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

13. VOLUNTEER STATUTE 1865 AMENDMENT BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable F. T. Sargood, The President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same with amendments, the Council adopted the Report from the Committee and ordered the Bill to be read a third time to-morrow.

14. LOCAL GOVERNMENT ACT FURTHER AMENDMENT BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable F. T. Sargood, The President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.

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

15. TRADES UNIONS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.

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

16. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until to-morrow :—

Dog Bill—To be read a second time,

Justices of the Peace Proceedings Bill.—Adjourned debate on second reading,

Patents Bill.—To be further considered in Committee,

Agent-General's Act Amendment Bill.—Adjourned debate on second reading.

The Council adjourned at eleven o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 4TH DECEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. RAILWAYS CONSTRUCTION BILL.—The Honorable J. Campbell moved, That a Message be sent to the Legislative Assembly transmitting certain amendments made by the Legislative Council in the Bill intituled “*An Act to authorize the construction of certain lines of railway by the State, and for other purposes,*” which were accidentally omitted from the amendments in the said Bill transmitted to the Legislative Assembly yesterday.
Question—put and resolved in the affirmative.
5. LOAN BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same without amendment.
On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.
The Honorable F. T. Sargood moved, That the following be the title of the Bill:—“*An Act to authorize the raising of money for the redemption or payment of certain Debentures, and for other purposes.*”
Question—put and resolved in the affirmative.
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.
6. WATERWORKS ACT 1880 AMENDMENT BILL.—The Honorable J. Campbell moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable J. Campbell moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable J. Campbell, The President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same without amendment.
On the motion of the Honorable J. Campbell, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. Campbell, read a third time and *passed*.
The Honorable J. Campbell moved, That the following be the title of the Bill:—“*An Act to amend ‘The Waterworks Act 1880,’ and for other purposes.*”
Question—put and resolved in the affirmative.
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.
7. VOLUNTEER STATUTE 1865 AMENDMENT BILL.—The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.
The Honorable F. T. Sargood moved, That the following be the title of the Bill:—“*An Act to amend ‘The Volunteer Statute 1865,’ and for other purposes.*”
Question—put and resolved in the affirmative.
Ordered—That the Bill be transmitted to the Legislative Assembly, with a Message desiring their concurrence therein.

8. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend and consolidate the laws relating to the sale and occupation of Crown Lands, and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to some of the amendments made in such Bill by the Legislative Council, and have disagreed to others of the said amendments, and have agreed to certain of the said amendments with amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne. 4th December, 1884.

PETER LALOR,
Speaker.

On the motion of the Honorable F. T. Sargood, the Council ordered that the said amendments, amended or disagreed to by the Legislative Assembly, be taken into consideration this day.

9. LOCAL GOVERNMENT ACT FURTHER AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same with amendments, the Council adopted the Report, and ordered the same to be read a third time Tuesday, 9th December instant.—Bill, as amended, to be printed.

10. DOG BILL.—The Honorable N. Thornley moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable N. Thornley moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable N. Thornley, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same with amendments.

The Honorable N. Thornley moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable N. Thornley, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with further amendments, the Council adopted the Report from the Committee.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable N. Thornley, read a third time and *passed*.

The Honorable N. Thornley moved, That the following be the title of the Bill:—"*An Act to abate the nuisance relating to Dogs.*"

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.

11. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable F. T. Sargood, and the same was read and is as follows:—

HENRY B. LOCH,
Governor.

Message No. .

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz:—

"*An Act to amend 'The Residence Areas Act 1881.'*"

"*An Act to provide for the remuneration of Attorneys and Solicitors.*"

"*An Act to amend 'The Licensing Act 1876.'*"

Government Offices,
Melbourne, 4th December, 1884.

12. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the Order of the Day, No. 6, be postponed until after the consideration of Order No. 9.

13. JUSTICES OF THE PEACE PROCEEDINGS BILL.—The Order of the Day for the resumption of the debate on the question—That this Bill be now read a second time—having been read, Debate resumed.

Question—put and resolved in the affirmative—Bill read a second time.

The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same with amendments.

The Honorable F. T. Sargood moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with a further amendment.

On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.

The Honorable F. T. Sargood moved, That the following be the title of the Bill, "*An Act to make provision for the amendment of Errors and Informalities in proceedings before Justices of the Peace.*"

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.

14. PATENTS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same with an amendment.

On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.

The Honorable F. T. Sargood moved, That the following be the title of the Bill:—"An Act to amend the Laws concerning Letters Patent for Inventions."

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council have agreed to the same with an amendment, and requesting their concurrence therein.

15. AGENT-GENERAL'S ACT AMENDMENT BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same without amendment.

On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.

The Honorable F. T. Sargood moved, That the following be the title of the Bill:—"An Act to amend an Act intituled '*An Act to make provision for the Office of Agent-General.*'"

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.

16. TRADES UNIONS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council adopted the Report, and ordered the Bill to be read a third time on Tuesday, 9th December instant.

17. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, 9th December instant:—

Crown Lands Bill.—Message from the Legislative Assembly.—To be taken into consideration.

The Council adjourned at twenty-six minutes past nine o'clock until Tuesday next, at half-past four o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 9TH DECEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. COMMISSION TO ADMINISTER OATH TO MEMBERS.—The President announced that he had received from His Excellency the Governor the following Commission, which was read by the Clerk, and is as follows :—

By His Excellency SIR HENRY BROUGHAM LOCH, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.

To the Honorable JAMES MACBAIN, President of the Legislative Council of the Colony of Victoria.

GREETING—

WHEREAS by the Bill contained in the Schedule to a Statute passed in the session of the Imperial Parliament holden in the eighteenth and nineteenth years of Her Majesty's reign intituled "*An Act to enable Her Majesty to assent to a Bill as amended of the Legislature of Victoria to establish a Constitution in and for the Colony of Victoria,*" it is enacted that no Member either of the Legislative Council or of the Legislative Assembly shall be permitted to sit or vote therein respectively until he shall have taken and subscribed before the Governor, or before some person authorized by the Governor in that behalf, the Oath in the said Bill mentioned: NOW THEREFORE I, the Governor aforesaid, do by these presents command and authorize you from time to time, in the Parliament House, in the City of Melbourne, to administer the said oath to such Members of the said Legislative Council as have not already taken and subscribed the same.

Given under my hand and the seal of the Colony at Melbourne, in the said Colony, this eighth day of December, in the year of our Lord One thousand eight hundred and eighty-four, and in the forty-eighth year of Her Majesty's reign.

(L.S.)

HENRY B. LOCH.

By His Excellency's Command,
GRAHAM BERRY.

Entered on Record by me in the Register of Patents, Book 22, page 222, this eighth day of December, One thousand eight hundred and eighty-four.

T. R. WILSON.

5. **DECLARATION OF MEMBER.**—The Honorable Jas. Campbell delivered to the Clerk an amended declaration, required by the 13th clause of the Act 45 Vic., No 702, as hereunder set forth :—

“In compliance with the provisions of the Act 45 Victoria, No. 702, I, JAMES CAMPBELL, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and sixty-eight pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment ; and further, that such lands or tenements are situated in the municipal district of Footscray, and are known as—

“Tenements in Hopkins-street, Footscray (North Ward).

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Footscray are rated in the rate-book of such district upon a yearly value of One hundred and sixty-eight pounds.

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

“JAMES CAMPBELL.”

6. **MESSAGES FROM THE LEGISLATIVE ASSEMBLY.**—The President announced the receipt from the Legislative Assembly of the following Messages :—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend the laws concerning Letters Patent for Inventions,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment made in such Bill by the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 9th December, 1884.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to abate the nuisance relating to Dogs,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 9th December, 1884.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to make provision for the amendment of Errors and Informalities in Proceedings before Justices of the Peace,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 9th December, 1884.

7. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to authorize the construction of two lines of Railway by the State, and for other purposes,*” with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 9th December, 1884.

8. **RAILWAYS CONSTRUCTION BILL (2).**—The Honorable J. Campbell moved, That the Bill transmitted by the above Message, intituled “*An Act to authorize the construction of two lines of Railway by the State, and for other purposes,*” be now read a first time.

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

9. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to authorize the construction of certain lines of Railway by the State and for other purposes,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to some of the amendments made in such Bill by the Legislative Council, and have disagreed to others of the said amendments.

The Legislative Assembly also inform the Legislative Council that they have agreed to the amendments made by the Legislative Council in the fifty-first and fifty-second schedules of the said Bill.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 9th December, 1884.

On the motion of the Honorable J. Campbell, the Council ordered the said Message to be taken into consideration this day.

10. PETITION.—The Honorable W. A. Zeal presented a Petition from certain residents of Kyneton, praying the Council would take certain resolutions set forth in the Petition into favorable consideration.

Petition received, and ordered to lie on the Table.

11. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—
Australasian Statistics, for the year 1883—with a Report by the Government Statist of Victoria.

Ordered to lie on the Table.

The Honorable F. T. Sargood presented, pursuant to Act of Parliament—

Fisheries Acts.—Notice of proclamation revoking so much of proclamation dated the 11th day of December, 1876, as relates to the River Barwon, and declaring and defining the mouth thereof within which nets and fixed engines are not to be used.

Ordered to lie on the Table.

12. LOCAL GOVERNMENT ACT FURTHER AMENDMENT BILL.—The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.

The Honorable F. T. Sargood moved, That the following be the title of the Bill :—“ *An Act to further amend ‘The Local Government Act 1874.’* ”

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.

13. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the 2nd Order of the Day be postponed until after the consideration of the 3rd Order for to-day.

14. CROWN LANDS BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Council in this Bill, agreed to by the Legislative Assembly with amendments, or disagreed with by the Assembly, having been read, the said amendments were read, and are as follow :—

*As returned from the Legislative
Assembly.*

- (2.) Clause 3, line 36, after “ Acts ” insert “ may continue in occupation of the same until the 31st day of December 1885 and.”

Agreed to with the following amendments—Omit “ may ” and insert “ shall if the holder of a pastoral licence or of a grazing right for the one year next preceding the commencement of this Act.”

Omit “ 31st ” and insert “ 30th.”

Omit “ December ” and insert “ June.”

- (3.) Clause 4, after line 11 (p. 4) insert “ ‘ country lands ’ shall mean any lands not situate within any city town or borough.”

Agreed to with the following amendment—Omit “ 11 ” and insert “ 20.”

- (7.) Clause 8, line 10, after “ form ” insert “ only.”

Agreed to with the following amendment—Omit “ only ” and insert “ but not otherwise.”

- (20.) After clause 21 insert new clause D :—

D. Every person who at the commencement of this Act is in the occupation of any land under a pastoral licence or under a grazing right shall within one month be entitled to take up a pastoral allotment on the land so occupied provided that such land be situate within the areas described in the Second Schedule hereto and shall not exceed the extent of his present holding.

Disagreed with.

- (21.) Clause 22, omit after “ allotment,” in line 42, the words “ Such application shall be referred to persons appointed by the Minister to hear the same and report thereon in writing to him,” and insert “ The right to a lease of such pastoral allotment shall be offered for sale by auction, and notice of such auction shall be given in the same manner in all respects as notice with regard to lands to be sold by auction in fee simple is to be given as hereinafter provided.”

Disagreed with.

- (22.) Omit clause 23.

Disagreed with.

- (23.) After 23 insert new clauses F, G, and H :—

F. The person who bids the highest sum by way of premium for the right to a lease of any pastoral allotment offered for sale by auction as aforesaid shall be entitled to receive a lease of the same, provided he pay such premium at the time of such auction, and in default of such payment the right to lease shall be forthwith again put up to auction.

Disagreed with.

G. If there be no bidder at such auction, the right to a lease in respect of such pastoral allotment shall after public notice be granted to the first person who after such notice lodges an application for the same. If two or more applications be lodged on any one day before the hour of two of the clock in the afternoon in respect of the same pastoral allotment, the right to a lease of such pastoral allotment shall be put up to limited auction between such applicants. The person who then offers the highest amount of premium and forthwith pays the same shall be declared entitled to the lease.

Disagreed with.

H. If there be no bidder at such auction and if after public notice no person lodges an application for a lease of any pastoral allotment within one month after the date of such auction, the Governor in Council may subdivide any such pastoral allotment or add thereto any other pastoral allotment not then leased anything in this Act to the contrary notwithstanding, and in that case the right to a lease of such pastoral allotment altered as aforesaid shall be again submitted to public auction in the manner provided in this Act. Disagreed with.

- (24.) Clause 25, line 20, after "assign" insert "except by way of mortgage." Disagreed with.
 (30.) After clause 29 insert new clause I:—

I. Every person who at the commencement of this Act is in the occupation of any land under a pastoral licence or under a grazing right and has occupied such land for three years next preceding the commencement of this Act shall, if he makes application within one month from the coming into force of this Act, be entitled to a lease of a grazing area on the land so occupied provided he has not exercised his right to take up a pastoral allotment; provided also that the area of the allotment so selected shall not exceed the area comprised in the pastoral licence or grazing right referred to. Disagreed with.

- (53.) Clause 77, line 15, after "reclaimed" insert "by prison or other labour." Disagreed with.
 (58.) Clause 98, line 2 (page 38), after "cattle" insert "and shall be deemed to be owners within the meaning of the 'The Rabbit Suppression Act 1880.'" Agreed to with the following amendment—Insert after "1880" "or of any Act amending the same."

The said amendment (2) having been read a second time,

The Honorable F. T. Sargood moved, That the Council agree with the first portion of the said amendment.

The Honorable H. Cuthbert moved, That the said amendment be amended by omitting therefrom the word "year," with a view to insert instead thereof the word "month."

Debate ensued.

Question—That the word proposed to be omitted stand part of the amendment—put.
 Council divided.

Ayes, 20.
 The Hon. F. E. Beaver
 G. F. Belcher
 J. Bell
 T. Bromell
 F. Brown
 J. Buchanan
 J. Campbell
 D. Coutts
 C. J. Ham
 P. Hanna
 C. J. Jenner
 J. Lorimer
 W. McCulloch
 D. Melville
 W. Ross
 F. T. Sargood
 D. C. Sterry
 H. H. Wettenhall
 W. A. Zeal
 N. Thornley (*Teller*).

Noes, 12.
 The Hon. J. Balfour
 T. F. Cumming
 N. Fitzgerald
 J. Graham
 T. Henty
 G. Meares, C.M.G.
 F. Ormond
 P. Russell
 W. E. Stanbridge
 J. A. Wallace
 J. Williamson
 H. Cuthbert (*Teller*).

And so it was resolved in the affirmative.

And the Council agreed to the said amendment of the Legislative Assembly.

The Honorable F. T. Sargood moved, That the Council agree to the amendment of the Legislative Assembly to omit the word "31st."

Question—That the Council agree with the said amendment—put.
 Council divided.

Ayes, 19.
 The Hon. G. F. Belcher
 J. Bell
 F. Brown
 J. Campbell
 D. Coutts
 J. Graham
 C. J. Ham
 P. Hanna
 C. J. Jenner
 J. Lorimer
 W. McCulloch
 D. Melville
 W. Ross
 P. Russell
 F. T. Sargood
 D. C. Sterry
 N. Thornley
 H. H. Wettenhall
 F. E. Beaver (*Teller*).

Noes, 15.
 The Hon. J. Balfour
 T. Bromell
 J. Buchanan
 T. F. Cumming
 H. Cuthbert
 F. S. Dobson
 N. Fitzgerald
 W. E. Hearn
 T. Henty
 G. Meares, C.M.G.
 F. Ormond
 W. E. Stanbridge
 J. A. Wallace
 J. Williamson
 W. A. Zeal (*Teller*).

And so it was resolved in the affirmative.

The Honorable F. T. Sargood moved, That the Council agree with the Assembly to omit the word "December," and insert the word "June."

The Honorable F. E. Beaver moved, as an amendment, that the word "June" be omitted, with a view to insert the word "September" instead thereof.

Debate ensued.

Question—That the word "June" proposed to be omitted stand part of the amendment—put and negatived.

Question—That the word "September" proposed to be inserted in the place of the word "June" omitted be so inserted—put and resolved in the affirmative.

Question—That the said amendment (2) as so amended be agreed to—put and resolved in the affirmative.

Amendments on 3 and 7 read a second time and agreed to by the Council.

Amendment 20, disagreed with by the Assembly, read a second time.

The Honorable F. T. Sargood moved, That the Council do not insist on this amendment.

Debate ensued.

Question—put.

Council divided.

Ayes, 17.

The Hon. J. G. Beaney, M.D.

G. F. Belcher

J. Bell

J. Campbell

D. Coutts

C. J. Ham

P. Hanna

C. J. Jenner

J. Lorimer

W. McCulloch

D. Melville

W. Ross

F. T. Sargood

D. C. Sterry

N. Thornley

H. H. Wettenhall

F. E. Beaver (*Teller*).

Noes, 15.

The Hon. J. Balfour

T. Bromell

F. Brown

J. Buchanan

T. F. Cumming

H. Cuthbert

N. Fitzgerald

J. Graham

W. E. Hearn

T. Henty

P. Russell

W. E. Stanbridge

J. A. Wallace

W. A. Zeal

J. Williamson (*Teller*.)

And so it was resolved in the affirmative.

Amendment 21, disagreed with by the Legislative Assembly, read a second time.

The Honorable F. T. Sargood moved, That the Council do not insist on this amendment.

Debate ensued.

Question—put and negatived.

Amendments 22 and 23, disagreed with by the Assembly, read a second time.

The Honorable F. T. Sargood moved, That the Council do not insist on these amendments.

Question—put and negatived.

Amendment 24, disagreed with by the Legislative Assembly, read a second time.

On the motion of the Honorable F. T. Sargood, the Council agreed not to insist on this amendment.

Amendment 30, disagreed with by the Assembly, read a second time.

The Honorable F. T. Sargood moved, That the Council do not insist on this amendment.

Debate ensued.

Question—put and resolved in the affirmative.

Amendment 53, disagreed with by the Legislative Assembly, read a second time.

The Honorable F. T. Sargood moved, That the Council do not insist on this amendment.

Debate ensued.

Question—put and negatived.

Amendment 58, agreed to by the Legislative Assembly with an amendment, read a second time and agreed to by the Council.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Council do not insist on some of the amendments in the Bill disagreed with by the Assembly, that they insist on others; that they have agreed to some, and agreed to one with an amendment, with which they desire the concurrence of the Legislative Assembly.

15. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the "Statute of Trusts 1864,"*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 9th December, 1884.

16. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to settle the Tenure of Office of the Judges of the County Courts, and for other purposes,*" with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 9th December, 1884.

17. COUNTY COURT JUDGES BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the above Message, intituled “*An Act to settle the Tenure of Office of the Judges of the County Courts, and for other purposes,*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time this day.

18. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to extend and regulate the liability of employers, and to make compensation for personal injuries suffered by workmen in their service,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 9 December, 1884.

PETER LALOR,
Speaker.

19. EMPLOYERS' LIABILITY BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the above Message, intituled “*An Act to extend and regulate the liability of employers, and to make compensation for personal injuries suffered by workmen in their service,*” be now read a first time.

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

20. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to consolidate and amend the Acts relating to the Property of Married Women,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with amendments, to which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 9th December, 1884.

PETER LALOR,
Speaker.

On the motion of the Honorable H. Cuthbert, the Council ordered the amendments to be printed and taken into consideration to-morrow.

21. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to apply a Sum out of the Consolidated Revenue to the service of the year ending on the thirtieth day of June One thousand eight hundred and eighty-five, and to appropriate the Supplies granted in this Session of Parliament,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 9th December, 1884.

PETER LALOR,
Speaker.

22. APPROPRIATION BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “*An Act to apply a sum out of the Consolidated Revenue to the service of the year ending on the thirtieth day of June One thousand eight hundred and eighty-five, and to appropriate the Supplies granted in this Session of Parliament,*” be now read a first time.

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

23. RAILWAYS CONSTRUCTION BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Council in this Bill, disagreed with by the Legislative Assembly, having been read, the said amendments were read, and are as follow :—

- (1.) Clause 3, (p. 3), after line 42, insert—

15A. A railway commencing at a point on the Frankston and Crib Point ^{Mornington} Railway at Baxter's Flat and terminating at or near Mornington ^{Railway.} in the line and upon the lands described in the Fifteenth (A) Schedule hereto, to be called the Mornington Railway.

- (2.) „ (p. 4), line 33, omit “Dunkeld,” insert “Hamilton.”

- (3.) „ line 38, omit “Dunkeld,” insert “Hamilton.”

- (4.) „ line 43, omit “Dunkeld,” insert “Hamilton.”

- (5.) After Clause 14, insert new clause A—

The Victorian Railway Commissioners shall run Sunday trains on all the suburban lines, and may make bye-laws for regulating the traffic thereon.

- (6.) After the Fifteenth Schedule, page 36, insert

FIFTEENTH (A) SCHEDULE.

MORNINGTON RAILWAY.

Commencing on the proposed line from Frankston to Crib Point in the 19th section holding of W. Barnett, in section 6, in the parish of Frankston and county of Mornington, and proceeding thence in a southerly direction for about 18 chains 50 links by a curve of 15 chains radius ; thence in a south-westerly direction for about 40 chains in a straight line, passing out of W. Barnett's 19th section holding, through allotments 8A and 10A, across the one and a half chain road from Frankston to Hastings, into a State school reserve ; thence for 9 chains 76 links by a curve of 40 chains radius, passing out of the State school reserve, into allotment 11 ; thence for 42 chains 28 links in a straight line ;

thence for 12 chains 57 links by a curve of 40 chains radius, passing out of allotment 11, into allotment 12A; thence for 17 chains 75 links in a straight line, passing out of allotment 12A, into Crown land; thence for 14 chains 36 links by a curve of 40 chains radius; thence for 37 chains 5 links in a straight line, passing out of Crown land, into allotment 13; thence for 9 chains 46 links by a curve of 40 chains radius, passing out of allotment 13 and section 6, into a three-chain road; thence for 1 chain and 5 links in a straight line, passing out of the road, into a reserve; thence for 9 chains 31 links by a curve of 40 chains radius; thence for 17 chains 70 links in a straight line, passing out of the reserve, into allotment 4 of section 4; thence for 10 chains 47 links by a curve of 40 chains radius, passing out of allotment 4 of section 4 in the parish of Frankston, into allotment 19 in the parish of Moorooduc; thence for 15 chains 45 links in a straight line; thence for 14 chains 78 links by a curve of 40 chains radius; thence for 16 chains 78 links in a straight line, passing out of allotment 19, into allotment 20; thence for 11 chains 8 links by a curve of 30 chains radius; thence for 2 chains 45 links in a straight line; thence for 10 chains 47 links by a curve of 20 chains radius; thence for 8 chains 93 links in a straight line, passing out of allotment 20, across a one and a half chain road into allotment 21; thence for 17 chains 98 links by a curve of 100 chains radius; thence for 1 mile 26 chains 20 links in a straight line, passing out of allotment 21, through allotments 15 and 14, into allotment 13; thence for 3 chains 51 links by a curve of 40 chains radius; thence for 35 chains 31 links in a straight line; thence for 12 chains 84 links by a curve of 20 chains radius; thence for 1 chain 15 links in a straight line; thence for 25 chains 69 links by a curve of 15 chains radius, passing out of allotment 13, across the Tanti Creek, into allotment 12; thence in a north-westerly direction for 31 chains 96 links in a straight line, passing out of allotment 12, through allotment 6, into allotment 7, south of Tanti Creek, and thence for about 55 chains in a straight line, passing out of allotment 7, through allotments 8, 9, and 11, into the township of Mornington, and terminating at the south side of the road, forming the southern boundary of the permanent reserve for promenade and recreation.

Limit of deviation, 3 miles.

(7.) Twenty-first Schedule, line 1, omit "Dunkeld," insert "Hamilton."

(8.) Twenty-second Schedule, omit all words from "Railway," line 1, to "Purdeet," in line 15, and insert—

"Station, and proceeding thence in a south-easterly direction, passing through sections 2, 3, 20, 17, 16, and 13, parish of South Hamilton, sections 2, 3, 6, 5, and 4, parish of Croxton West, sections 2, 4, and 7, parish of Croxton East, sections 3 and 4, parish of Yatchaw East, sections 9, 10, 15, 14, and allotments 54, 51, 50, 50A, 31, and 34, parish of Boram Boram, through the township of Peshurst, through vacant land, and allotments 82, 81, 80, 79, 78, 77, 76, 75, 74, 73, 72, 71, K, L, N, and E, parish of Yalimba, through allotments 3, 6, 4, and 7 of section 3, parish of Purdeet, through allotment 1, into allotment 2A of section 7, in the parish of Purdeet East."

(9.) Twenty-third Schedule, line 1, omit "Dunkeld," insert "Hamilton."

Amendment 1 read a second time.

The Honorable J. Campbell moved, That the Legislative Council do not insist on such amendment. Debate ensued.

Question—put and negatived.

Amendments 2, 3 and 4, read a second time.

The Honorable J. Campbell moved, That the Legislative Council do not insist on such amendments. Debate ensued.

Question—put and negatived.

Amendment 5 read a second time.

The Honorable J. Campbell moved, That the Council do not insist on such amendment. Debate ensued.

Question—put and resolved in the affirmative.

Amendments 6, 7, 8 and 9 read a second time.

The Honorable J. Campbell moved, That the Council do not insist on such amendments.

Question—put and negatived.

Ordered—That this Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council do not insist on one of the said amendments, disagreed with by the Legislative Assembly, and that they do insist on all the other of the said amendments.

24. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to continue various Expiring Laws*," with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 9th December, 1884.

PETER LALOR,
Speaker.

25. EXPIRING LAWS CONTINUATION BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled "*An Act to continue various Expiring Laws*," be now read a first time.

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

26. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
 MR. PRESIDENT—
 The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend the Rosstown Junction Railway Act, No. 614, and for other purposes,*” with which they desire the concurrence of the Legislative Council.
 PETER LALOR,
 Speaker.
 Legislative Assembly Chamber,
 Melbourne, 9th December, 1884.
27. ROSSTOWN JUNCTION RAILWAY ACT AMENDMENT BILL.—The Honorable J. Balfour moved, by leave of the Council, that Standing Order No. 14, relating to Private Bills, be suspended so far as relates to the payment of the sum of £20 into the hands of the Colonial Treasurer.
 Debate ensued.
 Question—put and resolved in the affirmative.
28. ROSSTOWN JUNCTION RAILWAY ACT AMENDMENT BILL.—The Honorable J. Balfour moved, That the Bill transmitted by the above Message, intituled “*An Act to amend the Rosstown Junction Railway Act, No. 614, and for other purposes*” be now read a first time.
 Question—put and resolved in the affirmative.—Bill read a first time, ordered to be read a second time to-morrow.
29. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
 MR. PRESIDENT—
 The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to provide for the construction of Tramway Lines with the consent of the municipal authorities,*” with which they desire the concurrence of the Legislative Council.
 PETER LALOR,
 Speaker.
 Legislative Assembly Chamber,
 Melbourne, 9th December, 1884.
30. TRAMWAYS CONSTRUCTION BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “*An Act to provide for the construction of Tramway Lines with the consent of the municipal authorities,*” be now read a first time.
 Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time to-morrow.
31. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable W. E. Hearn, the following Order of the Day was read and discharged :—
Trades Unions Bill.—To be read a third time.
32. TRADES UNIONS BILL.—The Honorable W. E. Hearn moved, That this Bill be re-committed to a Committee of the whole Council for reconsideration of clause 3, and a new clause.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable W. E. Hearn, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
 The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with amendments, the Council ordered the same to be taken into consideration to-morrow; Bill as amended to be printed.
33. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until to-morrow :—
Railways Construction Bill (2).—To be read a second time.
34. COUNTY COURT JUDGES TENURE BILL.—The Honorable H. Cuthbert moved, That this Bill be now read a second time.
 Debate ensued.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable H. Cuthbert moved, That this Bill be committed to a Committee of the whole Council to-morrow.
 Question—put and resolved in the affirmative.

The Council adjourned at twenty-five minutes past eleven o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,
 Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 10TH DECEMBER, 1884.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented by command of His Excellency the Governor :—
Proposed Federal Council of Australasia.—Despatch from the Right Honorable the Secretary of State for the Colonies in reply to one from His Excellency the Governor enclosing Addresses from the Parliament of Victoria praying for Imperial Legislation.
Statistical Register of the Colony of Victoria, for the year 1883.—Part VIII.—Law, Crime, &c. New Guinea Protectorate.—Further correspondence of Paper No. 60 of present Session.
Severally ordered to lie on the Table.
5. MESSAGES.—The President announced the receipt of the following Messages from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly return to the Legislative Council the Bill intituled “ *An Act to further amend ‘ The Local Government Act 1874,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.
MR. PRESIDENT—
The Legislative Assembly return to the Legislative Council the Bill intituled “ *An Act to amend and consolidate the Laws relating to the sale and occupation of Crown Lands, and for other purposes,*” and acquaint the Legislative Council that the Legislative Assembly do not now insist in disagreeing to some of the amendments made by the Legislative Council in this Bill, and have agreed to the amendment made by the Legislative Council in an amendment of the Legislative Assembly on an amendment of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.
6. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to amend and continue the Laws relating to the suppression of Rabbits,*” with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 9th December, 1884.
7. RABBIT SUPPRESSION BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “ *An Act to amend and continue the Laws relating to the suppression of Rabbits,*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time this day.
The Honorable N. Thornley moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable N. Thornley moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable N. Thornley, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair ; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same with amendments.
On the motion of the Honorable N. Thornley, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable N. Thornley, read a third time and *passed*.

The Honorable N. Thornley moved, That the following be the title of the Bill:—“*An Act to amend and continue the Laws relating to the suppression of Rabbits.*”

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Council have agreed to the Bill with amendments, and requesting their concurrence therewith.

8. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend ‘The Volunteer Statute 1865’ and for other purposes*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with an amendment, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.

PETER LALOR,
Speaker.

And the said amendment was read and is as follows:—

After Clause 3, insert new Clause A.—No person occasionally employed in the naval or military forces of Victoria shall be deemed incapable of sitting and voting in either House of Parliament by reason only of his serving in such forces and the engagement of any person to serve in or the appointment of any person in the naval or military forces of Victoria, whilst such person is a Member of either House of Parliament, or within six months after such person has ceased to be such Member shall not vacate such person’s seat or render him liable to any penalty: Provided that the person so engaged or appointed be occasionally and not regularly employed.

And the said amendment was read a second time and agreed to by the Council.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the said amendment.

9. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor, recommending an amendment in the Bill intituled “*An Act to amend ‘The Waterworks Act 1880’ and for other purposes,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the said amendment recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.

PETER LALOR,
Speaker.

And the said Message was read, and is as follows:—

HENRY B. LOCH,
Governor.

Message No. .

Pursuant to the provisions of section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly for their consideration the following amendment, which he desires to be made in the Bill intituled “*An Act to amend ‘The Waterworks Act 1880’ and for other purposes.*”

In clause 10, in lieu of the words “the Principal Act” substitute the words “*The Local Governing Bodies Loan Act 1872.*”

Government Offices,
Melbourne, 10th December, 1884.

On the motion of the Honorable F. T. Sargood, the Council agreed to the said amendment, and ordered that a Message be transmitted to the Legislative Assembly acquainting them that the Council had agreed to the said amendment.

10. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to apply out of the Victorian Railway Loan and Debentures Redemption Act 1883 certain sums of money for preliminary Surveys of Railways and Tramways,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.

PETER LALOR,
Speaker.

11. LOAN APPLICATION BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message intituled “*An Act to apply out of the Victorian Railway Loan and Debentures Redemption Act 1883 certain sums of money for preliminary Surveys of Railways and Tramways,*” be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time.

The Honorable F. T. Sargood moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same without amendment.

On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.

The Honorable F. T. Sargood moved, That the following be the title of the Bill, "*An Act to apply out of 'The Victorian Railway Loan and Debentures Redemption Act 1883' certain sums of money for preliminary surveys of Railways and Tramways.*"

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.

12. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorize the construction of certain lines of Railway by the State, and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.

PETER LALOR,
Speaker.

13. RAILWAYS CONSTRUCTION (3) BILL.—The Honorable J. Campbell moved, That the Bill transmitted by the above Message, intituled "*An Act to authorize the construction of certain lines of Railway by the State and for other purposes,*" be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time.

The Honorable J. Campbell moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable J. Campbell moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable J. Campbell, The President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same with amendments.

On the motion of the Honorable J. Campbell, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. Campbell, read a third time and *passed*.

The Honorable J. Campbell moved, That the following be the title of the Bill :—" *An Act to authorize the construction of certain Lines of Railway by the State, and for other purposes.*"

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.

14. RETURN TO WRIT.—The President announced that he had, this day, received a Return to the Writ he had issued for the election of a Member to serve for the Northern Province, by which it appeared that William Irving Winter, gentleman, was duly elected in pursuance of such Writ.

15. NEW MEMBER.—The Honorable W. I. Winter being introduced took and subscribed the Oath required by the 32nd clause of the Constitution Act, and delivered to the Clerk the declaration required by the 13th clause of the Act 45 Victoria, No. 702, as hereunder set forth :—

"In compliance with the provisions of the Act 45 Victoria, No. 702, I, WILLIAM IRVING WINTER, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of over Sixteen hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Goulburn Shire, and are known as Noorilim, in the parish of Dargalong.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Goulburn Shire are rated in the rate-book of such district upon a yearly value of over Sixteen hundred pounds.

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

"WM. IRVING WINTER."

16. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to authorize the Melbourne Tramway and Omnibus Company Limited to construct Tramway Branches in the Cities of Melbourne and Collingwood and in the Borough of St. Kilda, and to amend 'The Melbourne Tramway and Omnibus Company's Act 1883,' and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have disagreed to the amendments made in such Bill by the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.

PETER LALOR,
Speaker.

And the said amendments were read, and are as follow :—

First Schedule, page 4, omit all words from "length of" in line 1 to end of subsection, and insert—"about one mile five furlongs and six chains connecting with branch C, Tramway No. 2, at the intersection of Lygon and Elgin streets, and proceeding thence along Lygon and Cameron streets northerly to the junction of Cameron-street and Glenlyon-road, in the city of Melbourne, borough of Brunswick, and parish of Jika Jika; but in case the proposed railway from Clifton Hill to Brunswick shall intersect Cameron-street south of its junction with Glenlyon-road, then the said branch shall terminate at such last-named intersection.

Insert also—*Fitzroy, Carlton, and Brunswick East*.—A branch of about the length of four furlongs, commencing at the intersection of Parkside-street, and proceeding along Nicholson-street to the intersection of Miller-street, North Fitzroy; but in case the line of the proposed railway from Clifton Hill to Brunswick shall intersect Nicholson-street south of its junction with Miller-street, then the said branch shall terminate at such last-named intersection.

Third Schedule, line 6, omit "street."

„ line 9, omit "Parkside," and insert "Miller."

„ line 11, omit "Rathdown and Parkside streets," and insert "Cameron-street."

„ line 12, after "North Carlton," insert "and Glenlyon road, Brunswick."

The Honorable W. E. Hearn moved, That the Legislative Council do not insist on the said amendments.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly, acquainting them that the Council do not insist on the said amendments.

17. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend 'The Victorian Water Conservation Acts 1881 and 1883,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 9th December, 1884.

PETER LALOR,
Speaker.

18. WATER CONSERVATION ACTS AMENDMENT BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled "*An Act to amend 'The Victorian Water Conservation Acts 1881 and 1883,'*" be now read a first time.

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

The Honorable F. T. Sargood moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same with amendments.

On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.

The Honorable F. T. Sargood moved, That the following be the title of the Bill :—" *An Act to amend 'The Victorian Water Conservation Acts 1881 and 1883.'*"

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.

19. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend an Act intituled 'An Act for Hospitals and Charitable Institutions, and for other purposes,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with amendments, to which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.

PETER LALOR,
Speaker.

And the said amendments were read, and are as follow :—

- (1.) Clause 5, omit this clause.
- (2.) Clause 6, omit this clause.
- (3.) Clause 7, omit this clause.
- (4.) Clause 8, omit this clause.

- (5.) Clause 9, line 44, omit "one of whom shall be a police magistrate."
 (6.) Clause 9, (p. 4) line 12, omit "to."
 (7.) After clause 11 add new clause :—A. Any person who either before or after his admission into such institution makes a statement to the effect that he is in destitute circumstances and unable to pay for his maintenance attendance or relief, and who in consequence of having made such statement is admitted or maintained by or who receives medical attendance or relief from any charitable institution society or association incorporated under this Act or the Principal Act or from any hospital not so incorporated, shall be liable to contribute towards the same according to his means any sum not exceeding the actual cost of such maintenance attendance or relief which the committee or trustees may demand, and such sum shall on demand thereof be a debt due by such person and may be recovered from him or from his executors or administrators after his death by such incorporated charitable institution society or association or by the treasurer of such hospital as aforesaid. A written statement of the amount so due purporting to be signed by the secretary of any such incorporated charitable institution society or association or of any such hospital shall be *primâ facie* evidence of such amount, and in addition to the amount so due such person shall be liable to a penalty not exceeding Five pounds to be recovered on complaint before two or more justices : Provided that the committee court or board of directors or governing body of any such incorporated charitable institution society or association of any such hospital shall have absolute discretionary power to remit or postpone payment of all or any sums of money due to them under the provisions of this Act.

And the said amendments were read a second time.

The Honorable J. Campbell moved, That the Council agree with the said amendments.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the said amendments.

20. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to authorize the construction of certain lines of Railway by the State and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.

21. MARRIED WOMEN'S PROPERTY BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Assembly in this Bill having been read, the said amendments were read, and are as follow :—

- (1.) Clause 5, line 35, after "including" insert "any savings made by her and including."
- (2.) Clause 6, line 43 (p. 2), after "reservation" insert "after proof of the *bonâ fides*."
- (3.) Clause 6, lines 2 and 3 (p. 3), omit "after but not before all claims of the other creditors of the husband for valuable consideration in money or money's worth have been satisfied."
- (4.) Clause 8, line 12, after "shall" insert "have accrued before or which shall."
- (5.) Clause 8, line 13, after "any" insert "savings."
- (6.) Clause 20, line 25, after "party or" insert "The Postmaster-General the Treasurer or."
- (7.) Clause 20, line 36, after "always" insert "that the judge issuing such summons may therein order that in the meantime no dealing with the property in dispute shall be recognized by the Postmaster-General the Treasurer or any such bank corporation company public body or society provided also."
- (8.) Clause 24, line 39 (p. 8), after "minority" insert "not being less than eighteen years."

And the said amendments were read a second time.

On the motion of the Honorable N. Thornley, the Council agreed to the said amendments, and ordered a Message to be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the said amendments.

22. APPROPRIATION BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time. Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable F. T. Sargood, The President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable C. J. Jenner reported that the Committee had gone through the Bill, and agreed to the same without amendment.

On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood read a third time and *passed*.

The Honorable F. T. Sargood moved, That the following be the title of the Bill :—"*An Act to apply a sum out of the Consolidated Revenue to the service of the year ending on the thirtieth day of June, One thousand eight hundred and eighty-five, and to appropriate the supplies granted in this Session of Parliament.*"

Question—put and resolved in the affirmative.

- Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.
23. EXPIRING LAWS CONTINUATION BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.
 Question—put and resolved in the affirmative—Bill read a second time.
 The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same without amendment.
 On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
 The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.
 The Honorable F. T. Sargood moved, That the following be the title of the Bill :—“ *An Act to continue various Expiring Laws.*”
 Question—put and resolved in the affirmative.
 Ordered—That a Message be transmitted to the Legislative Assembly, acquainting them that the Council have agreed to the Bill without amendment.
24. ROSSTOWN JUNCTION RAILWAY ACT AMENDMENT BILL.—The Honorable J. Balfour moved, That this Bill be now read a second time.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable J. Balfour moved, That this Bill be now committed to a Committee of the whole Council.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable J. Balfour, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same without amendment.
 On the motion of the Honorable J. Balfour, the Council adopted the Report from the Committee of the whole on this Bill.
 The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. Balfour, read a third time and *passed*.
 The Honorable J. Balfour moved, That the following be the title of the Bill :—“ *An Act to amend the Rosstown Junction Railway Act No. 614, and for other purposes.*”
 Question—put and resolved in the affirmative.
 Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.
25. TRAMWAYS BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable F. T. Sargood, The President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same without amendment.
 On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
 The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.
 The Honorable F. T. Sargood moved, That the following be the title of the Bill :—“ *An Act to provide for the construction of Tramway Lines with the consent of municipal authorities.*”
 Question—put and resolved in the affirmative.
 Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.
26. TRADES UNIONS BILL.—On the motion of the Honorable F. T. Sargood the Council adopted the Report from the Committee of the whole on this Bill.
 The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood read a third time and *passed*.
 The Honorable F. T. Sargood moved, That the following be the title of the Bill :—“ *An Act for the legalization of Trades Unions.*”
 Question—put and resolved in the affirmative.
 Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.
27. DISCHARGE OF ORDERS OF THE DAY.—The Council ordered that the following Orders of the Day be read and discharged :—
Employers' Liability Bill—To be read a second time,
Railways Construction Bill (2)—To be read a second time.
 Ordered—That the said Bills be withdrawn.

28. COUNTY COURT JUDGES TENURE BILL.—The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same with an amendment.

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

THURSDAY, 11TH DECEMBER, 1884,

The Honorable J. Lorimer moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable J. Lorimer, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with a further amendment.

On the motion of the Honorable H. Cuthbert, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable H. Cuthbert, read a third time and *passed*.

The Honorable H. Cuthbert moved, That the following be the title of the Bill:—“*An Act to settle the Tenure of Office of the Judges of the County Courts and for other purposes.*”

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.

29. MESSAGES FROM THE LEGISLATIVE ASSEMBLY.—The President announced the receipt of the following Messages from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend ‘An Act to protect Game,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same without amendment.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.

PETER LALOR,
Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act for the legalization of Trades Unions,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.

PETER LALOR,
Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend and continue the Laws relating to the suppression of Rabbits,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.

PETER LALOR,
Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend the Victorian Water Conservation Acts 1881 and 1883,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.

PETER LALOR,
Speaker.

30. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend ‘The Pounds Act 1874,’*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.

PETER LALOR,
Speaker.

31. POUNDS ACT AMENDMENT BILL.—The Honorable N. Fitzgerald moved, That the Bill transmitted by the above Message, intituled “*An Act to amend ‘The Pounds Act 1874,’*” be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time.

The Honorable N. Fitzgerald moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable N. Fitzgerald moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable N. Fitzgerald, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same without amendment.

On the motion of the Honorable N. Fitzgerald, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable N. Fitzgerald, read a third time and *passed*.

The Honorable N. Fitzgerald moved, That the following be the title of the Bill :—“ *An Act to amend ‘ The Pounds Act 1874.’*”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.

32. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to provide for the establishment of Colleges of Agriculture, and for other purposes,*” with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.

33. AGRICULTURAL COLLEGES BILL.—The Honorable J. Lorimer moved, That the Bill transmitted by the above Message, intituled “ *An Act to provide for the establishment of Colleges of Agriculture and for other purposes,*” be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time.

The Honorable J. Lorimer moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable J. Lorimer moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable J. Lorimer, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same without amendment.

On the motion of the Honorable J. Lorimer, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill on the motion of the Honorable J. Lorimer, read a third time and *passed*.

The Honorable J. Lorimer moved, That the following be the title of the Bill :—“ *An Act to provide for the establishment of Colleges of Agriculture, and for other purposes.*”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.

34. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to establish a Fund for the Relief of Sufferers by Mining Accidents, and for other purposes,*” with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.

35. MINING ACCIDENTS BILL.—The Honorable N. Fitzgerald moved, That the Bill transmitted by the above Message intituled “ *An Act to establish a Fund for the Relief of Sufferers by Mining Accidents, and for other purposes,*” be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time.

The Honorable N. Fitzgerald moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable N. Fitzgerald moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable N. Fitzgerald, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same without amendment.

On the motion of the Honorable N. Fitzgerald, the Council adopted the Report from the Committee of the whole on this Bill.

The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable N. Fitzgerald, read a third time and *passed*.

The Honorable N. Fitzgerald moved, That the following be the title of the Bill:—“*An Act to establish a Fund for the Relief of Sufferers by Mining Accidents, and for other purposes.*”

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.

36. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to settle the Tenure of Office of the Judges of the County Courts, and for other purposes,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 10th December, 1884.

37. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Friday, 12th December instant, at half-past one o'clock.

Question—put and resolved in the affirmative.

The Council adjourned at eleven minutes past one o'clock until Friday next at half-past one o'clock.

JOHN BARKER,
Clerk of the Legislative Council.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, 12TH DECEMBER, 1884

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. MESSAGES FROM HIS EXCELLENCY THE GOVERNOR.—The following Messages from His Excellency the Governor were presented by the Honorable F. T. Sargood, and the same were read, and are as follow :—

HENRY B. LOCH,
Governor.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz.:—

- “An Act to further amend ‘The Companies Statute 1864.’”
- “An Act to authorize the raising of Money for the Redemption or Payment of certain Debentures, and for other purposes.”
- “An Act to amend ‘The Waterworks Act 1880,’ and for other purposes.”
- “An Act to amend an Act intituled ‘An Act to make better provision for the office of Agent-General.’”
- “An Act to amend the Laws concerning Letters Patent for Inventions.”
- “An Act to abate the nuisance relating to Dogs.”
- “An Act to make provision for the amendment of Errors and Informalities in proceedings before Justices of the Peace.”
- “An Act to amend the ‘Statute of Trusts 1864.’”
- “An Act to amend and consolidate the laws relating to the Sale and Occupation of Crown Lands, and for other purposes.”
- “An Act to amend and continue the laws relating to the Suppression of Rabbits.”
- “An Act to amend ‘The Volunteer Statute 1865,’ and for other purposes.”
- “An Act to authorize the Melbourne Tramway and Omnibus Company Limited to construct Tramway Branches in the cities of Melbourne and Collingwood, and in the borough of St. Kilda, and to amend ‘The Melbourne Tramway and Omnibus Company’s Act 1883,’ and for other purposes.”
- “An Act to amend an Act intituled ‘An Act for Hospitals and Charitable Institutions,’ and for other purposes.”
- “An Act to continue various Expiring Laws.”
- “An Act to amend the Rosstown Junction Railway Act No. DCXIV., and for other purposes.”
- “An Act to provide for the construction of Tramway Lines, with the consent of the Municipal authorities.”
- “An Act to amend ‘An Act to protect Game.’”
- “An Act to authorize the construction of certain Lines of Railway by the State, and for other purposes.”
- “An Act for the legalization of Trades Unions.”

Government Offices,
Melbourne, 12th December, 1884.

HENRY B. LOCH,
Governor.

Pursuant to the provisions of section 36 of the Constitution Act, the Governor transmits to the Legislative Council, for their consideration, the following amendments which he desires to be made in the Bill intituled “An Act to consolidate and amend the Acts relating to the property of ‘Married Women’ ”:—In clause 1, omit the word “first,” and substitute the word “thirteenth.”

Government Offices,
Melbourne, 12th December, 1884.

5. MARRIED WOMEN’S PROPERTY BILL.—The Honorable F. T. Sargood moved, That the Council agree to the said amendment recommended by His Excellency the Governor in this Bill.
Question—put and resolved in the affirmative.
Ordered—That the Message from His Excellency the Governor be transmitted to the Legislative Assembly, acquainting them that the Legislative Council have agreed to the said amendment, and desiring their concurrence therewith.

6. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—

Aborigines—Twentieth Report of the Board for the Protection of the—
Statistical Register of the Colony of Victoria—for 1883.

Part IX.—Religious, Moral, and Intellectual Progress.

Severally ordered to lie on the Table.

The Honorable F. T. Sargood presented, pursuant to Act of Parliament—

Railway Loan Act, No. 760, and The Railway Construction Act 1884—Estimate of Expenditure which the Railways Commissioners propose to incur during the ensuing twelve months under—

Pilot Board of Victoria.—Accounts for the year ended 31st August, 1884.

The Land Act 1884.—Schedule of Country Lands proposed to be offered for sale by public auction during the year 1885.

Severally ordered to lie on the Table.

7. VISITORS.—The Honorable F. T. Sargood moved, by leave, that chairs be provided on the floor of the Chamber for the Honorables J. C. Bray and A. Hay, Members of the Legislature of South Australia. Question—put and resolved in the affirmative.

8. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor, recommending amendments in the Bill intituled "*An Act to amend the Victorian Water Conservation Acts 1881 and 1883*," and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 12th December, 1884.

And the said Message was read, and is as follows :—

HENRY B. LOCH,
Governor.

Pursuant to the provisions of Section 36 of The Constitution Act the Governor transmits to the Legislative Assembly, for their consideration, the following amendments, which he desires to be made in the Bill intituled "*An Act to amend the Victorian Water Conservation Acts 1881 and 1883*":—

Clause 20, page 5, line 17, omit the word "twenty," and substitute the word "ten;" line 19, omit the word "ten," and substitute the word "twenty."

Government Offices,
Melbourne, 12th December, 1884.

9. WATER CONSERVATION BILL.—The Honorable F. T. Sargood moved, That the Council do concur with the Legislative Assembly in making the amendments recommended by His Excellency the Governor in this Bill.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have concurred with the Legislative Assembly in the said amendments recommended by His Excellency the Governor.

10. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending amendments in the Bill intituled "*An Act to apply out of 'The Victorian Railway Loan and Debentures Redemption Act 1883' certain sums of money for Preliminary Surveys of Railways and Tramways*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 12th December, 1884.

And the said Message was read, and is as follows:—

HENRY B. LOCH,
Governor.

Message No. .

Pursuant to the provisions of Section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly for their consideration the following amendments which he desires to be made in the Bill intituled "*An Act to apply out of 'The Victorian Railway Loan and Debentures Redemption Act 1883' certain sums of money for Preliminary Surveys of Railways and Tramways*":—

In the Title, omit the word "Act" and substitute "Account."

Clause 1, omit the word "Act" and substitute "Account," and after the word "Schedule" insert the words "Act DCCLX."

Government Offices,
Melbourne, 12th December, 1884.

11. **LOAN APPLICATION BILL.**—The Honorable F. T. Sargood moved, That the Council do concur with the Legislative Assembly in making the amendments recommended by His Excellency the Governor in this Bill.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have concurred with the Legislative Assembly in the said amendments recommended by His Excellency the Governor.

12. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending amendments in the Bill intituled “*An Act to further amend the ‘Local Government Act 1874,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 12th December, 1884.

And the said Message was read, and is as follows :—

HENRY B. LOCH,
Governor.

Message No.

Pursuant to the provisions of section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly, for their consideration, the following amendments which he desires to be made in the Bill intituled “*An Act to further amend the ‘Local Government Act 1874,’*” :—

Clause 2, in first line of Clause, omit the word “in” and substitute the words “For the purposes of”; in the last line of the clause omit the word “mean” and substitute the words “be deemed to be.”

Government Offices,
Melbourne, 12th December, 1884.

13. **LOCAL GOVERNMENT ACT 1874 AMENDMENT BILL.**—The Honorable F. T. Sargood moved, That the Council do concur with the Legislative Assembly in making the amendments recommended by His Excellency the Governor in this Bill.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly, acquainting them that the Legislative Council have concurred with the Legislative Assembly in the said amendments recommended by His Excellency the Governor.

14. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Message from His Excellency the Governor recommending an amendment in the Bill intituled “*An Act to consolidate and amend the Acts relating to the property of Married Women,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the said amendment recommended by His Excellency the Governor in this Bill.

PETER LALOR,
Speaker.

Legislative Assembly Chamber,
Melbourne, 12th December, 1884.

15. **APPROACH OF HIS EXCELLENCY THE GOVERNOR.**—The approach of His Excellency the Governor was announced by the Usher.

16. **ROYAL ASSENT TO BILLS.**—His Excellency the Governor came into the Council Chamber and commanded the Usher to desire the attendance of the Legislative Assembly in the Council Chamber, who, having come with their Speaker, he delivered the Appropriation Bill to the Clerk of the Parliaments, who brought it to the Table.

His Excellency was then pleased to assent, in Her Majesty’s name, to the following Bills :—

“*An Act to apply a sum out of the Consolidated Revenue to the service of the year ending on the thirtieth day of June, One thousand eight hundred and eighty-five, and to appropriate the Supplies granted in this Session of Parliament.*”

“*An Act to amend ‘The Pounds Act 1874.’*”

“*An Act to provide for the establishment of Colleges of Agriculture, and for other purposes.*”

“*An Act to establish a Fund for the Relief of Sufferers by Mining Accidents, and for other purposes.*”

“*An Act to settle the Tenure of Office of the Judges of the County Courts, and for other purposes.*”

“*An Act to consolidate and amend the Acts relating to the property of Married Women.*”

“*An Act to amend ‘The Victorian Water Conservation Acts 1881 and 1883.’*”

“*An Act to apply out of the Victorian Railway Loan and Debentures Redemption Account 1883 certain sums of money for Preliminary Surveys of Railways and Tramways.*”

“*An Act to further amend ‘The Local Government Act 1874.’*”

The Royal Assent being severally read by the Clerk of the Parliaments in the following words—“In the name and on behalf of Her Majesty I assent to this Act.”

The Clerk of the Parliaments delivered to Mr. Speaker a schedule of the Bills.

17. GOVERNOR'S SPEECH.—His Excellency was then pleased to speak as follows :—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

It is with pleasure that I release you from the discharge of your onerous duties. The Session has been distinguished by the magnitude of the interests with which you have had to deal, and the fruitfulness of your legislative labours.

I congratulate you upon the unanimity with which, at the beginning of the Session, you approved of the resolutions adopted at the Australasian Convention ; and I have observed with satisfaction that the Legislatures of four of the adjoining Colonies have given a like approval.

Although the representations to the Imperial Government in respect to annexation in the Pacific have as yet resulted in but partial success, it is nevertheless satisfactory that a British Protectorate has been established on the southern coast of New Guinea ; and while this falls far short of what was desired, it is to be hoped that it is only the precursor of a more extended jurisdiction in the Southern Pacific.

The effect of the earnest protests of all the Colonies of Australasia against the declared intention of the Government of France to transport large numbers of relapsed criminals to the French possessions in the Pacific will continue to be carefully watched by my Advisers, who will, if necessary, take such steps, in conjunction with the other colonies, as may be calculated to avert the threatened calamity.

Your Address, which was forwarded to Her Majesty, praying for Imperial legislation to authorize the establishment of a Federal Council, has been graciously received, and although compliance with your request has been necessarily delayed, it is encouraging to observe that the Imperial Government has promised legislative action for this purpose on the re-assembling of Parliament.

The Land Bill, which has occupied so important a place in your deliberations, offers fresh inducements for the settlement of population, while reserving to the State the fee-simple of over seventeen millions of acres. Advantage will doubtless be taken of the facilities afforded for combining the pursuits of agriculture and grazing upon moderately sized farms, over the larger portion of Crown lands, and for the pastoral occupation of the more remote and, at present, unsettled districts of the colony, and the profitable settlement thus achieved must add materially to the wealth and prosperity of the community.

The extensive proposals for new lines of Railway, which have received your approval, will, when carried out, give most of the population, hitherto unserved, easy access to a market for their produce, and, by cheapening the means of communication, help still further to develop the great natural resources of the country. It is also worthy of note that the railway system of South Australia will thus be connected with our own, and the capitals of the sister Colonies united.

It is a matter of congratulation that you have succeeded in passing a Bill which legalises Mining on Private Property. This will doubtless be the means of stimulating a leading industry into greater activity, by rendering tracts of auriferous private land more accessible to the miner.

The passage of these three principal measures, together with a large number of other Bills of scarcely less importance, testifies to the assiduity with which you have devoted yourselves to the business of the country.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

I thank you for the liberality displayed in your grants towards the maintenance of the Public Service and the development of the resources of the Colony.

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

Important measures which pressure of time prevented from being dealt with this Session will be submitted to you on the re-assembling of Parliament.

The question of Water Conservation and Distribution in its most comprehensive aspects will be taken into immediate consideration. A Royal Commission will be appointed to make an exhaustive inquiry into the Water Supply of the Colony, with the object of submitting practical suggestions for the consideration of the Government and the Legislature. It is intended that a responsible Minister of the Crown will take advantage of the recess to visit the United States, with the object of acquiring such information and assistance as may aid in a solution of the important problem of Irrigation.

One Royal Commission is now engaged in obtaining evidence with regard to the state of the law relating to lunacy and the treatment of insane patients ; and another as to the administration of the Transfer of Land Statute. It is hoped that their labours will lead to important legislation.

In being relieved from your attendance in Parliament, it must be gratifying to you to know that, under the blessing of Divine Providence, the general prosperity of the country has been maintained and augmented.

I now, in the name of Her Majesty, declare this Parliament to be prorogued to the thirtieth day of January, One thousand eight hundred and eighty-five, and it is prorogued accordingly.

JOHN BARKER,
Clerk of the Legislative Council.

SELECT COMMITTEES,

APPOINTED DURING THE SESSION 1884.

No. 1.—ELECTIONS AND QUALIFICATIONS.

Appointed 10th June, 1884.

The Hon. James Balfour	The Hon. James Lorimer
George Frederick Belcher	George Meares, C.M.G.
Henry Cuthbert	Nathan Thornley
William Edward Hearn	Frederick Brown.*

* Appointed (23rd September, 1884) in room of Hon. H. Cuthbert, whose seat in the Council was vacated by rotation.

No. 2.—ADDRESS IN REPLY TO HIS EXCELLENCY'S SPEECH.

Appointed 10th June, 1884.

The Hon. James Lorimer	The Hon. Jas. MacBain
W. E. Hearn	J. Balfour
N. Fitzgerald	T. F. Cumming
J. Bell	F. Brown.
J. G. Beaney	

No. 3.—STANDING ORDERS.

Appointed 11th June, 1884.

The Hon. The President	The Hon. J. Lorimer
Dr. Dobson	J. MacBain
W. E. Hearn	F. T. Sargood.*
C. J. Jenner	

* Re-appointed (17th September, 1884) after re-election on retirement by rotation.

No. 4.—PARLIAMENT BUILDINGS (JOINT).

Appointed 11th June, 1884.

The Hon. The President	The Hon. N. Thornley
J. Balfour	C. J. Ham.
W. Ross	

No. 5.—LIBRARY (JOINT).

Appointed 11th June, 1884.

The Hon. The President	The Hon. H. Cuthbert*
N. Fitzgerald*	J. Campbell.
J. Graham	

* Re-appointed (17th September, 1884) after re-election on retirement by rotation.

No. 6.—PRINTING.

Appointed 11th June, 1884.

The Hon. F. Ormond	The Hon. W. McCulloch
T. F. Cumming	J. Bell
J. G. Beaney	F. E. Beaver.*

* Appointed (17th September, 1884) in room of the Hon. J. G. Beaney, whose seat in the Council was vacated by rotation.

No. 7.—REFRESHMENT ROOMS (JOINT).

Appointed 11th June, 1884.

The Hon. W. Pearson	The Hon. J. Buchanan
G. F. Belcher	W. E. Stanbridge.
J. G. Beaney*	

* Re-appointed (17th September, 1884) after re-election on retirement by rotation.

No. 8.—SUBSTANTIVE GENERAL LAW CONSOLIDATION BILL.

Appointed 16th September, 1884.

The Hon. J. Balfour	The Hon. J. MacBain
F. Brown	Geo. Meares, C.M.G.
J. Buchanan	D. Melville
Dr. Dobson	H. Cuthbert
N. Fitzgerald	W. E. Hearn.

LEGISLATIVE COUNCIL.

SESSION 1884.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 1.

Extracted from the Minutes.

WEDNESDAY, 23RD JULY, 1884.

No. 1.—MINING ON PRIVATE PROPERTY BILL.—

Motion made—That the Chairman report progress and ask leave to sit again on Tuesday next—(*Hon. F. T. Sargood*).

Amendment proposed—That the word “next” be omitted, with a view to insert instead thereof the word “week”—(*Hon. T. Bromell*).

Question—That the word proposed to be omitted, stand part of the question—put.

Committee divided.

Ayes, 14.

The Hon. J. Balfour
G. F. Belcher
J. Bell
F. Brown
J. Campbell
J. Graham
W. McCulloch
G. Meares, C.M.G.
D. Melville
F. T. Sargood
D. C. Sterry
N. Thornley
J. A. Wallace
J. Lorimer (*Teller*).

Noes, 13.

The Hon. T. Bromell
J. Buchanan
D. Coutts
T. F. Cumming
W. E. Hearn
F. Ormond
W. Ross
P. Russell
W. E. Stanbridge
H. H. Wettenhall
J. Williamson
W. A. Zeal
H. Cuthbert (*Teller*).

LEGISLATIVE COUNCIL.

SESSION 1884.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 2.

Extracted from the Minutes.

TUESDAY, 29TH JULY, 1884.

No. 1.—MINING ON PRIVATE PROPERTY BILL.—Clause 9.—Every such lease or agreement shall at the expiration of the mining lease of the private land the subject of such lease or agreement granted under the provisions of this Act for a term not exceeding “seven” years absolutely cease, and be determined between the parties thereto.

Amendment proposed—That the word “seven” in the third line of the above clause be omitted, with the view of inserting instead thereof the word “fifteen.”—(*Hon. H. Cuthbert.*)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 8.

The Hon. D. Coutts
C. J. Ham
W. McCulloch
D. Melville
F. T. Sargood
D. C. Sterry
N. Thornley
F. E. Beaver (*Teller*).

Noes, 26.

The Hon. J. Balfour
Dr. Beaney
G. F. Belcher
J. Bell
T. Bromell
F. Brown
J. Buchanan
Sir W. J. Clarke, Bart.
T. F. Cumming
H. Cuthbert
N. Fitzgerald
J. Graham
P. Hanna
W. E. Hearn
C. J. Jenner
J. Lorimer
J. MacBain
G. Meares, C.M.G.
W. Pearson
F. Robertson
P. Russell
W. E. Stanbridge
J. A. Wallace
H. H. Wettenhall
W. A. Zeal
J. Williamson (*Teller*).

No. 2.—Question—That the word “fifteen” be inserted in Clause 9 in the place of the word “seven” omitted—proposed.

Further amendment proposed—That the above word be omitted, with a view of inserting instead thereof the word “eleven.”—(*Hon. J. Bell*.)

Question—That the word “fifteen” proposed to be omitted stand part of the proposed amendment—put.

Committee divided.

Ayes, 19.	Noes, 15.
The Hon. Dr. Beaney	The Hon. J. Bell
G. F. Belcher	J. Campbell
T. Bromell	Sir W. J. Clarke, Bart.
F. Brown	D. Coutts
J. Buchanan	N. Fitzgerald
T. F. Cumming	C. J. Ham
J. Graham	J. Lorimer
P. Hanna	W. McCulloch
W. E. Hearn	D. Melville
C. J. Jenner	F. T. Sargood
J. MacBain	D. C. Sterry
G. Meares, C.M.G.	N. Thornley
W. Pearson	H. H. Wettenhall
F. Robertson	J. Williamson
P. Russell	F. E. Beaver (<i>Teller</i>).
W. E. Stanbridge	
J. A. Wallace	
W. A. Zeal	
H. Cuthbert (<i>Teller</i>).	

THURSDAY, 31st JULY, 1884.

No. 3.—MINING ON PRIVATE PROPERTY BILL.—Clause 28.—No mining lease shall be granted under the provisions of this Act of any mines under any land used as a garden orchard vineyard, provided such garden orchard or vineyard does not exceed ten acres, or on which any dwelling house [out office building] or manufactory is situated, or under any land of less extent in area than half an acre within any city town or borough, or of any mines under any land on which any spring artificial reservoir dam sheep wash or woolshed is made or erected and is in *bonâ fide* use or occupation or within one hundred yards thereof, “unless” the whole of such land and a right of access thereto have first been taken by the applicant, which he is hereby authorized to do, and the amount of the purchase money thereof ascertained in the same manner as compensation is ascertained under the provisions of this Act.

Amendment proposed—That all the words from the word “unless,” in line 7 of the above clause inclusive to the end of the clause be omitted, with a view of inserting instead thereof the words “without the consent in writing of the owners thereof.”—(*Hon. H. Cuthbert*.)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 12.	Noes, 11.
The Hon. J. Balfour	The Hon. J. Buchanan
J. Bell	D. Coutts
J. Campbell	H. Cuthbert
P. Hanna	C. J. Ham
W. McCulloch	W. E. Hearn
D. Melville	G. Meares, C.M.G.
W. Pearson	P. Russell
F. T. Sargood	W. E. Stanbridge
N. Thornley	J. Williamson
J. A. Wallace	W. A. Zeal
H. H. Wettenhall	J. MacBain (<i>Teller</i>).
D. C. Sterry (<i>Teller</i>).	

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1884.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 3.

Extracted from the Minutes.

WEDNESDAY, 6TH AUGUST, 1884.

No. 1.—MINING ON PRIVATE PROPERTY BILL.—Proposed new Clause A.—If after any private land has been taken by an applicant for a mining lease under the authority of the preceding section of this Act, and mining operations have not been commenced within a period of “one year” from the date of the taking of such private land or if mining operations have been commenced on such private land but have wholly ceased for a period of one year, then the same shall revert to and shall be reconveyed to the person who was the owner thereof at the time the same were taken.

Amendment proposed—That the words “one year” in the third line of the above clause be omitted, with the view of inserting instead thereof the words “six months.”—(*Hon. H. Cuthbert.*)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 16.

The Hon. J. Bell
F. Brown
J. Buchanan
J. Campbell
N. Fitzgerald
C. J. Ham
P. Hanna
C. J. Jenner
J. Lorimer
W. McCulloch
D. Melville
W. Ross
F. T. Sargood
N. Thornley
J. A. Wallace
F. E. Beaver (*Teller*).

Noes, 12.

The Hon. G. F. Belcher
H. Cuthbert
J. Graham
W. E. Hearn
J. MacBain
G. Meares, C.M.G.
F. Ormond
F. Robertson
W. E. Stanbridge
J. Williamson
W. A. Zeal
D. C. Sterry (*Teller*).

LEGISLATIVE COUNCIL.

SESSION 1884.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 4.

Extracted from the Minutes.

TUESDAY, 19TH AUGUST, 1884.

No. 1.—MINING ON PRIVATE PROPERTY BILL.—Clause 28.—No mining lease shall be granted under the provisions of this Act of any mines under any land used as a garden “orchard”

Amendment proposed—That the following words be inserted in the above clause, after the word “orchard” in line 2, instead of words omitted, viz.:—“or vineyard or under any land of less extent in area than half an acre within any city town or borough or of any mines under any land on which any spring artificial reservoir dam sheep-wash or woolshed in *bonâ fide* use or occupation is situated or on which any dwelling house out-office building or manufactory is situated or within one hundred yards of any spring artificial reservoir dam sheep-wash woolshed dwelling house out-office building or manufactory ‘unless the whole of the land within one hundred yards of the same and belonging to the owner of the same and a right of access to such land have first been taken by the applicant which he is hereby authorized to do and the amount of the purchase money thereof ascertained in the same manner as compensation is ascertained under the provisions of this Act’: Provided that nothing in this section contained shall be deemed to forbid the issue of a mining lease in any case where the applicant has authority from the owner of any private land to enter thereon for the purpose of mining in or on the same, and that no person shall be entitled to claim the benefit of the provisions of this section for more than ten acres of any land held by him as a garden orchard or vineyard.”—(*The Hon. F. T. Sargood.*)

Further amendment proposed—That the following words, viz.:—‘unless the whole of the land within one hundred yards of the same and belonging to the owner of the same and a right of access to such land have first been taken by the applicant which he is hereby authorized to do and the amount of the purchase money thereof ascertained in the same manner as compensation is ascertained under the provisions of this Act’ be omitted from the sixth line of the above proposed amendment, with the view of inserting instead thereof the words “without the consent in writing of the owners or trustees of such land in such case obtained.”—(*The Hon. H. Cuthbert.*)

Question—That the words proposed to be omitted stand part of the proposed amendment—put.
Committee divided.

Ayes, 18.

The Hon. J. Balfour
F. E. Beaver
G. F. Belcher
J. Bell
F. Brown
J. Campbell
N. Fitzgerald
P. Hanna
C. J. Jenner
J. Lorimer
W. McCulloch
D. Melville
W. Pearson
W. Ross
F. T. Sargood
N. Thornley
J. A. Wallace
D. C. Sterry (*Teller*).

Noes, 13.

The Hon. J. Buchanan
D. Coutts
T. F. Cumming
H. Cuthbert
C. J. Ham
W. E. Hearn
J. MacBain
G. Meares, C.M.G.
P. Russell
W. E. Stanbridge
J. Williamson
W. A. Zeal
F. Ormond (*Teller*).

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1884.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 5.

Extracted from the Minutes.

TUESDAY, 9TH SEPTEMBER, 1884.

No. 1.—LEGAL PROFESSION PRACTICE BILL.—Clause 1.

Motion made—That the Chairman report progress and ask leave to sit again “to-morrow.”—
(*The Hon. F. E. Beaver.*)

Amendment proposed—That the word “to-morrow” be omitted, with a view to insert instead thereof
the words “this day week.”—(*The Hon. J. Lorimer.*)

Question—That the word proposed to be omitted stand part of the question—put.

Committee divided.

Ayes, 6.

The Hon. J. Balfour
J. Campbell
W. McCulloch
F. T. Sargood
W. A. Zeal
F. E. Beaver (*Teller*).

Noes, 11.

The Hon. F. Brown
N. Fitzgerald
P. Hanna
W. E. Hearn
J. Lorimer
J. MacBain
G. Meares, C.M.G.
D. Melville
F. Robertson
J. A. Wallace
N. Thornley (*Teller*).

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1884.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 6.

Extracted from the Minutes.

TUESDAY, 14TH OCTOBER, 1884.

No. 1.—STATUTE OF TRUSTS AMENDMENT BILL.—

Proposed new clause.—

A. No investment of trust funds on mortgage as aforesaid shall exceed in amount fifty per cent. of the value of such real estate to be determined on the basis of the municipal assessment of the property on which the mortgage is proposed to be effected.—(*The Hon. W. A. Zeal.*)

Question—That the proposed new clause stand part of the Bill—put.

Committee divided.

Ayes, 6.

The Hon. J. Lorimer
D. Melville
F. T. Sargood
J. A. Wallace
W. A. Zeal
D. C. Sterry (*Teller*).

Noes, 18.

The Hon. J. Balfour
J. G. Beaney
F. E. Beaver
J. Bell
J. Buchanan
J. Campbell
Sir W. J. Clarke, Bart.
H. Cuthbert
J. Graham
C. J. Ham
W. E. Hearn
T. Henty
C. J. Jenner
W. McCulloch
P. Russell
W. E. Stanbridge
J. Williamson
J. MacBain (*Teller*).

LEGISLATIVE COUNCIL.

SESSION 1884.

WEEKLY REPORT OF DIVISIONS IN COMMITTEE OF THE WHOLE COUNCIL.

No. 7.

Extracted from the Minutes.

WEDNESDAY, 22ND OCTOBER, 1884.

No. 1.—ZOOLOGICAL AND ACCLIMATISATION SOCIETY'S INCORPORATION BILL.—Clause 8.—The majority of the whole Council for the time being at any meeting assembled shall have power from time to time to make repeal alter and re-enact such regulations as they think fit for the purpose of providing for—

- (1.) The election of a Council and the conduct of the proceedings thereof.
- (2.) The election or admission of members into the Corporation and the expulsion of members therefrom.
- (3.) The due management of the affairs of the Corporation in its several departments and for regulating all matters concerning or connected with the property both real and personal by this Act vested in or hereafter to be acquired by the Corporation.
- (4.) The times of admission or exclusion of the public or the admission or expulsion of any individual to and from the premises and grounds of the Corporation and the rates or charges to be paid for such "admission."

All such regulations shall be reduced to writing and the Common Seal of the Corporation having been affixed thereto shall be submitted for the approval of the Governor in Council and if approved they shall be published in the "*Government Gazette*" and thereupon shall be of full force and effect.

Amendment proposed—That, after the word "admission" in the thirteenth line of the above clause, the following words be inserted, viz. :—"Provided that if and when such premises and grounds shall be open to the public on Sundays no rate or charge shall be made for admission thereto on such Sundays."—(*Hon. J. Balfour.*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

Ayes, 8.

The Hon. J. Balfour
J. Bell
J. Campbell
C. J. Ham
J. MacBain
D. Melville
G. Young
F. E. Beaver (*Teller*).

Noes, 15.

The Hon. J. G. Beaney
T. Bromell
D. Coutts
T. F. Cumming
N. Fitzgerald
T. Henty
C. J. Jenner
J. Lorimer
W. McCulloch
F. T. Sargood
W. E. Stanbridge
J. A. Wallace
J. Williamson
W. A. Zeal
H. Cuthbert (*Teller*).

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1884.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 8.

Extracted from the Minutes.

WEDNESDAY, 29TH OCTOBER, 1884.

No. 1.—LEGAL PROFESSION PRACTICE BILL.—Motion made and question put—That the Chairman do leave the Chair.—(*Hon. D. Melville.*)

Committee divided.

Ayes, 16.

The Hon. F. Brown
Sir W. J. Clarke, Bart.
T. F. Cumming
H. Cuthbert
N. Fitzgerald
J. Graham
W. E. Hearn, LL.D.
T. Henty
J. Lorimer
J. MacBain
G. Meares, C.M.G.
D. Melville
P. Russell
J. Williamson
W. A. Zeal
N. Thornley (*Teller*).

Noes, 15.

The Hon. J. Balfour
J. Bell
J. Buchanan
J. Campbell
D. Coutts
C. J. Ham
W. McCulloch
W. Pearson
F. T. Sargood
W. E. Stanbridge
D. C. Sterry
J. A. Wallace
H. H. Wettenhall
G. Young
F. E. Beaver (*Teller*).

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1884.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 9.

Extracted from the Minutes.

TUESDAY, 11TH NOVEMBER, 1884.

No. 1.—CROWN LANDS BILL.—Clause 25, Sub-section 2.—A covenant that the lessee will not “assign” sublet or subdivide any land demised by such lease or any portion thereof without the consent of the Board signified in writing.

Amendment proposed—That after the word “assign” in the first line of the above sub-section the following words be inserted, viz.—“except by way of mortgage”—(*Hon. J. MacBain*).

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

Ayes, 11.

The Hon. T. Bromell
H. Cuthbert
N. Fitzgerald
P. Hanna
W. E. Hearn
T. Henty
W. McCulloch
J. A. Wallace
J. Williamson
W. A. Zeal
J. MacBain (*Teller*).

Noes, 10.

The Hon. J. G. Beaney
J. Bell
J. Buchanan
J. Campbell
D. Coutts
D. Melville
F. T. Sargood
N. Thornley
H. H. Wettenthal
F. E. Beaver (*Teller*).

No. 2.—Clause 25, Sub-section 6.—A covenant that the lessee will not during the currency of his lease ring or destroy or, except for the purpose of fencing or building on the land demised by such lease, cut down any timber in or upon such demised land, “unless with the sanction of the Board, signified in writing, and under the supervision of an officer appointed in that behalf by the Board.”

Amendment proposed—That the words “unless with the sanction of the Board, signified in writing, and under the supervision of an officer appointed in that behalf by the Board,” in the third line of the above sub-section be omitted.—(*Hon. J. A. Wallace*).

Question—That the words proposed to be omitted stand part of the clause—put.
Committee divided.

Ayes, 14.
The Hon. J. Balfour
J. Bell
T. Bromell
J. Buchanan
J. Campbell
D. Coutts
W. E. Hearn
T. Henty
J. MacBain
W. McCulloch
F. T. Sargood
N. Thornley
H. H. Wettenhall
F. E. Beaver (*Teller*).

Noes, 8.
The Hon. H. Cuthbert
N. Fitzgerald
P. Hanna
D. Melville
F. Ormond
J. A. Wallace
J. Williamson
W. A. Zeal (*Teller*).

WEDNESDAY, 12TH NOVEMBER 1884.

No. 3.—CROWN LANDS BILL—Clause 33.—Any person being of the age of eighteen “years” may any rule of law or statute to the contrary notwithstanding take up a grazing area and legally take a lease thereof and become the licensee of an agricultural allotment, and thereupon every such person shall although such person be not twenty-one years of age be in the same position with regard to his liability under and enforcement by him of all contracts made with respect to such grazing area or agricultural allotment in the same position as though such person were of the full age of twenty-one years.

Amendment proposed—That after the word “years” in the first line of the above clause the following words be inserted, viz.—“who is not a married woman not having obtained a decree of judicial separation.”—(*Hon. H. Cuthbert*.)

Question—That the words proposed to be inserted be so inserted—put.
Committee divided.

Ayes, 13.
The Hon. J. Campbell
T. F. Cumming
H. Cuthbert
N. Fitzgerald
T. Henty
G. Meares, C.M.G.
D. Melville
F. T. Sargood
N. Thornley
J. A. Wallace
J. Williamson
G. Young
J. MacBain (*Teller*).

Noes, 15.
The Hon. Dr. Beaney
J. Bell
T. Bromell
F. Brown
J. Buchanan
D. Coutts
C. J. Ham
W. McCulloch
F. Ormond
W. Pearson
W. Ross
D. C. Sterry
H. H. Wettenhall
W. A. Zeal
F. E. Beaver (*Teller*).

No. 4.—CROWN LANDS BILL.—Clause 35, Sub-section 6.—A covenant that the lessee will not during the currency of his lease ring or destroy or except for the purpose of fencing, building, or domestic use on the land demised by such lease cut down any timber in or upon such demised land “unless with the sanction of the Board signified in writing and under the supervision of an officer appointed in that behalf by the Board.”

Motion made and question put—That the Chairman report progress and ask leave to sit again.—(*Hon. W. A. Zeal*.)

Committee divided.

Ayes, 7.
The Hon. H. Cuthbert
N. Fitzgerald
W. Pearson
D. C. Sterry
J. A. Wallace
W. A. Zeal
D. Melville (*Teller*).

Noes, 18
The Hon. J. Balfour
J. G. Beaney, M.D.
J. Bell
T. Bromell
F. Brown
J. Buchanan
J. Campbell
D. Coutts
T. F. Cumming
T. Henty
J. MacBain
W. McCulloch
G. Meares, C.M.G.
F. T. Sargood
N. Thornley
H. H. Wettenhall
G. Young
W. Ross (*Teller*).

No. 5.—

Amendment proposed—That the words “unless with the sanction of the Board signified in writing and under the supervision of an officer appointed in that behalf by the Board” in the third line of the above sub-section be omitted.—(*Hon. J. A. Wallace*).

Question—That the words proposed to be omitted stand part of the clause—put.
Committee divided.

Ayes, 16.

The Hon. J. Balfour
J. G. Beaney, M.D.
J. Bell
T. Bromell
J. Buchanan
J. Campbell
D. Coutts
T. Henty
J. MacBain
W. McCulloch
G. Meares, C.M.G.
W. Ross
F. T. Sargood
H. H. Wettenhall
G. Young
N. Thornley (*Teller*).

Noes, 8.

The Hon. F. Brown
H. Cuthbert
N. Fitzgerald
D. Melville
W. Pearson
J. A. Wallace
W. A. Zeal
D. C. Sterry (*Teller*).

No. 6.—CROWN LANDS BILL.—Clause 37.—Any person may, on any day during office hours, deliver or cause to be delivered, his application to a land officer acting in the district for a lease of a pastoral allotment, grazing area, or for a licence to occupy an agricultural allotment. Every application shall be received and entered in its order in a book to be kept for that purpose.

Amendment proposed.—That at the end of the above clause the following words be inserted—“and before such application is dealt with it shall be advertised once in some newspaper circulating in the district.”—(*Hon W. A. Zeal*.)

Question—That the words proposed to be inserted be so inserted—put.
Committee divided.

Ayes, 4.

The Hon. P. Hanna
D. Melville
J. A. Wallace
W. A. Zeal (*Teller*).

Noes, 20.

The Hon. J. Balfour
J. Bell
T. Bromell
J. Buchanan
J. Campbell
D. Coutts
H. Cuthbert
C. J. Ham
T. Henty
J. MacBain
W. McCulloch
G. Meares, C.M.G.
F. Ormond
W. Ross
F. T. Sargood
D. C. Sterry
N. Thornley
J. Williamson
G. Young
F. E. Beaver (*Teller*).

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1884.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 10.

Extracted from the Minutes.

WEDNESDAY, 19TH NOVEMBER 1884.

No. 1.—CROWN LANDS BILL.—Proposed new Clause D.—Every person who at the commencement of this Act is in the occupation of any land under a pastoral license or under a grazing right shall within one month be entitled to take up a pastoral allotment on the land so occupied. Provided that such land be situate within the areas described in the Second Schedule hereto, and shall not exceed the extent of his present holding.—(*Hon. J. MacBain.*)

Question—That the proposed new clause stand part of the Bill—put.

Committee divided.

Ayes, 17.

The Hon. J. Balfour
T. Bromell
J. Buchanan
Sir W. J. Clarke, Bart.
D. Coutts
T. F. Cumming
J. Graham
W. E. Hearn
J. MacBain
G. Meares, C.M.G.
F. Ormond
W. Pearson
F. Robertson
P. Russell
J. A. Wallace
J. Williamson
H. Cuthbert (*Teller*).

Noes, 15.

The Hon. G. F. Belcher
J. Bell
J. Campbell
P. Hanna
C. J. Jenner
J. Lorimer
W. McCulloch
D. Melville
W. Ross
F. T. Sargood
D. C. Sterry
H. H. Wettenthal
G. Young
W. A. Zeal
F. E. Beaver (*Teller*).

No. 2.—CROWN LANDS BILL.—Proposed new Clause I.—Every person who at the commencement of this Act is in the occupation of any land under a pastoral license or under a grazing right and has occupied such land for three years next preceding the commencement of this Act shall, if he makes application within one month from the coming into force of this Act, be entitled to a lease of a grazing area on the land so occupied, provided he has not exercised his right to take up a pastoral allotment. Provided also that the area of the allotment so selected shall not exceed the area comprised in the pastoral license or the grazing right referred to.—(*Hon. David Coutts.*)

Question—That the proposed new clause stand part of the Bill—put.

Committee divided.

Ayes, 17.

The Hon. J. Balfour
J. Bell
T. Bromell
J. Buchanan
Sir W. J. Clarke, Bart.
D. Coutts
T. F. Cumming
J. Graham
W. E. Hearn
G. Meares, C.M.G.
W. Pearson
F. Robertson
P. Russell
J. A. Wallace
J. Williamson
G. Young
J. MacBain (*Teller*).

Noes, 13.

The Hon. J. G. Beaney
G. F. Belcher
J. Campbell
C. J. Jenner
J. Lorimer
W. McCulloch
D. Melville
W. Ross
F. T. Sargood
D. C. Sterry
H. H. Wettenhall
W. A. Zeal
F. E. Beaver (*Teller*).

THURSDAY, 20TH NOVEMBER, 1884.

No. 3.—CROWN LANDS BILL.—Proposed new Clause N.—The whole or any of the lands reserved under the 102nd and 110th sections of “*The Land Act 1869*” upon which improvements have been made by a pastoral tenant of the Crown may be sold in fee simple by public auction at an upset price of One pound per acre or dealt with under Part III of this Act, with a fair valuation for such improvements to be paid by the purchaser to the pastoral tenant: Provided that if the improvements on any of the lands so reserved be required for public use then the Governor in Council may resume them on paying compensation for the value of such improvements.—(*Hon. H. Cuthbert.*)

Question—That the proposed new clause stand part of the Bill—put.

Committee divided.

Ayes, 8.

The Hon. D. Coutts
T. F. Cumming
H. Cuthbert
J. Graham
F. Robertson
J. A. Wallace
J. Williamson
J. MacBain (*Teller*).

Noes, 17.

The Hon. J. G. Beaney, M.D.
J. Bell
T. Bromell
J. Buchanan
J. Campbell
P. Hanna
W. E. Hearn
C. J. Jenner
J. Lorimer
W. McCulloch
D. Melville
F. Ormond
W. Ross
F. T. Sargood
D. C. Sterry
W. A. Zeal
F. E. Beaver (*Teller*).

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1884.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 11.

Extracted from the Minutes.

THURSDAY, 27TH NOVEMBER, 1884.

No. 1.—CROWN LANDS BILL.—Clause 40.—No person shall become a licensee either in his own name or in the name or names of any other person or persons of an agricultural allotment under this Part of this Act in respect of more than three hundred and twenty acres of land. No licence shall be issued to any person who under the provisions of any previous Land Act or Acts has selected the maximum number of acres allowed by this Act, or who has taken up a pre-emptive right for such maximum number of acres, or who has made a selection under any Land Act or Acts and whose selection has been forfeited or cancelled for the evasion of the provisions of any such Act or Acts; but a selector under any previous Act or Acts may take up a sufficient quantity of land to make up the maximum number of acres allowed under the provisions of this Act; and no person shall become the licensee of any agricultural allotment who is an infant under eighteen years of "age" or who is in respect of the agricultural allotment for which a licence has been applied or in respect of any part thereof an agent or a servant of or a trustee for any other person, or who at the time of the application has entered into any agreement to permit any other person to acquire by purchase or otherwise the agricultural allotment in respect of which such application is made or any part thereof or the applicant's interest therein or the usufruct thereof; and all land applied for under this Act shall be so applied for *bonâ fide* for the use and benefit of the applicant in his own proper person and not as the agent or servant or trustee of or for any other person. Provided that if any person in violation of any of the provisions hereof become the licensee of an agricultural allotment the Governor in Council may declare the licence of any such agricultural allotment and the lease of the grazing area of which such agricultural allotment formed a part at the date of the granting of such lease to be forfeited. And upon publication in the *Government Gazette* of notice of such declaration the interest created by the said licence and the said lease shall cease and determine, and all the right title and interest of the licensee in and to such licence and in and to the agricultural allotment therein described, and all moneys paid for fees in respect of such agricultural allotment and in and to such lease and grazing area thereby demised and all moneys paid as rent for such

grazing area shall be absolutely forfeited. Provided also that all contracts agreements and securities which are made entered into or given with the intent or which (if the same were valid) would have the effect of violating all or any of the provisions of this Part of this Act or of any condition of a licence granted under this Part, and all contracts and agreements relating to an agricultural allotment made or entered into before or after the issue of a licence and to take effect wholly or in part before at or after the termination of six years from the commencement of the said licence, shall and are hereby declared to be illegal and absolutely void both at law and in equity.

Amendment proposed—That, after the word “age” in the tenth line of the above clause, the following words be inserted, viz. :—“or who is a married woman not having obtained a decree of judicial separation”—(*Hon. H. Cuthbert*).

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

Ayes, 17.

The Hon. J. Campbell
 Sir W. J. Clarke, Bart.
 T. F. Cumming
 H. Cuthbert
 N. Fitzgerald
 J. Graham
 W. E. Hearn
 T. Henty
 C. J. Jenner
 G. Meares, C.M.G.
 D. Melville
 F. Robertson
 F. T. Sargood
 W. E. Stanbridge
 J. A. Wallace
 J. Williamson
 N. Thornley (*Teller*).

Noes, 15.

The Hon. J. Bell
 T. Bromell
 F. Brown
 J. Buchanan
 D. Coutts
 C. J. Ham
 P. Hanna
 W. McCulloch
 F. Ormond
 W. Pearson
 W. Ross
 D. C. Sterry
 H. H. Wettenhall
 W. A. Zeal
 F. E. Beaver (*Teller*).

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1884.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 12.

Extracted from the Minutes.

TUESDAY, 2ND DECEMBER, 1884.

No. 1.—RAILWAYS CONSTRUCTION BILL.—Clause 3.—Proposed Sub-section.—A railway commencing at a point on the Frankston and Crib Point Railway at Baxter's Flat and terminating at or near Mornington in the line and upon the lands described in the Schedule hereto, to be called the Mornington Railway.—(*Hon. J. Lorimer.*)

Question—That the proposed Sub-section stand part of Clause 3—put.

Committee divided.

Ayes, 24.

The Hon. Dr. Beaney
J. Bell
T. Bromell
F. Brown
J. Buchanan
Sir W. J. Clarke, Bart.
D. Coutts
T. F. Cumming
J. Graham
C. J. Ham
P. Hanna
C. J. Jenner
J. Lorimer
W. McCulloch
G. Meares, C.M.G.
D. Melville
P. Russell
W. E. Stanbridge
D. C. Sterry
J. A. Wallace
H. H. Wettenhall
J. Williamson
G. Young
N. Fitzgerald (*Teller*).

Noes, 9.

The Hon. G. F. Belcher
J. Campbell
H. Cuthbert
T. Henty
W. Pearson
W. Ross
F. T. Sargood
N. Thornley
W. A. Zeal (*Teller*).

WEDNESDAY, 3RD DECEMBER, 1884.

No. 2.—RAILWAYS CONSTRUCTION BILL.—Clause 3.—Proposed Sub-section.—A railway commencing on the proposed railway from Wodonga to Tallangatta, in the parish of Bonegilla, and terminating at the township of Bethanga in the line and upon the lands described in the Forty-ninth (A) Schedule hereto to be called the Bonegilla and Bethanga Railway—(*Hon. J. A. Wallace.*)

Question—That the proposed Sub-section stand part of Clause 3—put.
Committee divided.

Ayes, 15.

The Hon. J. Bell
T. Bromell
F. Brown
J. Buchanan
D. Coutts
T. F. Cumming
N. Fitzgerald
W. McCulloch
G. Meares, C.M.G.
D. Melville
W. Pearson
J. A. Wallace
J. Williamson
G. Young
H. Cuthbert (*Teller*).

Noes, 18.

The Hon. J. Balfour
G. F. Belcher
J. Campbell
Sir W. J. Clarke, Bart.
J. Graham
C. J. Ham
W. E. Hearn
T. Henty
C. J. Jenner
J. Lorimer
F. Ormond
W. Ross
P. Russell
F. T. Sargood
W. E. Stanbridge
D. C. Sterry
N. Thornley
F. E. Beaver (*Teller*).

No. 3.—Proposed new Clause—A. The Victorian Railway Commissioners shall run Sunday trains on all the suburban lines, and may make bye-laws for regulating the traffic thereon.—(*Hon. D. Melville.*)

Question—That the proposed new Clause stand part of the Bill—put.
Committee divided.

Ayes, 26.

The Hon. G. F. Belcher
T. Bromell
F. Brown
Sir W. J. Clarke, Bart.
D. Coutts
T. F. Cumming
H. Cuthbert
N. Fitzgerald
J. Graham
P. Hanna
W. E. Hearn
T. Henty
C. J. Jenner
J. Lorimer
W. McCulloch
D. Melville
W. Pearson
W. Ross
P. Russell
F. T. Sargood
W. E. Stanbridge
J. A. Wallace
J. Williamson
G. Young
W. A. Zeal
N. Thornley (*Teller*).

Noes, 8.

The Hon. J. Balfour
J. Bell
J. Buchanan
J. Campbell
C. J. Ham
F. Ormond
H. H. Wettenhall
F. E. Beaver (*Teller*).

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1884.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 13.

Extracted from the Minutes.

WEDNESDAY, 10TH DECEMBER, 1884.

No. 1.—RAILWAYS CONSTRUCTION BILL.—Clause 3, Sub-section 22.—A railway commencing on the Ararat and Hamilton Railway at or near the “Dunkeld” Railway Station and terminating in the parish of Warrong in the line and upon the lands described in the Twenty-second Schedule hereto, to be called the Koroit Railway (*via* Penshurst).

Amendment proposed—That the word “Dunkeld” in line 2 of the above Sub-section be omitted with the view of inserting instead thereof the word “Hamilton.”—(*Hon. T. Bromell.*)

Question—That the word proposed to be omitted stand part of the Sub-section—put.

Committee divided.

Ayes, 17.

The Hon. J. Balfour
Dr. Beaney
F. E. Beaver
J. Bell
F. Brown
J. Campbell
D. Coutts
C. J. Ham
P. Hanna
J. Lorimer
F. Ormond
F. T. Sargood
W. E. Stanbridge
N. Thornley
H. H. Wettenhall
J. Williamson
W. Ross (*Teller*).

Noes, 16.

The Hon. G. F. Belcher
T. Bromell
J. Buchanan
T. F. Cumming
N. Fitzgerald,
J. Graham
W. E. Hearn
T. Henty
C. J. Jenner
W. McCulloch
D. Melville
P. Russell
J. A. Wallace
G. Young
W. A. Zeal
H. Cuthbert (*Teller*).

No. 2.—COUNTY COURT JUDGES TENURE BILL.—Clause 8.—The Governor in Council may from time to time issue to any chairman of general sessions a commission empowering such chairman to preside at the Supreme Court sittings for the hearing of criminal trials save and except cases of felonies now punishable with death in and throughout any bailiwick named therein or any particular place or places named therein and any such chairman whilst so acting by virtue of any such commission shall have all the powers of and with respect to all proceedings before him shall be deemed to be a judge of the Supreme “Court.”

Amendment proposed—That the following words be inserted after the word “Court” at the end of the clause, viz.:—“Provided that this section shall continue in operation until the 31st day of December, 1885, and no longer.”—(*Hon. W. E. Hearn.*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

Ayes, 9.

The Hon. J. Balfour
F. Brown
N. Fitzgerald
W. E. Hearn
W. McCulloch
W. Ross
P. Russell
G. Young
W. E. Stanbridge (*Teller*).

Noes, 14.

The Hon. Dr. Beane
J. Bell
J. Buchanan
J. Campbell
D. Coutts
C. J. Ham
C. J. Jenner
J. Lorimer
D. Melville
F. T. Sargood
N. Thornley
H. H. Wettenhall
W. A. Zeal
H. Cuthbert (*Teller*).

No. 3.—MINING ACCIDENTS BILL.—Schedule.—

A weekly allowance of the sum of money set opposite the name of each person shall be paid to such person by the trustees. The persons hereinafter described as widows shall be entitled to such allowances respectively so long as they remain widows chaste and of good repute.

The persons hereinafter described as boys shall (with the exception of William Curtis, for whom special provision is herein made) receive their allowances respectively until they attain the age of seventeen years.

The persons hereinafter described as girls shall receive their allowances respectively until they attain the age of “seventeen” years.

The boys and girls hereinafter mentioned shall for the purposes of this Act be taken to have attained the ages set opposite their names on the 31st December 1882, and in the case of those described as under one year shall be taken to have attained the age of one year on the 31st December 1883.

No one family shall receive from the fund more than Thirty-one shillings a week. When the eldest boy or girl in any family (except in the case of the Wyatt family, for whom special provision is herein made) ceases to receive an allowance from the fund, then each younger child shall receive an increased allowance of One shilling a week.

If any widow marry with the approval of the trustees, the trustees may pay her a sum of £50.

The sum of £50 shall be paid to the father of the late Mrs. Wyatt, one of the widows.

The provisions of this Schedule shall be read and construed as though the same took effect on the 31st December 1882.

Amendment proposed—That the word “seventeen” in the eighth line of the above Schedule be omitted, with a view of inserting instead thereof the word “eighteen.”—(*Hon. H. Cuthbert.*)

Question—That the word proposed to be omitted stand part of the Schedule—put.

Committee divided.

Ayes, 14.

The Hon. J. Balfour
J. Bell
F. Brown
J. Campbell
D. Coutts
N. Fitzgerald
W. E. Hearn
C. J. Jenner
J. Lorimer
D. Melville
W. Ross
W. E. Stanbridge
G. Young
W. A. Zeal (*Teller*).

Noes, 4.

The Hon. C. J. Ham
W. McCulloch
F. T. Sargood
H. Cuthbert (*Teller*).

1884.

VICTORIA.

MARRIAGE AND MATRIMONIAL CAUSES STATUTE AMENDMENT ACT.

ORDERED BY THE LEGISLATIVE COUNCIL TO BE PRINTED, 10TH JUNE, 1884.

WILLIAM F. STAWELL,
Administrator of the Government.

Message No. 1.

The Administrator of the Government informs the Legislative Council that he has caused an Act intituled "*An Act to amend the Laws relating to Children and Wives, and to Divorce and Matrimonial Causes,*" which was reserved on the 3rd November last for the signification of Her Majesty's pleasure thereon, and which received Her Majesty's Assent on the 4th March ultimo, to be proclaimed in the *Victoria Government Gazette*, a copy of which Proclamation is hereunto annexed.

Government Offices,
Melbourne, 9th June, 1884.

THE ROYAL ASSENT TO THE ACT INTITULED "AN ACT TO AMEND THE LAWS
RELATING TO CHILDREN AND WIVES AND TO DIVORCE AND MATRIMONIAL
CAUSES."

PROCLAMATION

By His Excellency the Honorable Sir WILLIAM FOSTER STAWELL, Knight, the Chief Justice of the Colony of Victoria, and Administrator of the Government of the said Colony, &c., &c., &c.

WHEREAS by *The Constitution Statute* it is amongst other things enacted, that the provisions of the Act of the fourteenth year of Her Majesty, chapter fifty-nine, and of the Act of the fifth and sixth years of Her Majesty, chapter seventy-six, *For the Government of New South Wales and Van Diemen's Land*, which relate to the giving and withholding of Her Majesty's assent to Bills, and the reservation of Bills for the signification of Her Majesty's pleasure thereon, and the instructions to be conveyed to Governors for their guidance in relation to the matters aforesaid, and the disallowance of Bills by Her Majesty, shall apply to Bills to be passed by the Legislative Council and Assembly constituted under *The Constitution of Victoria* and the now-reciting Statute, and by any other legislative body or bodies which may at any time hereafter be substituted for the present Legislative Council and Assembly: And whereas the Bill hereinafter mentioned was reserved for the signification of Her Majesty's pleasure thereon: And whereas by an Order of the Queen in Council, made on the fourth day of March One thousand eight hundred and eighty-four, a copy whereof is hereunto appended, Her Majesty has been pleased to assent to the said Bill: Now therefore I, the Administrator of the Government of Victoria, in pursuance of the provisions of the aforesaid Acts, do by this my Proclamation signify that the Bill intituled *An Act to amend the Laws relating to Children and Wives and to Divorce and Matrimonial Causes*, which was reserved for the signification of Her Majesty's pleasure thereon upon the third day of November in the year One thousand eight hundred and eighty-three, has been laid before Her Majesty in Council, and that Her Majesty has been pleased to assent to the same.

Given under my Hand and the Seal of the Colony, at Melbourne, this seventh day of May, in the year of our Lord One thousand eight hundred and eighty-four, and in the forty-seventh year of Her Majesty's Reign.

(L.S.)

W. F. STAWELL.

By His Excellency's Command,
GEO. B. KERFERD,
Attorney-General.

GOD SAVE THE QUEEN!

At the Court at Windsor, the fourth day of March 1884.

PRESENT :

The Queen's Most Excellent Majesty

Lord President
Lord Chamberlain

Mr. Gladstone
Mr. Dodson.

WHEREAS by an Act passed in the fifth and sixth years of Her Majesty's reign, entitled *An Act for the Government of New South Wales and Van Diemen's Land*, it is, amongst other things, enacted that no Bill which shall be reserved for the signification of Her Majesty's pleasure thereon shall have any force or authority within the colony of New South Wales until the Governor of the said colony shall signify, either by speech or message to the Legislative Council of the said colony or by proclamation as therein aforesaid, that such Bill has been laid before Her Majesty in Council, and that Her Majesty has been pleased to assent to the same : And whereas by another Act passed in the thirteenth and fourteenth years of Her Majesty's reign, entitled *An Act for the better Government of Her Majesty's Australian Colonies*, it was provided, among other things, that the provisions of the said former Act concerning the reservation of Bills for the signification of Her Majesty's pleasure thereon should apply to and be in force in the colony of Victoria : And whereas the said provisions were maintained in force as regards Bills passed by the Legislative Council and Legislative Assembly of the said colony by a subsequent Act passed in the eighteenth and nineteenth years of the reign of Her said Majesty, entitled *An Act to enable Her Majesty to assent to a Bill as amended of the Legislature of Victoria to establish a Constitution in and for the Colony of Victoria* : And whereas on the third of November One thousand eight hundred and eighty-three the Governor of the said colony of Victoria reserved a certain Bill passed by the Legislative Council and Legislative Assembly of the said colony, entitled *An Act to amend the laws relating to Children and Wives and to Divorce and Matrimonial Causes*, for the signification of Her Majesty's pleasure thereon : And whereas the said Bill so reserved as aforesaid has been laid before Her Majesty in Council, and it is expedient that the said Bill should be assented to by Her Majesty : Now therefore Her Majesty, in pursuance of the said Acts, and in exercise of the powers thereby reserved to Her Majesty as aforesaid, doth by this present Order, by and with the advice of Her Majesty's Privy Council, declare Her assent to the said Bill.

C. L. PEEL.

1884.
—
VICTORIA.

LEGISLATIVE COUNCIL.

STANDING ORDERS COMMITTEE.

REPORT,

TOGETHER WITH

PROCEEDINGS OF COMMITTEE.

ORDERED BY THE COUNCIL TO BE PRINTED, 22ND JULY, 1884.

By Authority:
JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

WEDNESDAY, 11TH JUNE, 1884.

STANDING ORDERS COMMITTEE.—The Honorable F. T. Sargood moved, pursuant to notice, That the Honorables The President, Dr. Dobson, W. E. Hearn, C. J. Jenner, J. Lorimer, J. MacBain, and the Mover, be appointed a Select Committee on the Standing Orders of the House.

Question—put and resolved in the affirmative.

WEDNESDAY, 9TH JULY, 1884.

STANDING ORDER (No. 58).—The Honorable H. Cuthbert moved, pursuant to *amended* notice, That Standing Order No. 58 of this Honorable House be referred to the Standing Orders Committee, with the view of their bringing up a report as to the advisability of rescinding or altering this rule.

Debate ensued.

Question—put and resolved in the affirmative.

WEDNESDAY, 16TH JULY, 1884.

STANDING ORDERS COMMITTEE.—The Honorable F. T. Sargood moved, by leave of the Council, That leave be given to the Standing Orders Committee to sit during any adjournment of the Council.

Question—put and resolved in the affirmative.

REPORT.

THE STANDING ORDERS COMMITTEE of the Legislative Council have the honor to submit the following Report :—

Your Committee have considered the subject referred to them in the Order of Your Honorable House, dated 9th July, 1884, and have resolved that, in their opinion, the practice of the House of Commons should be followed, and that the Standing Order No. 58 be consequently repealed.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 17TH JULY, 1884.

Members Present:

The Hon. The President
W. E. Hearn
Dr. Dobson

The Hon. J. MacBain
F. T. Sargood
C. J. Jenner.

On the motion of The President, the Hon. W. E. Hearn was appointed Chairman.

Reference of Council to Committee read.

Committee deliberated.

The Hon. Dr. Dobson moved, That Standing Order of the Legislative Council No. 58 be rescinded.

The Committee divided—

AYES.

The Hon. Dr. Dobson
C. J. Jenner
J. MacBain.

NOES.

The Hon. The President
F. T. Sargood.

The following Report was read and agreed to, That the Committee had considered the subject referred to them by the Order of the Legislative Council, 9th July, 1884, and resolved that, in their opinion, the practice of the House of Commons should be followed, and Standing Order No. 58 be consequently repealed.

Chairman directed to report accordingly.

1884.
—
VICTORIA.

REPORT

FROM

THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS,

TOGETHER WITH

PROCEEDINGS OF COMMITTEE AND MINUTES OF EVIDENCE.

ORDERED BY THE COUNCIL TO BE PRINTED, 12TH AUGUST, 1884.

By Authority:
JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

TUESDAY, 10TH JUNE, 1884.

THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The President laid upon the Table the following Warrant appointing “The Committee of Elections and Qualifications,” viz:—

VICTORIA:

Pursuant to the provisions of an Act of the Legislative Council of Victoria, passed in the nineteenth year of Her present Majesty's reign, intituled “*An Act to provide for the Election of Members to serve in the Legislative Council and Legislative Assembly of Victoria respectively,*” I do hereby appoint—

The Honorable James Balfour,
The Honorable George Frederick Belcher,
The Honorable Henry Cuthbert,
The Honorable William Edward Hearn,
The Honorable James Lorimer,
The Honorable George Meares, C.M.G.,
and

The Honorable Nathan Thornley,

to be Members of a Committee to be called “The Committee of Elections and Qualifications.”

Given under my hand this 10th day of June, One thousand eight hundred and eighty-four.

W. H. F. MITCHELL,
President of the Legislative Council.

WEDNESDAY, 11TH JUNE, 1884.

THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The President's Warrant, appointing “The Committee of Elections and Qualifications” was again laid upon the Table of the Council by the President.

TUESDAY, 17TH JUNE.

THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The President's Warrant, appointing “The Committee of Elections and Qualifications” was again laid upon the Table of the Council by the President.

TUESDAY, 24TH JUNE, 1884.

THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The following members of “The Committee of Elections and Qualifications,” viz., the Honorable J. Balfour, the Honorable W. E. Hearn, the Honorable J. Lorimer, the Honorable G. Meares, C.M.G., and the Honorable N. Thornley, took the oath set forth in the schedule to “The Electoral Act of 1856,” at the Table of the Council before the Clerk thereof.

SEATS OF THE HONORABLES COLONEL SARGOOD AND J. G. BEANEY.—The Honorable W. E. Hearn moved, pursuant to *amended* notice, That the question, whether the Honorable Colonel Sargood and the Honorable Dr. Beaney have, since their respective elections, accepted any offices of profit under the Crown, whereby their seats in this House have become vacant, or whether either of them has so done, be referred to “The Committee of Elections and Qualifications.”

Debate ensued.

Question—put and resolved in the affirmative.

WEDNESDAY, 2ND JULY, 1884.

THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The following members of “The Committee of Elections and Qualifications,” viz., the Honorable G. F. Belcher and the Honorable H. Cuthbert took the oath set forth in the Schedule to “The Electoral Act of 1856,” at the Table of the Council, before the Clerk thereof.

THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The President appointed to-morrow at 12 o'clock as the time and the Committee-room as the place of the first meeting of the said Committee.

REPORT.

THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS have considered the matter referred to them by the resolution of your Honorable House bearing date 24th June, 1884.

They have examined witnesses and heard counsel on behalf of the Honorable Members to whom that resolution applies. As the question that has arisen out of the evidence is new, your Committee desire to state to your Honorable House not only the conclusions at which they have arrived, but also the reasons for those conclusions.

The Honorable Frederick Thomas Sargood was elected a Member of the Legislative Council on the 17th November, 1883. On the 28th of December, in the same year, he was appointed a Lieutenant-Colonel in the Military Forces of Victoria. No salary or other emolument was then attached to that office.

On the 9th of January, 1884, Lieutenant-Colonel Sargood obtained leave of absence during his continuance in office as Minister of Defence.

On the 7th February, 1884, regulations were made which, among other things, annexed to the office of Lieutenant-Colonel an allowance of £35 a year. The other allowances granted by these regulations are not general, but are contingent upon the performance of certain definite services. It appears, although this point is not perfectly distinct, that a like rule applies to the case of Lieutenant-Colonels, and that these officers are not entitled to receive any allowance until they have performed certain duties. These duties were not defined in the regulations of February 7th, but are specified in supplementary regulations of the 12th of May of this year. Lieutenant-Colonel Sargood has not in fact performed any duty or received any pay, and, in the opinion of the Commandant, is not entitled to receive any pay, as Lieutenant-Colonel. But he has accepted the office, and may when he pleases return to duty and qualify himself to receive his allowances.

The Act of Parliament No. 91, section 5, provides, among other things, that "if any Member of the said Council or Assembly shall . . . accept any office or place of profit under the Crown, or shall in any character or capacity, for or in expectation of any fee, gain, or reward, perform any duty or transact any business whatsoever for or on behalf of the Crown, his seat shall thereupon become vacant." The question referred to this Committee by your Honorable House is, whether, since his election, Colonel Sargood has accepted any office under the Crown whereby his seat has become vacant. The question, therefore, which the Committee is required to decide is whether, in the circumstances above stated, Lieutenant-Colonel Sargood has or has not accepted an office of profit within the meaning of the Act.

Your Committee is of opinion that the words "office of profit," as above cited, mean an office to which profit is attached by law, whether that profit be large or small, and whether it be actually received by the grantee of the office or not. As a business means an undertaking by which it is intended that money should be made, although in fact it has resulted in a loss, so an office of profit is an office from which

the law intends that profit shall be received, even though the grantee may have waived all claim to such profit. That the amount or the receipt of profit is immaterial is shown from the well known use of the acceptance of the Stewardship of the Chiltern Hundreds and other similar offices as a means of avoiding the duty of serving in the House of Commons. It has been held, too, both in this country and in England, that the acceptance of an office to which by law a salary is annexed, even though the appointment be made in express terms without salary, vacates the seat of the grantee.

Report of
Select Com-
mittee on
Privilege,
Leg. Ass.,
12 March,
1861.
May, Parl.
Practice,
9th Ed.,
p. 708.

It further appears that the acceptance of an office of profit implies that profit must be attached to the office at the time when the acceptance took place. The Act contemplates the acceptance of an office of profit, not of an office which becomes profitable. When a person accepts an honorary office to which a salary is subsequently attached, he holds indeed an office of profit; but he cannot fairly be said to have accepted such an office. The Act might have provided that, if any person accept an office of profit, or any profit arising from any office, his seat shall become vacant. But it has not used any such words; and, as it involves penal consequences, and must therefore be strictly construed, your Committee do not feel that they are at liberty to extend its operation beyond the limit which its terms actually express.

This construction is confirmed by a case which the Committee feel that they are bound to regard. The circumstances of the two cases are not indeed in all respects alike, but the reasoning and the construction given to the corresponding English Act are directly in point, and the authority by which the question was decided is so high as to entitle it to the utmost respect. In 1809, Mr. Perceval, while Chancellor of the Exchequer, succeeded the Duke of Portland as First Lord of the Treasury, but retained his former office. Doubts arose as to whether Mr. Perceval in these circumstances had, or had not, vacated his seat. The matter was referred to the Attorney and the Solicitor-General, to the Lord Chancellor (Lord Eldon), and to the Speaker (Abbott, afterwards Lord Colchester). It was unanimously agreed that the seat was not vacated, and upon their advice no writ was issued. Lord Eldon wrote:—"I think Mr. Perceval's seat is not void by any acceptance of any office of profit since his election. The Act has not said that if the King gives an increase of profit to a person already holding an office of profit, his seat shall be void; but only that if any person accepts an office of profit, his seat shall be void." The Speaker wrote:—"I think with you that, under the Statute of Anne, there must be the concurrence of office and profit conjointly in the new grant which is to vacate the seat. To re-accept the same office under a new Commission has never in practice been held to vacate a seat; and the acceptance of a new annexation of profit to an office already in possession has been considered equally free from the same consequences."

Walpole's
Life of Per-
ceval, vol. ii.,
p. 52.

Your Committee is therefore of opinion that the office of Lieutenant-Colonel is now an office of profit, and that its character is not affected by the circumstances that its remuneration is small, or that Lieutenant-Colonel Sargood has obtained leave of absence from its duties, or that he has not up to the present time qualified himself, as he might have done, to receive payment for his services. But they do not think that in the circumstances above stated he can be said to have accepted an office of profit. He accepted an office which, at the time of his acceptance, was not an office of profit, and although it has subsequently become profitable, he does not thereby come within the provisions of the Act so as to vacate his seat.

Two further questions here arise. First, whether Lieutenant-Colonel Sargood comes within that provision of section 5 which relates to the performance of any duty or the transaction of any business for or in expectation of any fee, gain, or reward. Your Committee are of opinion that Lieutenant-Colonel Sargood has not, up to the present time, done any act which brings him within the meaning of this provision. The other question is, whether he comes within the meaning of section 1, which enacts that no person who shall hold any office or place of profit under the Crown shall sit or vote in the Council. It is not necessary to decide whether this section is or is not limited to persons who are newly elected members of Parliament. It suffices to say that the consequence of disobedience is not the vacation of the seat, but the liability s. 10; to a pecuniary penalty. The matter, therefore, is not within the jurisdiction of your Committee.

The case of the Honorable Dr. Beaney is, so far as regards the acceptance by him of office, similar to that of the Honorable Lieutenant-Colonel Sargood, and the same observations apply to both cases. But in one important respect there is a difference between them. There is evidence which appears to show that Dr. Beaney did actually perform certain duties in respect of which he was entitled to remuneration. Dr. Beaney has stated that, at the time at which he performed these duties, he was not aware that any remuneration for them had been provided; that he has not received any such remuneration; and that he thought when he performed them that he was merely discharging the ordinary duties of an honorary office. The terms of the reference to your Committee relate only to the acceptance of office, and although they should not have hesitated to ask your Honorable House in the public interest for an extension of the scope of their inquiry, yet having regard to the fact that Dr. Beaney's seat will become vacant by effluxion of time on the 15th of the present month, your Committee do not think that it is necessary to make any special report in the matter.

On the whole, then, your Committee have the honor to report that in their opinion neither the Honorable Frederick Thomas Sargood nor the Honorable James George Beaney has accepted, since his election, any office under the Crown whereby his seat has become vacant.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 3RD JULY, 1884.

Members present:

The Hon. W. E. Hearn	The Hon. J. Lorimer
H. Cuthbert	J. Balfour
N. Thornley	G. Meares, C.M.G.
G. F. Belcher	

On the motion of the Honorable H. Cuthbert, the Honorable W. E. Hearn was appointed Chairman of the Committee.

The Committee deliberated as to the mode of procedure.

The Order of Reference was read by the Clerk.

The Committee deliberated whether Counsel should be heard as to the disqualification of the Honorable F. T. Sargood and the Honorable J. G. Beaney as Members of the Legislative Council.

The Shorthand Writer was sworn.

Mr. J. Box appeared as Counsel for the Honorable F. T. Sargood.

The Honorable F. T. Sargood sworn and examined.

The Clerk read a letter from the Honorable J. G. Beaney, intimating that the writer was unable to attend through illness.

The Committee adjourned until Tuesday the 8th July, at a quarter to four o'clock.

TUESDAY, 8TH JULY, 1884.

Members present:

The Hon. W. E. HEARN, Chairman.

Four members of the Committee not being present within half-an-hour of the time appointed for the meeting, the Chairman adjourned the Committee until the following day, 9th July, at twelve o'clock.

WEDNESDAY, 9TH JULY, 1884.

Members present:

The Hon. W. E. HEARN, in the Chair;	
The Hon. H. Cuthbert	The Hon. J. Balfour
G. Meares, C.M.G.	J. Lorimer.
N. Thornley	

The Clerk handed in a letter from Mr. Wyburn, informing the Committee that he appeared as Agent, and that Mr. Box appeared as Counsel, for the Honorable J. G. Beaney.

Mr. Box, as Counsel for the Honorable F. T. Sargood, addressed the Committee.

The Honorable F. T. Sargood was sworn and examined.

The Honorable J. G. Beaney was sworn and examined.

Strangers withdrew.

The Committee deliberated.

Question—That the offices (Commissions) held by the Honorables F. T. Sargood and J. G. Beaney are offices of profit—proposed and put.

The Committee divided.

Ayes, 5.

The Hon. H. Cuthbert
N. Thornley
J. Lorimer
J. Balfour
W. E. Hearn.

No, 1.

The Hon. G. Meares, C.M.G.

Question—That the Honorable F. T. Sargood is not effective, and does not appear to have been in a position to claim the allowance attached to his office—proposed and put.

The Committee divided.

Ayes, 4.

The Hon. N. Thornley
J. Balfour
J. Lorimer
G. Meares, C.M.G.

Noes, 2.

The Hon. H. Cuthbert
W. E. Hearn.

The Committee adjourned until the 10th July, at a quarter past four o'clock.

WEDNESDAY, 16TH JULY, 1884.

Members present :

The Hon. W. E. HEARN, in the Chair ;	
The Hon. Geo. Meares, C.M.G.	The Hon. J. Balfour
N. Thornley	J. Lorimer
G. F. Belcher	H. Cuthbert.

The Committee deliberated.

Resolved—That the question raised by Mr. Box, as to whether the Regulations for the Victorian Military Forces were *ultra vires* has not been sustained.

On the motion of the Honorable J. Lorimer it was resolved, That Colonel Disney and Lieutenant-Colonel Brownrigg be requested to attend the Committee on Tuesday next, and produce any General Orders that may have been issued as to the duties of Lieutenant-Colonels and Surgeons.

The Committee adjourned until Thursday, 17th July, at four o'clock.

TUESDAY, 22ND JULY, 1884.

Members present :

The Hon. W. E. HEARN, in the Chair ;	
The Hon. Geo. Meares, C.M.G.	The Hon. J. Balfour
N. Thornley	G. F. Belcher.
J. Lorimer	

Colonel Disney was called in and examined.

The witness withdrew.

The Committee deliberated, and adjourned until Thursday, 24th inst., at two o'clock.

TUESDAY, 29TH JULY, 1884.

Members present :

The Hon. W. E. HEARN, in the Chair ;	
The Hon. G. Meares, C.M.G.	The Hon. G. F. Belcher
N. Thornley	H. Cuthbert.
J. Lorimer	

The Committee deliberated.

Adjourned until following day at four o'clock.

WEDNESDAY, 30TH JULY, 1884.

Members present :

The Hon. W. E. HEARN, in the Chair ;	
The Hon. N. Thornley	The Hon. J. Balfour
H. Cuthbert	G. Meares, C.M.G.
G. F. Belcher	J. Lorimer.

The Hon. G. F. Belcher moved, That the Committee adjourn until to-morrow for the purpose of considering their Report.

Question—put.

Committee divided.

Ayes, 3.	Noes, 4.
The Hon. H. Cuthbert	The Hon. J. Lorimer
W. E. Hearn	N. Thornley
G. F. Belcher.	J. Balfour
	Geo. Meares, C.M.G.

The Committee deliberated, and adjourned until next day at 12 o'clock.

THURSDAY, 31ST JULY, 1884.

Four members of the Committee not being present within half an hour of the time appointed for the meeting, the Chairman adjourned the Committee until Tuesday, 5TH August next, at 4 o'clock.

TUESDAY, 5TH AUGUST, 1884.

Members present :

The Hon. W. E. HEARN, in the Chair ;	
The Hon. G. Meares, C.M.G.	The Hon. J. Lorimer
N. Thornley	J. Balfour.
G. F. Belcher	

Committee deliberated.

Resolved—That the Chairman prepare and bring up a Draft Report, to be considered at the next meeting of the Committee.

The Committee adjourned until Thursday next, at 12 o'clock.

TUESDAY, 12TH AUGUST, 1884.

Members present :

The Hon. W. E. HEARN, in the Chair ;	
The Hon. J. Balfour	The Hon. Geo. Meares, C.M.G.
N. Thornley	J. Lorimer.

The Chairman brought up Draft Report, which was read paragraph by paragraph, and agreed to by the Committee.

The Chairman was directed to report to the Council.

MINUTES OF EVIDENCE.

THURSDAY, 3RD JULY, 1884.

Members present:

The Hon. Dr. HEARN, in the chair;

The Hon. H. Cuthbert,
G. F. Belcher,
J. Lorimer,

The Hon. N. Thornley,
J. Balfour,
G. Meares.

The following extract from the Order of Reference was read:—"Whether The Honorable Colonel Sargood and The Honorable Dr. Beaney have, since their respective elections, accepted any offices of profit under the Crown, whereby their seats in this House have become vacant, or whether either of them has so done."

CASE OF THE HONORABLE COLONEL SARGOOD.

The Honorable Colonel Sargood and Counsel were called in.

Mr. Box appeared as Counsel for the Honorable Colonel Sargood.

Mr. England appeared as Agent.

The Honorable Colonel Frederick Thomas Sargood, a Member of the House, sworn—Examined by *Mr. Box*.

1. You are the Colonel Sargood mentioned in the resolution?—I am.
2. Can you tell when you were re-elected a member of the Legislative Council?—27th November, 1883.

The Hon. Colonel
F. T. Sargood,
M.L.C.,
3rd July, 1884.

3. Do you produce the appointment as Lieutenant-Colonel in this Force?—I have a copy of an Order in Council, dated the 28th December, 1883. "The following appointments are submitted for the approval of His Excellency the Governor in Council. The Honble. Major Frederick Thomas Sargood from the Volunteer Force to be Lieut.-Colonel to command a Brigade of Field Artillery.—And others. Approved by the Governor in Council the 28th Decr., 1883. (Sgd.) R. WADSWORTH, Clerk of the Executive Council. For Ex. C., 28/12/83. (Sgd.) N."

4. When were you sworn in?—On the 19th of February, 1884, before Mr. J. M. Templeton, J.P.

5. *By the Hon. the Chairman*.—Sworn in as what?—It is under the Discipline Act.

6. *By Mr. Box*.—Under the Act passed last year—the Discipline Act of last year—there were some regulations passed, I believe?—There were.

7. Have you got a copy of them?—I have.

8. Do you produce them?—Here they are—[*handing in the same*]—"Defence Department, Melbourne, 7 Feby., 1884. Submitted for the approval of His Excellency the Governor in Council by the Minister of Defence. Regulations for the Victorian Military Forces. (Sgd.) F. T. SARGOOD, Minister of Defence. Approved by the Governor in Council the 7 Feby., 1884. (Sgd.) R. WADSWORTH, Clerk of the Executive Council. In Ex. C., 7/2/84. (Sgd.) J. S."

9. Prior to the passing of those Regulations, there were Regulations under the old Discipline Act?—Yes.

10. And these I now produce are a copy?—Yes, under the Discipline Act, 1870.

11. Those were the only Regulations in force under the old Discipline Act at the time of your appointment, 28th December, 1883?—Yes.—[*The same were handed in.*]

12. And those only at the date of your appointment as lieutenant-colonel?—Those only.

13. After you received that appointment on the 28th December, and before the passing of the Regulations under the Discipline Act of 1883, did you apply for leave of absence?—I did. Here is a copy of the letter I sent, dated 9th January, 1884, addressed to the Assistant Adjutant-General—"From Lt.-Col. Sargood to the Assistant Adjutant-General. The 'Discipline Act 1883' provides, under clause 5, that the Council of Defence shall consist of 'The Minister of Defence and of certain officers, including the Senior Commanding Officer of the Artillery Militia of the Metropolitan District. 2. As my position in the force is that of Senior Commanding Officer of Artillery in the Metropolitan District, and as I am also at present Minister of Defence, it appears to me undesirable and contrary to the spirit of the Act that the strength of the Council should be reduced by my retention of the two positions. 3. Under the circumstances, I have the honour to submit for the consideration of the Commandant, this my application for leave of absence during such time as I remain Minister of Defence. (Sd.) F. T. SARGOOD, Lt.-Colonel."

14. Did you get a reply to that?—I did—[*handing in the same*].—"Copy of Minutes on application from Lt.-Colonel Sargood, for leave of absence from Field Artillery Brigade, while Minister of Defence. To the Hon. Lt.-Col. F. T. Sargood, Commanding Brigade F. Artillery. The Commandant approves of your being granted leave of absence during such time as you continue to be Minister of Defence. You are

The Hon. Colonel F. T. Sargood, M.L.C., continued, 3rd July, 1884. requested to hand over the command of the Brigade of Field Artillery to Major Turner; the necessary General Order has been issued. By order (Sd.) H. S. BROWNRIGG, Lt.-Col., A.A.G. Melbourne, 10.1.84. The command will be handed over to Major Turner, as directed by the Commandant. F. T. SARGOOD, Lt.-Colonel. 10.1.84."

15. That is Colonel Brownrigg's signature?—Yes, the one is; the other is my own.

16. I believe that, after that leave of absence was granted, there was an Order in Council made, appointing you to the command of a brigade?—There was. I may explain that.

17. Will you produce a copy of that Order first?—I will—[*handing in the same*].—"Defence Department, 17 Jany., 1884. The following probationary appointments are submitted for the approval of His Excellency the Governor in Council :—

" Metropolitan Brigade of Field Artillery.

"The Hon. Lt.-Col. Frederick Thomas Sargood to command the brigade.

"And others.

"In Ex. C.
17.1.84.
(Sgd.) N.

"Approved by the Governor in Council the 17th
Jany., 1884. (Sgd.) R. WADSWORTH, Clerk
of the Executive Council."

18. Would you explain to the Committee how that occurred—that, after your leave of absence, as we have proved, the appointment was made to you as commander of a brigade?—The Order of Council of 28th December will be seen to appoint me to command "a brigade," without notifying any special brigade, the matter of brigades not having been settled then. Then on the 9th January I applied for leave. That leave was granted, with the direction to me to hand over "the brigade" to Major Turner, which I did. After that it was found that, by an oversight, the Order in Council, which ought to have gone in appointing me to "the brigade" had not been made use of, and that was rectified by this subsequent Order; so that, in fact, I handed over a brigade which I had never been appointed to. There was so much work in the department at that time, that the commandant overlooked it.

19. *By the Hon. J. Lorimer.*—Was that dated back?—No, my leave was never cancelled. It was simply to rectify an error.

20. *By the Hon. J. Balfour.*—That you were on leave at the time?—That I was on leave at the time.

21. *By Mr. Box.*—That is a copy of enrolment form of oath?—Yes, taken under the Discipline Act, dated the 19th February, 1884—[*handing in the same*].

22. As to that oath, has any Order been passed by the Governor in Council with reference (I must include Dr. Beaney in this) to you and Dr. Beaney as to your engagement under the Discipline Act?—None whatever.

23. I believe it is the constant practice now for all, both officers and men under the Discipline Act, to have an Order in Council passing their names?—Engaging them definitely, it is.

24. And in the case of yourself and the Honorable Dr. Beaney that has not been done?—It has not been done.

25. No Order in Council engaging yourself or the Honorable Dr. Beaney has ever been passed?—No.

26. At that date, 28th December, 1883, was there any profit of any kind or sort attached to your appointment as lieutenant-colonel?—None whatever. At that time the old Regulations only were in force.

27. And the new Regulations did not come into force until the 7th of February, 1884?—That is right.

28. At the date when you received the appointment, the 28th December, 1883, up to that time had you received, by virtue of your office of lieutenant-colonel, any profit of any sort?—I was not lieutenant-colonel at that date; I was major.

29. Prior to that, was there any pay attached to the position of major?—None whatever.

30. Between the date of your appointment, 28th December, 1883, and your application for leave of absence there was no pay of any sort or profit attached to that office?—None whatever.

31. In fact, the Regulations under which pay is attached to the allowance, did not come into force till the 7th of February?—That is so.

32. Will you point out in the Regulations what page it is that shows that there is any allowance, or whatever it is?—On page 7 you will find "Lieutenant-Colonels £35 per annum." The clause says, "Horse allowance, £30 per annum, will be paid to each mounted officer, on condition that he keep his own horse. Mounted officers not in possession of a horse, *bonâ fide* their own property, will be allowed the actual amount of horse-hire, not exceeding 15s. per day of attendance at parades and drills."

33. Now, the leave that was granted to you on the 9th of January, does that still run on?—It does.

34. And you have done nothing under it?—Nothing whatever.

35. And in fact, as I understand you, you have and can have no claim under these Regulations for any pay whatever, or any allowance since that date?—None whatever; an officer on leave has no claim whatever for pay of any kind.

36. *By the Hon. the Chairman.*—What is the authority for that?—It is the usage of the service that an officer on leave is not entitled to pay.

37. Can you give the authority?—I am not quite sure I could put my hand on any Regulations to that effect.

38. *By the Hon. J. Balfour.*—Is it the usage of the Queen's Service?—Yes.

39. *By the Hon. the Chairman.*—You are not aware of any special regulation in this service to that effect?—In clause 12, it says :—"All combatant ranks below that of Lieutenant-Colonel, Quarter-master Sergeants excepted, in order to be classed as effective, must attend in each year three whole days, fifteen half days, and twenty-four night drills, and undergo the prescribed course of musketry or gunnery instruction."

40. But that is below Lieutenant-Colonel?—And if you turn to clause 17, over the page, you will find :—"Lieutenant-Colonels, and officers detached from their corps on special duty, shall be classed as effective on having performed the duties required of them by General Order," and a General Order never requires officers on leave to do any duty.

41. *By Mr. Box.*—Has there been any General Order requiring you to do any special duty since the leave of absence was issued?—There has not.

42. I see that the 26th clause of these Regulations says:—"The Queen's Regulations and the customs of the Imperial Military Service shall be taken generally as a guide in all matters not specifically dealt with in these Regulations"—That is so.

43. I understand you to say that an officer, on leave of absence, would not either become effective under these Regulations, or be entitled to receive any pay?—I would not say that there are not exceptions; take the cases of the Imperial officers who have lately come here—they are on leave, and cannot draw or demand pay.

44. *By the Hon. the Chairman.*—Suppose an Imperial officer gets leave, is his pay always stopped?—If he gets furlough he would get his pay, not if he has leave. They give them furlough, and there is a distinction drawn between leave and furlough. In the case of furlough they receive a rate of pay according to the time; but on leave, I am informed, they do not get any pay at all.

45. You do not speak from your own knowledge on that?—I do not; but one thing is very certain, I could not claim any pay. There has been no General Order requiring me to do any special work under clause 17, and I could not get pay without that.

46. Have you never performed any duty of any description since?—Not the slightest, except that of handing the brigade over to Major Turner.

47. You have done nothing except handing over a brigade that did not exist?—Exactly.

48. *By Mr. Box.*—There is no other office or place of profit that you have accepted since your election?—None whatever.

49. None except this appointment as Lieutenant-Colonel?—No.

50. *By the Hon. G. F. Belcher.*—You have never, as a matter of fact, drawn any allowance?—Not a penny.

51. *By the Hon. the Chairman.*—Do you say that you cannot draw an allowance by virtue of the difference that you put between furlough and leave?—No; furlough is not recognized at all in our service—in the Militia service here. We are obliged to adopt, as far as possible, the Imperial Regulations, but this Militia is a totally different thing from the Imperial Service.

52. Then consequently their regulations about furlough and leave would not apply here?—I do not think they would.

53. On what ground do you say then, that you could not draw any pay now?—On this ground—that by clause 17 it decides that a lieutenant-colonel shall do a certain amount of work to be effective in accordance with General Order. Now that General Order has never been issued in my case.

54. Nevertheless, you have acted apparently as colonel, even though it was only in that curious transaction of handing over the brigade?—In that one instance of handing over the brigade.

55. As to "effective," will you tell us where the description of an effective occurs in these Rules?—In clause 12 it states—"All combatant ranks below that of Lieutenant-Colonel, Quarter-master Sergeants excepted, in order to be classed as effective, must attend in each year 3 whole days, 15 half-days, and 24 night drills, and undergo the prescribed course of musketry or gunnery instruction. One whole day will be considered equal to two half-days or four night drills; one half-day will be considered equal to two night drills; two half-days will count as one whole day; but no number of night drills will be allowed to count for day-light parades."

56. But what is the exception?—The object is that the officer commanding the brigade may draw effective allowance, which is at the rate of £2 10s. per effective man. The officers draw a certain amount of pay themselves, and then the officer commanding the brigade or battalion draws at the end of the year £2 10s. for every effective.

57. Who draws the £35?—All money comes through the commanding officer. Then, in addition to the pay, the officer commanding the battalion would receive £2 10s. for current expenses. That is the meaning of the word "effective"—that if any of the officers or men fail to become effective, the amount handed to the commanding officer is less by that man.

58. Then there are two kinds of allowances?—Yes.

59. One allowance for effective, and another sum a sort of personal allowance?—Yes; a personal allowance.

60. What does a colonel get—how do you analyze the £35?—He gets the £35.

61. Is that a personal allowance?—That is a personal allowance, but he can only get that in the event of his being classed as effective and performing the duties prescribed by the Order.

62. If there were as a matter of fact no duties to be performed, I suppose his personal allowance would remain?—No, I think not.

63. Why?—Because he is not doing any duty.

64. But he is ready to do any duty?—But it would be impossible for an officer, except when on leave, to have no duties to do, because he has his duties clearly defined.

65. Then as to the question of leave, you have no authority, other than hearsay, for your statement about that?—Under section 5 (Discipline Act) you there have leave of absence provided for:—"1. Leave of absence, not exceeding one month, may be granted by Commanding Officers, or they may delegate this power to officers commanding troops, batteries, or companies. Beyond this period, application must be made to the Commandant through the proper channel."

66. There is nothing at all about the money there?—An officer on leave does not draw his pay.

67. You have not proved that. You have merely told us that you have heard that such is the fact in the Imperial Force?—I do not quite see what proof you want of it; it is such an acknowledged fact, that it goes without saying, an officer that does not do duty does not get paid.

68. *By the Hon. J. Balfour.*—You were just at the point about the word "effective." I understand they draw money for being effective, even a lieutenant-colonel?—Yes.

69. Then your personal allowance is paid because you are effective; if you are not effective you do not draw it?—If you are not effective you do not draw it.

70. As to lieutenant-colonel, what is the duty to make you effective?—The duties as defined by General Order.

The Hon. Colonel
F. T. Sargood,
M.L.C.,
continued,
rd July, 1884.

71. Have they been defined yet for any under the same rank?—I am not sure whether a General Order has been issued about it.

72. If a General Order had been issued it would apply to you, unless you were on leave of absence?—
Yes.

73. Being on leave of absence you cannot make yourself effective?—I cannot.

74. *By the Hon. the Chairman.*—Do none of the colonels get £35 a year?—Yes; I am the only one on leave, the others are on active service.

75. You say no General Order has been made as to their duties?—I say I am not quite sure of that.

76. You do not say the money has been paid?—It will be paid in a few days for the first half-year.

77. Although no General Order has been issued?—My impression is, there must have been some, otherwise they would hardly know what their duties are.

78. *By the Hon. H. Cuthbert.*—What is the meaning of this clause 17—“Lieutenant-Colonels and Officers detached from their Corps on special duty shall be classed as effective.” Are they not effective when they are attached to a corps and not appointed on special duty?—They might be detached to staff duty; that is to say, an officer might be detached or taken from his battalion or brigade and attached on a field-day, or for camp purposes to the staff, or he might be taken from the Metropolitan District and attached possibly to another corps at Queenscliff.

79. Then clause 17 refers to that class of duty?—Not solely.

80. I think so?—Yes, I beg your pardon, I see I have made a mistake; that refers to special duty.

81. They must be detached from their own corps?—Yes.

82. What is the difference between the duties devolving on a major and those devolving on a colonel?—A major in the artillery is in command of a battery, a colonel is in command of three or four batteries.

83. Then for a major to draw his salary, £30 a year, he has to attend so many drills?—Yes, as laid down.

84. Has a colonel to do the same?—No; he has simply to do such duties as the commandant deems necessary.

85. Without performing any duties he is entitled to draw £35, the appointment carries that with it?—Without duty?

86. I mean that no duty is defined under these Regulations for colonel?—Yes.

87. The Regulations say—“Majors—6 whole days at 24s. £7 4 0
20 half days at 12s. 12 0 0
36 night drills at 6s. 10 16 0

£30 0 0”

Those clearly define what the major has to discharge to become effective. In the next clause it mentions lieutenant-colonels (no duties defined), “£35 a year”?—If you turn to section “Discipline,” you will find there, in section 9—“Commanding Officers shall be responsible for the discipline, drill, and instruction of the various batteries, troops, or companies under their command, and they shall notice any infraction of the provisions of the law, or of the orders of the Commandant, relating to the use of arms, the regulations about clothing, distinctive marks of rank, discipline, and the like.” There is duty for a commanding officer. Then if you turn again to page 12, section 1, you will find the duty of officers laid down—“1. A commanding officer is invested with authority which renders him responsible to his Sovereign and his country for the maintenance of discipline, order, and a proper system of economy in the corps, or portion of a corps, under his command. He is to exact from officers and men the most implicit obedience to regulations,” and so on. Then clause 2 says—“He is to see that the officers are practically instructed in their duties. He will, at his discretion, direct the field officers” (majors would be field officers) “and the captains to take the command of the parade, and in his presence to exercise the brigade or battalion,” and so on.

88. *By the Hon. the Chairman.*—Do I understand you now to say, that that point you take up about section 17 does not apply?—Yes, you may strike that out, as I see that it is only special.

89. *By the Hon. J. Balfour.*—Is a major called a commanding officer?—No, officer commanding.

90. *By the Hon. J. Lorimer.*—Tell us who are the commanding officers?—There is a difference between an officer commanding and a commanding officer. Clause 2, section 1, says—“The term ‘Commanding Officer,’ as used in the following Regulations, shall mean the Commanding Officer of any corps or detachment. The Commandant shall determine when any portion of a corps is a detachment within this Regulation.” A corps means the Field Artillery Brigades, the Garrison Artillery Brigades, the Battalions, and so on.

91. *By the Hon. the Chairman.*—Does not it come to this, that you would be entitled to receive the money if you were not on leave of absence?—Yes.

92. *By the Hon. J. Balfour.*—Notwithstanding that no Order has been made by the brigade-major?—I made a mistake in that.

93. *By the Hon. the Chairman.*—Then it comes to this, that it turns upon the matter of leave?—As far as the pay is concerned, and the other point is, that I have never been engaged.

94. What is the point about being engaged?—

Mr. Box replied with reference to the Act, and quoted sections 2, 4, and 5 of the Act.

The Honorable Member withdrew.

Mr. Box stated that that was all the evidence he proposed to call.

Adjourned to Tuesday next at a quarter-past Four o'clock.

WEDNESDAY, 9TH JULY, 1884.

Present :

The Hon. Dr. HEARN, in the chair ;

The Hon. G. F. Bolcher,
H. Cuthbert,
G. Meares,

The Hon. N. Thornley,
J. Balfour,
J. Lorimer.

CASE OF THE HONORABLE COLONEL SARGOOD.

The Honorable Colonel Sargood and Counsel were called in.

Mr. Box appeared for the Honorable Colonel Sargood.

Mr. England appeared as Agent.

Mr. Box was heard to address the Committee.

Case of the Honorable Colonel Sargood concluded.

CASE OF THE HONORABLE DR. BEANEY.

The Honorable Dr. James George Beaney and Counsel were called in.

Mr. Box appeared as Counsel for the Honorable Dr. Beaney.

Mr. Wyburn appeared as Agent.

The Honorable Colonel Frederick Thomas Sargood, a Member of the House, sworn—Examined by
Mr. Box.

95. You are the Minister of Defence in this Colony?—I am.

96. Do you produce the Regulations issued by the Governor in Council, with reference to the Military Service here, including in that the Regulations with reference to medical officers?—I do.

97. Could you tell me when the Regulations for the medical officers, on the last page of the Regulations produced, were passed?—I cannot, but it must have been after March of this year.

98. As I understand you, there was no pay attached to medical officers until that last Regulation, after March, was passed?—None whatever.

99. And by the last page of the Regulations you have produced, medical officers are to receive pay as follows :—“(a) For examination of recruits, 2s. 6d. a head.

(b) For other military duties—
Surgeon-Majors, £2 10s. for whole day.
Ditto £1 5s. for half day.
Surgeons, £2 for whole day.
Ditto £1 for half day.

(c) The maximum amount of pay, however derivable from the various sources, shall not exceed in one year £30 for a surgeon major, and £25 for a surgeon.

10. Horse allowance will be issued to mounted medical officers under the same regulations as to other mounted officers?—That is correct.—[*The same were handed in.*]

100. In January, 1884, there was no pay attached to a surgeon or surgeon-major?—None whatever to either.

101. Under the Discipline Act the names of gentlemen to be engaged are always presented to His Excellency?—They are; that is, under the Discipline Act of 1870.

102. Do you produce one of the presentations containing names submitted to His Excellency for engagement under this?—Here is one—[*handing in the same*].

103. This is dated March 12th, 1884. “Submitted to His Excellency the Governor in Council, by the Ministers of Defence. Victorian Militia. The Governor in Council has been pleased to engage the services of the following persons under the provisions of ‘The Discipline Act 1870,’ to take effect on the respective dates of their taking and subscribing the oath specified in section 4 of the said Act, No. 389.” Then follow a list of names. That is approved by His Excellency the Governor and certified by Mr. Wadsworth, the Clerk of the Executive Council?—Yes.

104. As Minister of Defence, all the names engaged come through your hands?—Every one.

105. May I ask you in any case; has the Honorable Dr. James George Beaney’s name ever been submitted, in the form produced, to His Excellency the Governor?—It has not.

106. For engagement?—No.

107. Am I correct in saying that all officers’ names have been submitted?—Every one.

108. Except your own and that of Dr. Beaney?—Yes.

109. May I ask you, is there a reason for that—was it done under advice?—It was in consequence of noticing in the papers that a difficulty had arisen in Tasmania with the officers there. It was deemed advisable, after taking legal advice, to abstain from putting the names under that second clause, which provides as to engaging.

110. Those two gentlemen’s names were your own and Dr. Beaney’s name?—Yes.

111. The object was then, to avoid the disqualification that might attach to them as Members of Parliament?—Certainly.

The Hon. Colonel
F. T. Sargood,
M.L.C.,
9th July, 1884.

The Hon. Colonel
F. T. Sargood,
M.L.C.,
continued,
9th July, 1884.

112. *By the Hon. H. Cuthbert.*—Are there any officers lately promoted from the rank of major to colonel and who are now Members of Parliament, who are receiving pay?—I think Dr. Beaney and myself are the only officers in Parliament.

113. In the other House?—There is Major Smith has been promoted recently from the Volunteer Force as Lieutenant-Colonel on the retired list to the Militia, but there is no pay connected with the retired list.

114. *By the Hon. J. Balfour.*—Is it provided in the Regulations that there is no pay on the retired list?—I have not the Regulations before me; but of course, officers who have retired do not receive money.

115. *By the Hon. H. Cuthbert.*—Is it an honorary appointment?—Purely.

116. *By the Hon. J. Balfour.*—Major Smith had not to take the oath or to be engaged in any way as you had?—No, nothing at all—simply an Order in Council passed through, that he was on the retired list.

117. *By the Hon. the Chairman.*—What were the circumstances in Tasmania to which you referred?—I cannot say I know the circumstances. I simply saw a notice in the paper of a difficulty that had occurred, and I thought at all events, to be on the safe side, I would abstain from sending in my name and Dr. Beaney's to be engaged; and I did so abstain, and did it without consulting Dr. Beaney.

118. *By the Hon. J. Lorimer.*—Are there any Militia officers who are not under the provisions of this Discipline Act 1870?—Yes, there are some unattached officers.

119. Is it possible to grant a Commission except on the authority of this Act?—No, but you will see by clause 5 the Governor in Council may appoint an officer. He can appoint, and has appointed Colonel Rede, Colonel Mair, and some others to the unattached list, and those officers have not been sworn in or engaged. They are not engaged as officers, and they could not be called out to discharge any duties till they have been sworn in.

120. There is no other Act than the Discipline Act 1870 which gives authority for the appointment of officers?—None whatever.

The Honorable Member withdrew.

The Honorable Dr. James George Beaney, a Member of the House, sworn and examined.

The Hon. Dr.
J. G. Beaney,
M.L.C.,
9th July, 1884.

121. *By Mr. Box.*—What are you?—I am a Doctor of Medicine and a Fellow of the Royal College of Surgeons, and reside at 154 Collins-street east, Melbourne.

122. What is the date of your election as a Member of the Legislative Council?—The 6th of March last year—1883.

123. I produce the *Gazette* of the 7th May, 1861?—Yes, it was my first commission in the old Volunteer Force, the commission is signed by Sir Henry Barkly.—[*The same was handed in.*]

124. "The Governor with the advice of the Executive Council has been pleased to make the following appointments in the undermentioned companies of the Royal Victoria Volunteer Artillery Regiment:—Cornelius Stewart, Esquire, M.D., to be Assistant Surgeon in the Richmond Company, with the rank of Lieutenant, and J. G. Beaney, Esquire, M.D., to be Assistant Surgeon in the West Melbourne Company, with the rank of Lieutenant. Geo. Verdon, Treasurer. Treasury, Melbourne, 29th April, 1861."?—Yes, I was the medical officer to the West Melbourne battery, and I served in that until it was amalgamated with the Metropolitan, and then another surgeon, who was senior to me, was put in charge of the battery, and I was placed on the unattached list.

125. In connection with those appointments I suppose you had to provide the uniform and accoutrements, to take up the appointment in the West Melbourne Artillery?—Yes, that outfit cost me £120.

126. I produce the *Gazette* of the 5th May, 1882. I put in page 987, Victorian Volunteer Force. "V. Medical Department.—James George Beaney, M.D., to be Surgeon. 4th April, 1882." You are the Dr. Beaney mentioned there?—Yes, that is the Prince of Wales's Regiment of Light Horse. I was appointed surgeon to that on the 24th of April, 1882, and I then had to get a complete outfit as a cavalry officer for that. It was only two years ago, and the outfit is as good as ever; it cost £190.

127. The corps was disbanded?—Yes.

128. And so that uniform came to nothing?—Yes; it is only good for a fancy dress ball now.

129. I put in the *Gazette* of February 29th, 1884, "Victorian Volunteer Force.—Pursuant to the provisions of section 3 of the Act No. 266, the Governor in Council hereby discontinues the services of, and disbands the following corps, viz.:—The Prince of Wales's Regiment of Light Horse, including the Metropolitan, Kyneton, Sandhurst, Ballarat, Southern, and Castlemaine troops; and dispenses with the services of every volunteer of the said corps. F. T. SARGOOD, Minister of Defence. Defence Department, Melbourne, 27th February, 1884." That is the one you last held a commission in?—Yes.

130. Now I put in the *Gazette* of the 19th January, 1884, in which "The Governor in Council has been pleased to approve of the following probationary appointments, viz.:— Surgeon James George Beaney, M.D., from the Volunteer Force, to be Surgeon, with relative rank of Captain." Are you the James George Beaney mentioned in that *Gazette*?—Yes, the same. I am now attached to the Militia Garrison of Artillery at Footscray.

131. That, I suppose, involved another outlay?—Yes, that will cost me over another £100.

132. Supposing a surgeon is entitled to claim any, how much under the Regulations is the pay or allowance attached to the position of surgeon?—They tell me it is £25 a year, but I had not the most remote idea, when I joined, that there was a penny attached to it.

133. Since your appointment as surgeon to this Field Militia on the 17th of January, have you accepted or received any money of any kind or shape or profit in your position as surgeon-major?—Never.

134. Have you applied for any?—Never.

135. I take it this office is rather a loss?—It has always been a loss to me.

136. I will ask you this—Have you passed any recruits as a surgeon under this?—Yes, I have passed recruits at the University, at the East Melbourne Artillery-room, at Footscray, and at Williams-town.

137. I suppose that entails a very considerable loss of time?—A very great loss of time.

The Hon. Dr.
J. G. Beaney,
M.L.C.,
continued,
9th July, 1884.

138. And with it a consequent loss of income?—Yes.

139. Could you give the Committee an idea of how much, on the average, you lose by this passing recruits and working at this surgeon-major?—Well I should lose, I suppose, twenty guineas for half a day; I can always make twenty guineas in half a day.

140. And that, if you are passing recruits, you lose?—Yes. I was one day at the University from one to six, and lost a great deal of money, because I am supposed to be at home on that day, and my servant said that about 20 or 30 people had been to call on me. It is a great loss to a medical man with a large practice, there is no doubt of that.

141. *By the Hon. H. Cuthbert.*—Were you aware that any salary or profit was attached to the appointment when you accepted it?—No; because I remember the circulars were headed "Volunteer Militia," and I concluded it was just the Volunteer system under new rules. I had no idea of any pay. In fact, the first gentleman who informed me of it was Dr. Fulton, the head of the Medical Department in the Force.

142. When did it first come to your knowledge there was this £25 attached?—Not till a couple of months after. At a meeting at Dr. Fulton's house one afternoon, there was some conversation as to the position we should receive in the Force, whether it would be departmental or regimental, and it came out then that the surgeons would get £25 a year.

143. Colonel Sargood says that Regulations fixing that came out after March?—Yes. I am sure it was a couple of months after before it came to my knowledge. I never troubled myself about it.

144. Is not there some fee for examining those recruits?—Yes, by the Regulations; but I had not examined any recruits at that time, so I did not know anything about it.

145. Have you got anything since for examining?—No. I have not received a penny from the Department.

146. Have you sent in an account?—No, and I have not sent in an account. It is not a money matter at all. I have not even kept any accounts of how many I have examined. Dr. Fulton asked me, and I said I did not know or care, and that I was quite willing to do my duty regardless of any pay. I have not the most remote idea how many I have examined. I never kept an account.

The Honorable Member withdrew.

The Honorable Colonel Sargood further examined by *Mr. Box*.

147. Would you look at that document—it is the submission of names under that old Discipline Act to the Governor in Council?—Yes, dated the 9th of April of this year.

The Hon. Colonel
F. T. Sargood,
M.L.C.,
9th July, 1884.

148. In that I notice the names of Thomas Robert Disney, Henry Studholme Brownrigg, Arthur Greenwood Walker, and Peregrine Henry Thomas Fellowes. I believe those are the Imperial officers obtained from England?—They are.

149. And the following six are the names of non-commissioned officers?—Yes.

150. Then, may I ask, were the names of all those gentlemen, officers and non-commissioned officers, submitted to the Governor in Council to be passed under section 2 of the Naval and Military Discipline Act?—They were.

151. In order, I suppose, to make them come within the provisions of that Statute?—That was the intention. There was a distinct engagement entered into by the Agent-General with those officers on a printed form, for a term of five years, at certain rates; but on the arrival of those officers out here advice was taken from the Law Department, as to its being necessary to conform to the second clause of the Act, and they were then engaged by Order in Council. Hence this Order.

152. And those gentlemen were engaged?—Yes.—[*The paper was handed in.*]

153. *By the Hon. J. Lorimer.*—What is the manner of engagement of the services under this Discipline Act? are they communicated with before their names are submitted?—Yes. The ordinary plan is, if a man wants to become a member of any force, he fills up a printed application as to what he is; then that goes before his commanding officer, who has to recommend that he be accepted. After that, he goes before the medical officer, and if he passes him, then it comes up to the commandant; and if he is satisfied, it is sent back to the commanding officer, with instructions that he be accepted, and then comes the engagement.

154. Was Dr. Beaney communicated with before his appointment?—Yes, the communications for the Medical Department went through Dr. Fulton, the principal medical officer.

155. Although his name was not submitted in the usual way, still he was in a sense engaged before the appointment under the 5th clause?—No, I think not.

Mr. Box was heard to address the Committee on the point.

The Honorable Member withdrew.

The Honorable Dr. J. G. Beaney, a Member of the House, further examined.

156. *By Mr. Box.*—I believe, as a matter of fact, you have been sworn in in the form of oath in the schedule to the Act?—Yes, I was sworn in before Mr. Wragge, Justice of the Peace.

The Hon. Dr.
J. G. Beaney,
M.L.C.,
9th July, 1884.

The Honorable Member withdrew.

Mr. Box said that was all the evidence he proposed to offer to the Committee.

Mr. Box was heard to address the Committee.

The Counsel and parties withdrew.

The Committee deliberated.

Adjourned to Tuesday next, at Three o'clock.

TUESDAY, 22ND JULY, 1884.

Present:

The Hon. Dr. HEARN, in the chair ;

The Hon. G. Meares,
N. Thornley,
J. Lorimer,The Hon. J. Balfour,
G. F. Belcher.

Colonel Disney sworn and examined.

Colonel Disney,
22nd July, 1884.

157. *By the Hon. the Chairman.*—Can you tell the Committee, Is a Lieutenant-Colonel, under the Regulations, entitled to draw pay absolutely, or under conditions?—I understand that he is only enabled to receive pay when he performs duties required by General Orders.

158. Is there any General Order appointing the duties of Lieutenant-Colonels?—There is, No. 83 ; I will read it to the Committee :

OFFICERS COMMANDING CORPS AND BRIGADES.

A Commanding Officer will be held strictly responsible for the conduct of the correspondence of his brigade or corps ; for the correctness of all corps accounts ; for the rendering of the prescribed returns to Head Quarters, promotion of non-commissioned officers, and the interior economy generally ; all points relating thereto on which question may arise being referred to the Assistant Adjutant-General for the decision of the Commandant.

2. He is also responsible for the general administration of his brigade or corps, and for the interior economy and discipline of the batteries or companies which compose it. He will countersign all returns and communications from officers commanding batteries or companies intended for transmission to Head Quarters, expressing thereon his opinion of the subject under reference.

3. He should frequently visit the orderly rooms of the batteries or companies under his command, and inspect the books, arms, and stores, and other Government and corps property.

4. He should frequently visit the batteries and companies under his command at drill, and, when practicable, at least once a month (every fortnight if possible) make arrangements for a general parade of his command.

5. He is responsible that all orders issued to him from Head Quarters, having reference to the troops under his command, are duly promulgated.

6. At the end of each month he will furnish to the A. A.-General, for the information of the Commandant, a return in the following form :—

159. When a Lieutenant-Colonel performs duties, is he entitled to receive pay?—Certainly.

160. *By the Hon. J. Balfour.*—Does the performance of these duties make him effective?—Yes.

161. *By the Hon. the Chairman.*—When an officer has received leave of absence, may he terminate it by his own will?—Certainly. There is no regulation to that effect, but it is the custom in the Queen's Service. No. 26, sec. 2.

162. Does an officer receive pay during leave of absence?—The Queen's Regulations do not make any reference to it. The custom is to draw pay, but no doubt there are cases, where the leave is unlimited, when they do not draw it.

163. In the case of Members of Parliament in England, do they receive their pay?—Yes, I believe so.

164. Have you Colonel Sargood's leave of absence there?—Yes, I will read it :

G.O. 7.—Leave of absence is granted to the Hon. Lt.-Col. Sargood during such time as he continues Minister for Defence. Major Turner will assume command of the Field Artillery Brigade during the absence on leave of Lt.-Col. Sargood.

(By order)

H. S. BROWNRIGG, Lt.-Col.,
Asst. Adjutant-General.

Head Quarters, Melbourne, 10th January, 1884.

165. Is it competent for Colonel Sargood to return to duty and thereby claim his pay?—I do not know of anything to prevent his doing so.

166. *By the Hon. J. Lorimer.*—Does a Lieutenant-Colonel require to produce a certificate that he has performed his duties to enable him to draw pay?—I can find no authority for that, but no doubt there should be such certificate.

167. *By the Hon. N. Thornley.*—Could the Commandant terminate Colonel Sargood's leave of absence?—Yes.

168. Could Colonel Sargood resign on being ordered to return to duty?—Yes.

169. *By the Hon. G. Meares.*—Would you, as Commandant, sign a warrant for Colonel Sargood to receive pay?—No, certainly not.

170. Has Colonel Sargood been an effective?—No, he has been on leave.

171. *By the Chairman.*—Is the Honorable Dr. Beaney an effective?—The Regulations for medical officers are different from others ; they only draw pay for services performed.

*The Witness withdrew.**Adjourned till Thursday at Twelve o'clock.*

1884.
—
VICTORIA.

R E P O R T

OF THE

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL

ON THE

SUBSTANTIVE GENERAL LAW CONSOLIDATION
BILL, TITLE I,

TOGETHER WITH

THE PROCEEDINGS OF COMMITTEE, AND AN APPENDIX.

ORDERED BY THE COUNCIL TO BE PRINTED, 11TH NOVEMBER, 1884.

By Authority:
JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

TUESDAY, 9TH SEPTEMBER, 1884.

SUBSTANTIVE GENERAL LAW CONSOLIDATION BILL.—The Honorable W. E. Hearn moved, That this Bill be now read a second time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a second time.

The Honorable W. E. Hearn moved, That this Bill be committed to a Select Committee.

Question—put and resolved in the affirmative.

TUESDAY, 16TH SEPTEMBER, 1884.

SUBSTANTIVE GENERAL LAW CONSOLIDATION BILL.—The Honorable W. E. Hearn moved, pursuant to *amended* notice, That the following Members be the Select Committee to which the Bill to declare, consolidate, and amend the Substantive General Law—Title I., has been referred :—Honorable J. Balfour, F. Brown, J. Buchanan, Dr. Dobson, N. Fitzgerald, J. MacBain, Geo. Meares, C.M.G., D. Melville, H. Cuthbert, and the Mover, three to form a quorum ; and the Committee to have leave to sit on days on which the Council is not sitting.

Question—put and resolved in the affirmative.

REPORT.

THE SELECT COMMITTEE appointed by your Honorable House on the 16th September, 1884, and to whom was referred "*A Bill to declare, consolidate, and amend the Substantive General Law, Title I,*" have the honor to submit the following Report :—

Your Committee have gone through the Bill, and made amendments therein.

They have appended hereto the Bill as amended.

They have also appended a Statement showing the principal substantive alterations in the law which the Bill proposes to effect.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 18TH SEPTEMBER, 1884.

Members present:

The Hon. W. E. Hearn

The Hon. Geo. Meares, C.M.G.

No Quorum.

TUESDAY, 23RD SEPTEMBER, 1884.

Members present:

The Hon. Dr. Dobson,
J. Buchanan,
W. E. Hearn,

The Hon. Geo. Meares, C.M.G.,
D. Melville.

On the motion of the Honorable W. E. Hearn, the Honorable Dr. Dobson was appointed chairman. The Honorable W. E. Hearn submitted a memorandum, stating the substantial alterations which the Bill proposes to make in the existing law.

Memorandum discussed, and the Committee agreed to adopt, in considering the Bill, the following general rules, viz.:—

- (a) Imprisonment, when ordered by justices, is to imply the discretionary power to add hard labour.
- (b) In cases before justices, special terms for the limitation of proceedings to be omitted, and the general term of limitation (one year) to be left to its operation.
- (c) In determining the proportion between fines and terms of imprisonment. The standard of equivalents to be as follows :—Under one month of days—One month, £5; two months, £10; three months, £20; six months, any larger sum.

The Committee proceeded to consider the Bill.

The following amendments were agreed to :—

Part I.—Division 2, Subdivision (a).

Part I.

Sec. 1, insert at end “or to the heading of any portion thereof.”

Subdiv. (h).

Sec. 4. Omit this section.

Subdiv. (i).

Sec. 3, line 32, after “Act” insert “and every breach thereof.”

„ line 34, omit “exception,” and insert “exemption from criminal liability.”

„ line 35, omit “from criminal liability.”

Div. 6.

Sec. 1, insert at end “But a Corporation may not do any act or observe any forbearance which it is not authorized by the Statute or Charter which creates it to do or to observe.”

Part II.—Div. 1, Subdiv. (a).

Part II.

Sec. 6, line 5, after “or” omit “to.”

Sec. 6, line 7, after “be” insert “guilty of a misdemeanour and be.”

Div. 2, Subdiv. (a).

Sec. 2, line 31, omit at end “in a reasonable way,” and insert “without negligence.”

Part III.—Div. 1.

Part III.

Sec. 5, line 27, after “miscarry” insert “or shall attempt so do to.”

Div 3, Subdiv. (b).

Sec. 2, line 2, page 52, omit “of” and after penalty “less than Twenty pounds and not more than,” and insert “exceeding.”

Sec. 8, line 9, after “shall” omit “be guilty of a misdemeanour and shall be liable to imprisonment for any term not exceeding three years,” and insert “on conviction before justices be liable to a penalty not exceeding One hundred pounds.”

Sec. 21, line 27, after “exceeding” omit “six” and insert “three”; and after “months” omit “and also to have his name and house struck off the register.”

Sec. 25, line 9, after “herein” omit “and if proceedings be taken within six months after commission of the alleged offence.”

Sec. 30, line 40, after “herein” omit “and if proceedings be taken for such offence within three months next after the commission thereof.”

Sec. 31, line 7, after “shall” insert “on conviction before justices.”

Sec. 32, line 10, after first word “without” omit “their” and insert “its.”

Div. 3, Subdiv. (c).

Sec. 5, line 26, omit "ten" and insert "twenty"; after "pounds" omit "and also," and insert "or"; after "exceeding" omit "six" and insert "three."

Sec. 7, line 41, after "exceeding" omit "ten" and insert "twenty"; and after "pounds" omit "and also," and insert "or."

Sec. 7, line 42, omit "six," and insert "three."

Div. 6, Subdiv. (b).

Sec. 1, line 3 (p. 73), after "slaughtered of" insert "not exceeding."

Subdiv. (c).

Sec. 10, line 34, omit "one pound," and insert "five pounds"; and after "than" omit "five" and insert "twenty."

Sec. 14, line 14, omit "No conviction shall take place under this Subdivision unless within three months after the commission of the offence complained of; and."

The Committee adjourned until the following day.

WEDNESDAY, 24TH SEPTEMBER, 1834.

Members present:

The Hon. J. Buchanan,
W. E. Hearn,

The Hon. D. Melville.

The Honorable W. E. Hearn was appointed Chairman.

The Committee resumed the consideration of the Bill.

The following amendments were agreed to:—

Part III.—Div. 6, Subdiv. (d).

Sec. 12, line 7, omit "or rabbit."

Sec. 12, line 9, omit "or rabbits."

Sec. 12, line 17, omit "or rabbits."

Sec. 12, line 18, omit "or rabbits."

In marginal note, omit "or rabbits."

Part IV.—Div. 2.

Sec. 6.—Omit this Section.

Div. 4. Subdiv. (d).

Sec. 2, line 13, after second word "in" omit "the case of," and insert "civil cases before."

Sec. 2, line 15, omit "party for whom he appears" and insert "complainant"; omit last words "such party" and insert "him."

Subdiv. (h).

Sec. 13. Omit this Section.

Div. 5. Subdiv. (a).

Sec. 2, insert at end "or on conviction before justices be liable to a penalty not exceeding Twenty pounds or to imprisonment for any term not exceeding three months."

Div. 6. Subdiv. (a).

Sec. 3, line 9, after "justices" insert "or before a single justice."

Sec. 4, line 19, after "justices" insert "or before a single justice."

Subdiv. (b).

Sec. 11, line 34, omit "Fifty" and insert "Twenty."

Sec. 11, line 35, omit "one month" and insert "three months."

Sec. 16, line 16, omit "Nothing" and insert "Notwithstanding anything," and after "subdivision" omit "shall extend to any" and insert "no." Insert at end of section "shall be deemed to have thereby committed any offence."

Section 19, line 37, after "into" omit "place for public entertainment other than entertainments of the stage" and insert "bowling alley, skittle ground, or place for wrestling."

Sec. 20, line 10, after "premises" insert "if registered."

Subdiv. (c).

Sec. 5, line 6, after "or" omit "impose upon any charitable institution or private individual by any false or fraudulent representation either verbally or in writing with a view to obtain money or any other benefit or advantage," and insert "attempt to obtain as the gift of charity money or any benefit or advantage by any false or fraudulent representation."

Subdiv. (d).

Sec. 7, line 30, omit "Every" and insert "Any"; and after "with" insert "being an idle and disorderly person or."

Div. 7. Subdiv. (c).

Sec. 7. Omit this Section.

Subdiv. (d).

Sec. 10, line 4, p. 128, after "exceeding" omit "three" and insert "six."

Sec. 21, line 28, after "practitioners" omit "the Central Board of Health or."

Div. 8. Subdiv. (a).

Sec. 9, line 16, after "of" omit "an indictable offence" and insert "a crime."

Div. 9. Subdiv. (d).

Sec. 17. Omit this Section.

Part V.—Div. 1. Subdiv. (c).

Sec. 7, line 40, after "noxious" insert "with intent and."

Sec. 8, line 5, at end insert "although no injury is caused thereby."

Sec. 10, insert at end "and in addition thereto in the case of a male whose age exceeds sixteen years to be once, twice, or thrice whipped."

Subdiv. (d).

Sec. 13, omit this Section.

Sec. 16, omit this Section.

Subdiv. (f).

Sec. 7, line 7, after "inquest" insert "or inquiry."

Sec. 7, line 8, after "inquest" insert "or inquiry."

Sec. 8, line 15, after "inquest" insert "or inquiry."

Sec. 8, line 17, after "deputy coroner" insert "or before a justice."

Sec. 8, line 27, at end insert "or justice; or where if such certificate be produced the coroner or the deputy-coroner or justice is not satisfied thereby that there is no ground for holding such inquest or inquiry."

Sec. 8, line 28, after "inquest" insert "or inquiry."

Sec. 20, line 29, after "exceeding" omit "three" and insert "six."

Sec. 20, line 30, omit all the words commencing with "Provided" to the end of section.

Div. 4, Subdiv. (a).

Sec. 11, line 28, after "to" omit "an offence" and insert "a crime or a misdemeanour."

Sec. 11, line 29, after "for" omit "such offence" and insert "the same."

Subdiv. (b).

After sec. 12, insert following new Section:—

Assault with intent to rob. "If any person assault any other person with intent to rob, the person so offending shall be guilty of a crime, and shall, except as hereinafter provided, be liable to imprisonment for any term not exceeding five years."
C. L. & P. St. s. 109.

Sec. 14, insert at end, "and in the case of a male of the age of sixteen years or upwards, to be also once, twice, or thrice whipped."

Sec. 15, insert at end "and in the case of a male of the age of sixteen years or upwards, to be also once, twice, or thrice whipped."

Sec. 16, insert at end "and in the case of a male of the age of sixteen years or upwards, to be also once, twice, or thrice whipped."

Sec. 32, line 13, after "offending" insert "may be arrested without warrant, and."

Sec. 32, line 14, after "misdemeanour" omit "and may be arrested without warrant, and" and insert "or."

Subdiv. (c).

Sec. 10, line 2, after "destroy" omit "except as is herein provided" and insert "otherwise than by fire."

Sec. 16, line 4, omit "except as is hereinbefore provided" and insert "otherwise than by fire."

Subdiv. (d).

Sec. 3, line 4, after "any" omit "wild."

Sec. 8, line 43, after "mischief" insert "otherwise than by setting fire or attempting to set fire thereto."

Sec. 11, line 28, omit "six" and insert "three."

Sec. 16, line 9, after "police" insert "force."

Sec. 16, line 10, after "speed" omit "cause," and insert "carry."

Sec. 16, line 11, omit "to be removed," and insert "or give notice of such seizure."

Sec. 18, insert at end "Nothing contained in this section shall affect any provision of the Sales by Auction Statute 1864, or of any Act amending the same."

Sec. 25, omit this Section.

The Committee adjourned until half-past two o'clock of the 30th.

TUESDAY, 30TH SEPTEMBER, 1884.

Members present:

The Hon. Dr. DOBSON, in the Chair;

The Hon. W. E. Hearn,
F. Brown,

The Hon. J. Buchanan,
J. Balfour.

The consideration of the Bill was resumed, and the following amendments were agreed to:—

Introductory.

Sec. 1, insert at end "and shall come into operation two months after it has received the Royal Assent."

Part III.

Part III. Div. 2, Subdiv. (c).

Sec. 22, line 38, omit all words from second word "offence" to end of section.

Div. 3, Subdiv. (a).

Sec. 1, line 33, omit "Five," and insert "Two."

Sec. 4, omit this Section.

Sec. 5, omit this Section.

Sec. 6, line 25, omit "three," and for "Sections" insert "Section."

Sec. 7. Omit this Section.

Sec. 10. Omit this Section.

Subdiv. (c).

Sec. 5, insert at end, "or to both these punishments."

Sec. 7, insert at end, "or to both these punishments."

Div. 6. Subdiv. (a).

Sec. 8, line 40, omit "with or without hard labour."

Sec. 8, line 5 (p. 71) omit "with or without hard labour."

Sec. 8, line 10, after "shall" insert "if requested by the owner so to do."

Sec. 11, line 8, omit "any two."

Part IV.

Part IV. Div. 1.

Sec. 12, line 3, after "to" omit "the punishment of" and insert "suffer."

Sec. 16, line 37, omit "excite" and insert "incite."

Sec. 16, line 1 (p. 85) omit "excite" and insert "incite."

Sec. 17, line 18, omit "excite" and insert "incite."

Div. 4. Subdiv. (a).

Sec. 1. Omit this Section.

Sec. 8, line 32, after "judge" insert "or justices, or other presiding officer who is authorised by law or by consent of parties to hear receive and examine evidence."

Div. 5. Subdiv. (b).

Sec. 3 (p. 108) line 20, omit "with hard labour."

Subdiv. (d).

Sec. 1, line 17, after "present" insert "at."

Div. 6. Subdiv. (a).

Sec. 1, line 25, omit "and shall be liable to imprisonment for any term not exceeding two years."

Sec. 2, line 33, omit "obscene book or other printed or written matter or" and insert "document."

Sec. 2, line 39, omit "and shall be liable to imprisonment with hard labour for any term not exceeding two years."

Sec. 4, line 21, omit "with or without hard labour."

Sec. 4, line 23, omit "with or without hard labour."

Sec. 5, line 27, omit "with or without hard labour."

Sec. 5, line 28, omit "three" and insert "two."

Sec. 7, 38, omit "with or without hard labour."

Sec. 8, line 2 (p. 113) omit "with or without hard labour."

Sec. 8, line 3 (p. 113) omit "three" and insert "two."

Sec. 11, line 40, omit "twenty" and insert "twenty-five."

Sec. 11, line 41, omit "with or without hard labour."

Sec. 11, line 43, omit "with or without hard labour."

Subdiv. (b).

Sec. 1, line 9, omit "with or without hard labour."

Sec. 12, line 38, omit "or suffer."

Sec. 12, line 39, omit "any."

Sec. 13, line 27, omit "three" and insert "four."

Sec. 14, line 3 (p. 118) omit "thirty" and insert "twenty;" after imprisonment omit "with or without hard labour."

Sec. 14, line 4, omit "two" and insert "three."

Sec. 15, line 14, omit "thirty" and insert "twenty."

Sec. 15, line 15, omit "with or without hard labour;" omit "two" and insert "three."

Subdiv. (c).

Sec. 4, line 2, omit "with or without hard labour."

Sec. 5, line 10, omit "with or without hard labour."

Subdiv. (d).

Sec. 1, line 18, omit "with or without hard labour."

Sec. 2, line 24, omit "with or without hard labour."

Sec. 4, line 7, omit "with or without hard labour."

Sec. 5, line 22, omit "with or without hard labour."

Div. 7, Subdiv. (a).

Sec. 2, line 8, after "removal" omit all words to end.

Sec. 5, line 34, omit "with or without hard labour."

Sec. 6, line 43, omit "with or without hard labour."

After Sec. 8, insert the following new Sections:—

Obstruction to water-courses.
No. 786, s. 39.

9. "If any person intentionally or negligently cause or permit any loose tree, log, timber, or brushwood growing, or that has grown on any land in his occupation, to fall into any stream, river, or watercourse; the person so offending shall, on conviction before Justices, be liable to a penalty not exceeding Five pounds for the first offence and not exceeding Twenty pounds for every subsequent offence."

Seedlings from hedges growing on road.
Ib. s. 40.

10. "Where any land is separated from any street or road by a hedge or live fence, the owner of such land shall keep such street or road clear from all seedlings, suckers, and other offsets from such hedge or live fence. If any person act in contravention hereof the Council of the Municipality may, by written notice served upon him, require him to remove the same within fourteen days, and if he make default therein, may remove the same, and may recover from him the expense of such removal."

Div. 7, Subdiv. (c).

Sec. 2, line 39, omit "with or without hard labour."

Sec. 6, last line of, omit "with or without hard labour."

Subdiv. (d).

Sec. 21, line 37, omit "or," and insert "and not."

Div. 9, Subdiv. (c).

Sec. 6, in last line, after the first "pounds" omit "or," and insert "and not."

Sec. 7, in last line, after the first "pounds" omit "or," and insert "and not."

Sec. 8, in last line, after the first "pounds" omit "or," and insert "and not."

Sec. 10, line 37, after the first "pounds" omit "or," and insert "and not."

Sec. 18, in last line of, omit "exceeding," and insert "more than."

Subdiv. (d).

Sec. 11, in last line of, omit "not exceeding," and insert "of."

Part V.—Div. 2, Subdiv. (a).

Part V.

Sec. 8, line 31, after "of" insert "the publication of," omit "statements published" and insert "statement in any of the following cases."

Sec. 8, omit "libel" at end, and insert "matter, or of any report of any proceedings before any Court of Justice—

(a) Of which at their then stage the publication has been prohibited, as hereinbefore provided, or

(b) which contains seditious, blasphemous, or obscene matter or matters tending to corrupt morals, whereof the publication is punishable under this Act."

Div. 4, Subdiv. (c).

Sec. 2, line 27, after "house" insert "in which dwelling-house any other person is."

Subdiv. (d).

After sec. 5, insert new Section—

Taking oysters in private fishery.
C. L. & P. St., s. 90.

6. "If, for the purpose of taking from any fishery which is the property of any other person, oysters or oyster brood, which are capable of being stolen, any person use any instrument or drag therewith upon the soil of such fishery, he shall, although no oysters be actually taken, be liable, on conviction before justices, to a penalty not exceeding Twenty pounds, or to imprisonment for any term not exceeding three months; but this section shall not apply to any person who catches or fishes for any floating fish, with an instrument adapted for taking floating fish only."

After sec. 6, insert the following new Section—

Jurisdiction of justices exclusive in certain cases.
Ib., s. 97.

8. "No person shall be punishable, except on conviction before justices, for the theft of any tree, shrub, or underwood, of which the value is less than Five pounds, or, if it grow in a park, pleasure ground, garden, orchard, or avenue, or in any land belonging to or adjoining a dwelling house, of which the value is less than One pound."

Sec. 13, line 38, after "order," insert "with or without conditions as the justice of the case requires either"

Sec. 13, line 39, after "thereto," omit "either unconditionally or if the case so require upon the performance of the act for which such goods are detained, or if such performance be impossible upon payment of a reasonable compensation. If any person refuse or neglect to obey such order he shall forfeit to the person injured a sum equal in the opinion of the justices to the value of the goods but not exceeding Fifty pounds, and," and insert "or the payment of a reasonable compensation not exceeding Fifty pounds for such goods or for the non-performance of any such condition as aforesaid as the case may be."

Sec. 13, line 4 (p. 199) omit "forfeited" and insert "paid."

Sec. 14, line 16, omit "with or without hard labour."

Subdiv. (e).

After sec. 9, insert new Section, viz.:—

Negligent damage to telegraph.
No. 781, s. 141.

"If any person negligently break or injure any post or wire belonging to any telegraph he shall on conviction before justices be liable to a penalty not exceeding Five pounds."

Div. 5, Subdiv. (d).

Sec. 4, line 12, after "imprisonment" omit "with or without hard labour."

Sec. 6, line 33, after "imprisonment" omit "with or without hard labour."

Sec. 8, line 27, after "imprisonment" omit "with or without hard labour."

Sec. 9, line 33, after "imprisonment" omit "with or without hard labour."

Div. 6.

- Sec. 1, line 5, after "person," omit "offend herein," and insert "act in contravention hereto."
 Sec. 4, line 19, after "person," omit "offend herein," and insert "act in contravention hereto."
 Sec. 7, after "months" in last line omit "with or without hard labour."
 Sec. 8, after "months" in last line omit "with or without hard labour."
 Sec. 9, after "months" in last line omit "with or without hard labour."

Div. 7, Subdiv. (c).

- Sec. 6 line 34, after "a," omit "crime," and insert "misdemeanour."
 Sec. 6, line 35, omit all the words after "liable to," to end of sec., and insert "a penalty not exceeding One hundred pounds or to imprisonment for any term not exceeding one year or to both such punishments."

Div. 8, Subdiv. (a).

- Sec. 2, insert at end "If any person act in contravention hereof and damage thence ensue, he shall make compensation to the person injured."

Subdiv. (b).

- Sec. 9, at end, insert "when the compensation claimed does not exceed Twenty pounds it may be recovered before justices."

Part VI., Div. 1, Subdiv. (a).

- Sec. 3, at end, insert "In this division the expression 'Superior Court' includes every court higher than a Court of Petty Sessions."

After sec. 9, insert the following new Section :—

- No arrest without warrant except where expressed. D. C., s. 433. 10. "Except where the contrary is herein expressly provided no person shall be liable to be arrested without warrant for any offence under this Act."

Div. 2. Subdiv. (a).

- Sec. 10, line 9, after "Court" insert "or the justices" and after "its" insert "or their".
 Sec. 14, line 35, after "awarded" insert "if the offender be then in custody or if he be not then in custody of the day upon which he is arrested in pursuance of such award."

Sec. 20, line 41, after "Court" insert "or the justices"

Sec. 23, omit this Section and insert the following new one :—

- Enforcement of penalty by justices. Pol. Off. St., ss. 55, 63, 73. "Where in any case before justices, or before a single justice, any person is adjudged to pay any penalty, forfeiture, or compensation, the justices or the justice may, in their or his discretion, order

- (a) That such person also pay as costs such reasonable sum (including the costs of the informer, if any) as the order directs.
 (b) That he shall pay such penalty, forfeiture, or compensation, together with the costs as aforesaid, either immediately or within such period as the order directs.
 (c) That in default of such payment he shall be imprisoned for any term not exceeding the several terms following respectively (that is to say)

Where the sum does not exceed One pound, seven days

Where the sum exceeds One pound but does not exceed Five pounds, one month.

Where the sum exceeds Five pounds but does not exceed Ten pounds, two months.

Where the sum exceeds Ten pounds but does not exceed Twenty pounds, three months.

Where the sum exceeds Twenty pounds, six months."

ARRANGEMENT OF ACT.

Part III.—Div. 6, Subdiv. (b).

Line 25, after "the" insert "branding and."

Act, Part III.—Div. 4, Subdiv. (b).

Sec. 6, line 33' omit "dog."

Sec. 8, line 5, omit "imported," before stock, and after "stock" insert "imported by sea."

Div. 6, Subdiv. (b).

In heading after "the," insert "branding and."

Insert the following new Sections to stand as :—

- Branding of sheep. No. 370 ss. 25, 26. 1. "Every owner of sheep shall brand and at all times keep branded with his registered brand in a conspicuous way, and in letters figures or other mark not less than two inches in length with pitch paint or some other suitable composition all such sheep above the age of six months as do not at the time bear such registered brand.
 If any person offend herein he shall on conviction before justices be liable to a penalty of not less than Five pounds, and not more than Fifty pounds.
 If any person deface or obliterate the brand of any sheep not his own property without the authority of the owner, he shall on conviction before Justices be liable to a penalty of not less than Ten Pounds, and not more than One hundred pounds."
 Sheep owner to register his brand. Ib. ss. 22, 26. 2. "Every owner of sheep shall for the purposes of registration sign and deliver to the Chief Inspector of sheep, and to the inspector of sheep of the district where such sheep are usually kept, a memorandum describing the brand he uses for branding his sheep, and stating his name and the situation of his land in such district, and any remarks that he thinks fit to make.
 If any person upon being required by the Chief Inspector or other inspector as aforesaid so to do offend herein, he shall on conviction before justices be liable to a penalty of not less than Five pounds, and not more than Fifty pounds."

Part IV.—Div. 2.

Part IV.

Sec. 1, omit this Section and insert the following:—

Obedience to judicial orders.
D. C. s. 115. 1. "Every person shall obey every lawful order made by any Court of Justice, or by any person or body of persons authorized by any Statute to make or give such order. If any person offend herein, he shall be guilty of a misdemeanour."

Part V.—Div. 3, Subdiv. (a).

Part V.

Sec. 9, line 38, omit "ten" and insert "five."

Sec. 9, line 39, omit "fourteen days" and insert "one month."

Subdiv. (b).

Sec. 1, insert at end "but shall not include any native of any savage or uncivilized tribe."

Div. 4, Subdiv. (b).

Sec. 1, line 2, after "anything" insert "or any animal."

Sec. 1, line 6, after "thing" insert "animal."

Div. 6.

Sec. 11, line 25, after "to" insert "a penalty not exceeding Fifty pounds or to."

Sec. 12, line 30, after "to" insert "a penalty not exceeding Fifty pounds or to."

Div. 8, Subdiv. (b).

Sec. 1, line 11, omit "thing" and insert "chattel."

Sec. 1, line 24, omit "thing" and insert "chattel."

Sec. 1, line 26, omit "thing" and insert "chattel."

Sec. 6, omit this Section.

Part VI.—Div. 1, Subdiv. (a).

Part VI.

Sec. 1, line 1, after "crime" omit "shall be prosecuted before the Supreme Court or other superior court of competent jurisdiction and,"

Div. 2, Subdiv. (a).

Sec. 11, line 17, after "court" insert "or the justices;" and after "its" insert "or their."

Sec. 26, line 11, after "presides" omit "or except as hereinafter mentioned of any court of record."

Sec. 26, line 14, omit "the" after "be in" and insert "a," after "Court" omit "of General Sessions" and insert "in which a Judge other than a Judge of the Supreme Court or a Warden presides."

Sec. 26, line 16, omit "fifty" and insert "twenty," and after "pounds" insert "or to both such punishments."

Sub. Sec. c, omit this.

Sub. Sec. d, omit this.

Subdiv. (c).

Section 5, insert at end "or imprisoned in default of compliance with any order made under the provisions of the third Part of the Marriage and Matrimonial Causes Statute 1864 or any Statute amending the same."

Div. 3.

Sec. 1, line 24, after "subjects" insert "and if such damage do not arise from his own default or with his own consent, or out of some illegal or immoral transaction."

Sec. 21, line 11, omit Sub. Sec. (b.)

Sec. 21, line 19, after "may" insert "restore them to their owner and."

Authority was given to make marginal and other verbal corrections, and to rectify the Sectional numbering.

The Committee adjourned.

TUESDAY, 11TH NOVEMBER, 1884.

Members present:

The Hon. W. E. Hearn,
J. Balfour,

The Hon. D. Melville.

The Honorable W. E. Hearn was appointed Chairman.

The consideration of the Bill was resumed, and the following amendments were agreed to:—

Part III.—Division 2, Subdivision (c).

Part III.

Sec. 14, line 39, after "Sixteen" insert "years."

Div. 3, Subdiv. (b).

Sec. 6, line 34, after "Ten" insert "pounds."

" 25, line 11, after "pounds" omit all words to end of section.

" 29, line 18, after "Ten" omit "or," and insert "pounds and not."

Div. 2, Subdiv. (d).

Sec. 1, line 8, after "herein" omit "and if proceedings be taken within three months next after the alleged offence."

Sec. 1, line 10, after "Five" insert "pounds."

„ 3, line 20, after "Section" omit "and if the proceedings be taken within three months next after the alleged offence."

Sec. 3, line 23, after "Five" insert "pounds."

„ 4, line 39, after "Twenty-five" insert "pounds."

„ 5, line 1, p. 62, after "Five" insert "pounds."

Subdiv. (e).

Sec. 2, line 17, after "female" omit all the words to end of section, and insert "or any boy under the age of eighteen years as lander or braceman or any person for more than forty-eight hours in any week, or for more than eight hours in any day, except in cases of necessity, or except where, in the opinion of the justices before whom the case is heard, there are special circumstances which render the contravention of this rule necessary for the proper working of the mine, and where such contravention was not injurious to the workmen employed in the mine. No person shall employ any person in charge of steam machinery used in connexion with any mine, or for the treatment of the products of any mine, for more than eight consecutive hours at any time, or for more than eight hours in any twenty-four hours. Such period of eight hours shall be exclusive of any time occupied in raising steam, and in drawing fires and exhausting steam in connexion with the machinery in the charge of such person, and of any time in which such person is employed in case of breakage or other emergency."

Subdiv. (f).

Sec. 2, omit this Section.

Div. 4.

Title, after "concerning" omit "To."

Subdiv. (b).

Sec. 9, line 10, after "scab" insert "or other infectious disease."

Div. 6, Subdiv. (e).

Sec. 6, line 12, after "water" omit "to" and insert "in."

Sec. 16, line 13, omit "nor to any fixed engine used solely for catching eels."

Part IV.*Part IV.—Div. 2.*

Sec. 7, line 6 (p. 88), after the word "officer" insert "or (e) any inspector of fisheries or his assistant."

Sec. 15. After this Section insert following new Section:—

Obstructing Coroner. "If any person intentionally obstruct in the execution of his duty any Coroner or Deputy-Coroner or any person acting under the authority of such Coroner or Deputy-Coroner, the person so offending shall on conviction before Justices be liable to a penalty not exceeding Twenty pounds."
No. 338 s. 3.

Div. 7, Subdiv. (d).

Sec. 10, line 1, p. 128, after "Ten" insert "pounds."

Sec. 20, line 23, after second word "the" insert "two," and after "preceding" omit "section" and insert "sections."

Div. 8, Subdiv. (b).

Sec. 5, line 1, omit "this or the" and insert "either of the two."

„ 5, line 3, after "to" omit "either of such sections" and insert "the provisions of this subdivision."

Part V.*Part V.—Div. 1, Subdiv. (f).*

Sec. 18, line 11, omit "stipendiary" and insert "police."

Div. 3, Subdiv. (b).

Sec. 5, line 18, after "pounds" omit all words to end of Section.

Sec. 6, line 32, after "pounds" omit all words to end of Section.

Div. 5, Subdiv. (b).

Sec. 1, line 12, p. 207, after "pounds" omit all words to end of Section.

Sec. 5, line 16, after "destroyed" omit all words to end of Section.

Div. 6.

Sec. 8, line 8, after "in" insert "any."

Sec. 9, line 28, after "in" insert "any."

Div. 7, Subdiv. (c).

Sec. 5, line 29, insert at end of section "(h), where the forged document is or purports to be a certificate authorized by law to be annexed to a copy of an extract from any Proclamation, Order, or Regulation."

It was resolved that the Sections containing the substance of 21 Geo. 3, c. 49, relating to Sunday meetings, be omitted, pending the expected decision of the Supreme Court thereon.

The Chairman submitted Draft Report, which was agreed to, and the Chairman was directed to report to the House.

APPENDIX.

GENERAL CODE BILL, TITLE I.

MEMORANDUM.

This Memorandum states the substantial alterations which the General Code Bill, Title I., proposes to make in the existing law.

- II. 1. *a.* 1, p. 35.—Under the present law an attempt to commit an offence in circumstances making its commission impossible (*e.g.*, attempting to pick a pocket when there is nothing in it) is not punishable. The Draft Code proposes to alter this rule, and this proposal is adopted in the present Bill, although in simpler language.
- III. 3. *a.* 1.—The minimum penalty for Sunday trading is reduced from £5 to £2. This change was approved by the Legislative Council in *The Police Offences Statute Amendment Bill*.
- III. 3. *b.* 6.—The penalty for pretending to be a licensed carrier is assimilated to that for pretending to be a licensed auctioneer.
- III. 6. *c.* 10.—The limits of the penalty for throwing into a waterhole the carcase of an infected sheep, which are now between £1 and £5, are raised to £5 and £20.
- IV. 1, p. 83.—Some of the acts hitherto specified as treason (*e.g.*, killing the chancellor, violating the king's eldest daughter) are here omitted as obsolete. The punishment for being accessory to treason and for misprision of treason is reduced from death to 15 years' imprisonment. These changes are made in the Draft Code.
- IV. 1. 15, p. 84.—This section, relating to treasonable conspiracies, assimilates the Victorian law in this matter to that of England.
- IV. 4. *g.* 2, p. 103.—This section (also taken from the Draft Code) provides a specific punishment for an offence (fabrication of false evidence) not met by the existing law (*e.g.*, a man puts a bullet in a particular place in order to produce the belief that A, who fired a gun with intent to frighten B, fired it with intent to murder him).
- IV. 4. *g.* 6.—Perjury, which is now a misdemeanour, is made a crime, and its punishment as proposed by the Draft Code is increased accordingly.
- IV. 5. *a.* 4, p. 106.—This section, which is taken from the Draft Code, makes it a specific offence to be concerned in a prize fight. Some doubt has hitherto existed on the subject, which will now be removed.
- IV. 6. *a.* 1.—The English definition of a public place is here followed, as being more complete, in preference to that contained in Act No. 630.
- IV. 6. *a.* 5 and 8.—These sections amend section 26 of *The Police Offences Statute* by omitting the intent and by adding the power to imprison. It is believed that these amendments have long been desired.
- IV. 6. *d.* 4, p. 121.—The second paragraph of this section is taken from a recent English Act, and facilitates conviction in the case of bad characters. Like the last preceding clause, it was approved by the Legislative Council in *The Police Offences Statute Amendment Bill*.
- IV. 7. *a.* 1, p. 121.—The distinction between criminal and non-criminal nuisances (*i.e.*, non-repair of highways and the like) is taken from the Draft Code.
- IV. 7. *c.* 4. (*b.*), p. 125.—The provision for guarding against accidents by fire is somewhat extended, the present rule being impracticable in ranges and other rough places. The amendment made was approved, after full consideration, by the Legislative Council in *The Police Offences Statute Amendment Bill*.
- IV. 8. *a.* 1.—The definition of counterfeit coin is so framed, according to the Draft Code, as to include coin filed and then re-milled so as to conceal the filing.

- V. 1. b. 6, p. 161.—This section (following the Draft Code) removes doubts as to the nature of the provocation by which murder is reduced to manslaughter.
- V. 1. b. 7.—This section (following the Draft Code) provides for cases of child murder, which in the present state of the law often go unpunished.
- V. 1. c. 3 and 10.—These sections (following the Draft Code) extend to all attempts to misuse explosives, and to all attempts to render persons incapable of resistance to crimes by violent means, the present law, which is limited to the laying of explosives in certain places and to cases of strangling.
- V. 1. e. 2, p. 167.—The crime of rape is defined (following the Draft Code) as including the commission of the offence by certain fraudulent means, and this is believed to be a correct statement of the law, although the cases are not always consistent. In this country the offence is capital, and in England it is not. It is proposed to limit the capital offence to cases of violence; and to make offences committed where the consent has been fraudulently obtained punishable by imprisonment for fifteen years. This distinction would probably represent the actual administration of the law.
- V. 1. e. 4, p. 167.—In this section the words “from motives of lucre” are prefixed to the description of the offence of fraudulent seduction. This change is made in the Draft Code, and expresses distinctly that which has always been assumed to be the meaning of the law.
- V. 2. b. 5, p. 178.—The law of blasphemy, as proposed in the modern form by the Draft Code, has been here followed.
- V. 4. b. 1 and 2, p. 186.—The definition of theft given by the Draft Code has been followed, and many offences specially mentioned in the present Act are now included under this definition. Many other such offences come under the general punishment of theft (s. 10, p. 187).
- V. 4. b. 7 and 8.—The law of theft as between husband and wife is re-stated according to the Draft Code.
- V. 4. b. 18.—The punishment of assault with intent to rob, and of a demand with intent to steal, which in the present Act is three years, is raised to five years. The offence is now a felony, and in all other cases under this Act the punishment of a crime is not less than five years.
- V. 4. b. 20.—Extortion is extended to threats to accuse of any crime (as in Draft Code). By the present law it is limited to certain specified crimes.
- V. 4. c. 2.—The present Act distinguishes between various classes of buildings, arson of which is punished by fifteen years’ and by ten years’ imprisonment respectively. The Draft Code makes no distinction. This Bill follows the Draft Code, except that it retains the distinction as to inhabited dwelling houses. (See V. 3. c. 11.)
- V. 4. c. 18 (b).—The present Act gives six months’ imprisonment for destruction of works of art. The Draft Code raises it, without observation, to two years. The present punishment seems inadequate, and the Draft Code has therefore been followed.
- V. 4. f. 5.—This section (following the Draft Code) alters the law as to the restitution of property, providing that, except in one specified case, it shall affect the possession only.
- V. 7. c. and d.—These subdivisions are re-cast on the basis of the Draft Code. The corresponding parts of the present Act are very involved and obscure, but it is believed that no substantial alteration in the law is made.
- VI. 1. a. 1.—The word “crime” is substituted for felony, with the view of avoiding the obsolete difference between felony and misdemeanours. The corresponding alterations as to the rule concerning arrest without warrant and bail are expressed in sections 4, 9, and 10.
- VI. 1. a. 5 and 6.—The existing Act, No. 627, seems to be hardly consistent with the other Acts mentioned in the margin of section 5. An attempt has been made in these two sections to bring these Acts into harmony.
- VI. 2. a. 18 (c).—A general rule is provided for the infliction of whipping, following, it is believed, the usual practice.
- VI. 2. a. 23 and 24.—The provisions of *The Police Offences Statute* as to enforcing fines and as to committals by justices are here extended, so as to form a general rule.
- VI. 4. 5. and 7.—The provisions of the recent English Act which amend the remedy in cases of accidental death are here inserted.

The following general rules have, except where some special reason to the contrary appeared to exist, been observed in the construction of this Bill:—

- (a) Imprisonment, when ordered by justices, is taken to imply the discretionary power to add hard labour. This power is already given in cases under *The Criminal Law and Practice Statute*, section 302, and is said to work well, and a recent case in England seems to show that such an implication is general.

- (b) In cases before justices, various Acts state various special terms for the limitation of proceedings. These divergences seem to be without any rule, and are said frequently to cause in practice much inconvenience. They are found principally in the Acts included in Part III. of this Bill. For the purposes of uniformity, these special limitations have been, for the most part, omitted, and the general term of limitation (one year) is left to its operation.
- (c) Much difference exists in different Acts as to the proportion between fines and terms of imprisonment. The sanctions in many cases before justices are consequently very unequal. A sort of general rule is indicated in *The Police Offences Statute*, s. 63, which prescribes the period of imprisonment in default of the payment of penalties. The standard of equivalents is as follows:—Less than one month, seven days; one month, £5; two months, £10; three months, £20; six months, any larger sum. This standard was, after consideration, adopted as sufficient for practical purposes by the Legislative Council in *The Police Offences Statute Amendment Bill*, and has been followed generally throughout this Bill.

VICTORIA



VOTES
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1884