

General Business
Melbourne Gas and Coke Company Bill—To
be further considered on committee
Melbourne Municipal Franchise Bill—Third rea
ing
City of Melbourne Corporation Seal Bill—Ado
tion of report
Scab and Catarrh in Sheep Prevention Bill—
to be further considered in committee

The SPEAKER took the chair at ten minutes past three o'clock.

Present: The Colonial Secretary, the Attorney-General, the Solicitor-General, the Auditor-General, and the Chairman of General Sessions, Messrs Murphy, Thomson, Campbell, Nicholson, Rutledge, Fawcner, Miller, Snodgrass, Strachan, and Westgarth.

Mr WESTGARTH presented a petition, signed by the Reverend Andrew Ross, on behalf of certain Presbyterians residing in Portland and its neighborhood, complaining of certain provisions in the 17th and 20th clauses of the Births, Deaths, and Marriages Registration Bill, and praying that the House would give the clauses their particular attention. The hon. member stated that he believed the Committee had not yet come to the clauses referred to, and the petition could therefore, be considered when those clauses should be under discussion.

The petition was ordered to be received.

Dr THOMSON presented a petition from twenty-one settlers in the Wimmera District, praying that the House would pass a measure for the destruction of scabby sheep. The hon. member stated that he presented the petition on behalf of the hon. member for Colwarth, who was absent. Owing, however to some informality in the petition, it was subsequently withdrawn.

Mr WESTGARTH said he begged to move that the petition he had just presented from Portland be considered, when the committee upon the Births, Deaths, and Marriage Registration Bill sat.

The ATTORNEY-GENERAL said that would be at that sitting of the House. It was extremely desirable the petition should be considered by the committee.

The SPEAKER said, the proper form of proceeding was to refer the petition to the Committee sitting upon the Bill.

Upon the motion of Mr WESTGARTH, it was then ordered that the petition should be referred to the Committee accordingly.

The ATTORNEY-GENERAL moved the second reading of the Horse and Cattle Stealing Prevention Bill. The hon. and learned member said, that such gross thefts with regard to cattle and horses had taken place, that it had become necessary to frame a bill with the view of checking the evil. He had felt himself embarrassed in framing the bill, so as on the one hand not to interfere with the legitimate transfer of property, and on the other, to put a stop to the robberies of cattle that were at present being committed. The bill now before the House repealed an existing act, entitled "An Act for the Better Prevention of Cattle Stealing in New South Wales." By the present bill working another man's cattle was constituted an offence, and declared to be a misdemeanor. By the 2nd clause it was declared that restitution of stolen horses and cattle could be awarded after they had been proved to be improperly in the possession of a party. The restitution was to be ordered by two justices of the peace, after hearing the case. It was obvious, however, that if the bill had only contained a clause ordering restitution of stolen cattle, no prosecution for cattle-stealing would ever be instituted, as people would rest satisfied when they had regained possession of their property. To obviate that difficulty the Bill went on to provide that parties should enter into a bond to prosecute the person or persons who had stolen their cattle. The amount of the bond was left to the discretion of the Justices. It was also obvious that innocent persons having stolen cattle in their possession were injuriously affected by having to give up the property, and thus lose the purchase money. The present bill provided that the party, so giving up a stolen horse or bullock, might recover the amount that he had paid for it from his vendor, and that the vendor in his turn might do the same thing from the person from whom he bought the horse or bullock, and so on downwards, until the person who had stolen the property was convicted. The penalties for working another man's cattle, and the other penalties contained in the act already in existence, were increased by the bill now before the house. The present bill also provided that a man, although innocent of horse or cattle stealing, might be convicted of a misdemeanor for working another man's cattle. The bill further provided for protecting Justices from actions being brought against them for anything they might do under the authority of the act. There was a provision omitted to be inserted in the bill which he proposed to add, which was that persons must apply for the restitution of stolen cattle within 6 months of the loss, as he had known many instances of parties having horses and cattle taken from them which were found out to have been stolen, after having been in their possession some years. He begged to move, that the bill be read a second time, and that it be considered in Committee to-morrow.

Mr STRACHAN objected to the House going into committee upon the bill to-morrow as it required more time for consideration, and he thought many improvements might be made in it. He should propose that it be further considered that day fortnight.

The ATTORNEY-GENERAL said he had no objection to the proposition of the honorable member.

Mr RUTLEDGE thought that 16 days was too long a postponement, as the estimates would be coming under the consideration of the House at that time. He thought that a postponement of a week would be long enough. It was accordingly ordered that the Bill should be further considered that day week.

The Police Force Regulation Bill was further considered in Committee, and upon the motion of the Attorney-General, the report of the Select Committee was ordered to be printed and taken into consideration on Wednesday next.

Upon the motion of the Auditor-General, the house went into Committee upon the Passengers Bill for the purpose of making some verbal alterations in the report of the Select Committee. The report was adopted, and the bill ordered to be read a third time to-morrow (this day). After some discussion the Savings Bank of Port Phillip Laws Amendment Bill was ordered to be referred to a select committee.

Upon the motion of the Attorney-General, the Jurors Bill, after being further considered in committee, was read a third time, and passed.

The Births, Deaths, and Marriages Registration Bill, was further considered in Committee; and the Chairman having reported progress to the House obtained leave to sit again on Wednesday next.

Mr SNODGRASS moved—
That this Council do address his Excellency the Lieutenant Governor, praying that his Excellency will be pleased to direct that steps be immediately taken for the formation of that part of the line of road recently laid out by Mr Surveyor White, and comprising that portion of the new line extending from the "Big Bill" to "Green's Pinch"

Mr O'SHEANASSY seconded the motion, the consideration of which, after some slight discussion, was postponed until to-morrow (this day).

Upon the motion of Mr Fawcner, the consideration and adoption of the report of the Select Committee upon the District Councils Bill was postponed until Wednesday next.

The Melbourne Gas and Coke Company Bill was further considered in Committee, and the Chairman having reported progress to the House, obtained leave to sit again to-morrow (this day)

The third reading of the Municipal Franchise Bill was, upon the motion of Mr Fawcner, postponed until to-morrow (this day).

The City of Melbourne Corporation Seal Bill was read a second time, and ordered to be further considered to-morrow (this day.)

The further consideration of the Scab and Catarrh Bill was also postponed until to-morrow (this day)

The AUDITOR-GENERAL moved for leave for the Select Committee sitting on the Hobson's Bay Railway Company's Bill to sit on Saturday, as there was a witness to be examined, who could only attend on that day.

The motion was carried, and the House then adjourned, at ten minutes past seven o'clock.

LEGISLATIVE COUNCIL,

Friday, Nov. 25th.

Government Business—Passengers Bill—Third reading
Steam Navigation Laws Amendment Bill—2nd reading

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