

VICTORIA.



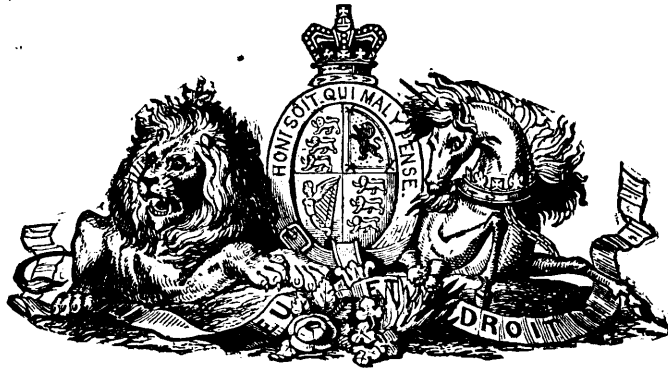
VOTES  
AND  
PROCEEDINGS  
OF THE  
LEGISLATIVE  
ASSEMBLY.

SESSION.  
1861-2.  
I.

MINISTER'S ROOM.



VICTORIA.



VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY,

SESSION 1861-2,

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

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VOL. I.

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# TABLE OF CONTENTS.

## VOL. I.

	Page
INDEX ... ..	VII.
SUMMARY OF BILLS ... ..	XXIII.
VOTES AND PROCEEDINGS ... ..	I.
APPOINTMENTS OF SELECT COMMITTEES ... ..	385
WEEKLY REPORT OF DIVISIONS IN COMMITTEE OF THE WHOLE HOUSE ... ..	391

### PAPERS LAID ON THE TABLE OF THE ASSEMBLY—

A.	1. Bank Liabilities and Assets for quarter ending 30th June, 1861 ... ..	455
„	2. Divorce and Matrimonial Causes—Rules and Regulations of the Supreme Court in the Colony of Victoria—relating to ... ..	459
„	3. Resignation of Colonel Pitt—Copy of Correspondence in relation to— ... ..	471
„	4. School Boards—Opinion of Law Officers as to the mode in which the Denominational School Board should deal with their Vote ... ..	475
„	5. Officials in Parliament Act—Copy of Despatch from the Secretary of State and Enclosures relative to— ... ..	477
„	6. Savings Banks—Statements and Returns for the year ending 30th June, 1861 ... ..	479
„	7. Capital Convictions—Abstract of Return of Convicts sentenced for Capital Offences in the Colony of Victoria from 1st January, 1855, to 1st November, 1861 ... ..	507
„	8. Postal Contracts, 1862—Copies of Correspondence respecting the tenders of Messrs. William Rutledge and William Brown for certain Inland Mail Services, and declarations concerning same ... ..	509
„	9. Crown Lands Sales Act—Residence and Cultivation Licenses ... ..	513
„	10. Postal Contracts—Copy of Correspondence respecting the Tender of Messrs. Rutledge and Brown for conveyance of Inland Mails for 1862 ... ..	525
„	11. Audit Act—Finance—Statement of the Receipts and Payments of the Public Account for the year 1860, with the Report of the Audit Commissioners thereon ... ..	529
„	12. Railway (Loan) Debentures—Copy of Correspondence with the Committee of the Contracting Banks ... ..	689
„	13. Immigration—Returns, shewing the relationship of the persons sent for from the United Kingdom, by persons resident in Victoria, under the Regulations of 15th April, 1861, from the 23rd April to 26th July, 1861, and under the Regulations of 30th July, 1861, from 1st August to 7th November, 1861 ... ..	691
„	14. Immigration—Similar Return under the Regulations of 30th July, 1861, from 1st August to 17th December, 1861 ... ..	693
„	15. Crown Lands Sales Act—Memorandum respecting Applications for Residence and Cultivation Licenses, approved and rejected ... ..	956

	PAGE.
A. 16. Crown Lands—Return of the number and area of New Runs let, and forfeited Runs re-let, during each of the last six years, specifying the Minister then presiding over the Department, and the conditions of the lease ...	703
„ 17. Illicit Sale of Spirits—Return of the number of cases in which Fines imposed for the Illicit Sale of Spirits and for Illicit Distillation have been remitted or reduced during the preceding twelve months ... ..	707
„ 18. Gold Fields Revenue—Return of the amount of the Revenue derived from the Gold Fields, in the shape of License Fees, Gold Export Duty, and Miners' Rights, from October, 1851, to the present date ... ..	709
„ 19. Juvenile Prisoners—Return showing the number of—	
(1.) Children under fourteen years of age committed to prison in the Colony within the last two years.	
(2.) The nature of offence and the term of imprisonment in each case.	
(3.) Similar returns respecting youths between the ages of fourteen and twenty years ... ..	711
„ 20. Military—	
(1.) Correspondence between the Local Government and the Imperial Authorities relating to the Battery of Royal Artillery now stationed in Melbourne.	
(2.) Of the number of Her Majesty's Troops of all arms stationed in on 1st December, 1861.	
(3.) Of the Colonial Pay and Allowances of the General-Commanding-in-Chief in the Australian Colonies, and the number of his staff ...	731
„ 21. Government Shorthand Writer—Copy of Correspondence with the Chief Secretary upon the subject of the Estimates for his department for the year 1862 ... ..	735
„ 22. Defence Commission—Correspondence between the Governor and the Defence Commission ... ..	741
„ 23. Military Pay and Allowances—Copy of Despatches received by His Excellency the Governor from the Right Honorable the Secretary of State for the Colonies, relating to— ... ..	745
„ 24. Standard Weights and Measures—List of the Imperial Standard Weights and Measures forwarded from the Colonial Office, and now in the custody of the Government Storekeeper ... ..	749
„ 25. Assessment on Stock—Return of Stock depastured during the year 1861, and for which Assessment has been paid throughout the Colony, exclusive of Stock depastured on the ten millions of acres reserved for agricultural purposes ... ..	751
„ 26. Bank Liabilities and Assets for Quarter ending 31st December, 1861... ..	753
„ 27. Police Reward Fund—Statement of the amount appropriated, the Rules and Regulations for distribution of, and the names of persons who received the same during the last three years ... ..	757
„ 28. Crown Lands Sales Act—Commons—The number of Commons proclaimed under—specifying the area of each Common, and distinguishing the class ...	759
„ 29. Immigration—Return shewing the relationship of the persons sent for from the United Kingdom by persons resident in Victoria, during the Year 1861 ... ..	767
„ 30. Pleuro-Pneumonia—Copy of Correspondence with the Government of New South Wales on the subject of the state of the Law relating to— ... ..	769
„ 31. Bank Liabilities and Assets for Quarter ending 31st March, 1862 ... ..	771
„ 32. Pleuro-Pneumonia—Copy of Letter from the Colonial Secretary, New South Wales, enclosing a Proclamation making an exception in favor of the importation of Cattle from this Colony ... ..	775
„ 33. Deaf, Dumb, and Blind Children—Correspondence relating to— ... ..	777
„ 34. Federal Union of the Australian Colonies—Copy of a Letter from the Colonial Secretary of Tasmania on the subject of— ... ..	779

	PAGE.
A. 35. Volunteer Force—Return shewing how the sum of £3000, voted in last Session in aid of the Volunteer Force for Medals, Targets, and Incidentals, has been appropriated ... ..	781
„ 36. Roads and Bridges—Return shewing the amount handed over to each District Road Board to be expended on Main Roads ... ..	783
„ 37. Western Port—Chart of the Eastern entrance to Western Port Bay, with Report	785
„ 38. Sewerage and Water Commission—Receipts and Expenditure, from 1st January to 31st December, 1859 ... ..	787
„ 39. Similar statement, from 1st January to 31st August, 1860 ... ..	791
„ 40. Similar statement, from 1st September to 31st December, 1860 ... ..	795
„ 41. Post Office Statistics—Return of the bulk, cost of receipt, transmission, and delivery of all letters and newspapers in Victoria, during 1861 ... ..	799
„ 42. Victorian Railways—Return of the total amount paid by Government as compensation to the owners of private property appropriated for railway purposes ... ..	801
„ 43. Geological Survey.—Reports relative to the Geological Survey of Victoria for the year 1861 ... ..	803
„ 44. Railway Accidents.—Report from the Engineer-in-Chief on the late Railway Accident on the Brighton Railway, 22nd May last ... ..	837
„ 45. Crown Lands Map—Letter from the Surveyor-General to the Commissioner of Crown Lands and Survey in relation to— ... ..	839
„ 46. Railway Accounts—Latest Report from the Commissioners of Audit on the state of the Accounts in the Railway Department ... ..	841
„ 47. Charitable Institutions—Financial Statements received from the Charitable Institutions receiving Aid from the Consolidated Revenue ... ..	845

MESSAGES FROM HIS EXCELLENCY THE GOVERNOR TRANSMITTING :—

B. 1. Deserted Children Protection Bill—Recommending appropriation under ... ..	873
„ 2. Civil Service Bill—Recommending appropriation under ... ..	875
„ 3. County Councils Bill—Recommending appropriation under ... ..	877
„ 4. Estimates, 1862—Informing that he will immediately cause the Estimates to be prepared and transmitted to the Legislative Assembly ... ..	879
„ 5. Estimates, 1862 ... ..	881
„ 6. Supplementary Estimates, 1861 ... ..	947
„ 7. Civil Service—Recommending an appropriation for gratuities and allowances to which officers of—may become entitled to by law ... ..	957
„ 8. Pensions under “Constitution Act”—Acknowledging Address from Legislative Assembly respecting— ... ..	959
„ 9. Substituted Estimates, 1862, and Additional Supplementary Estimates, 1861 ... ..	961
„ 10. Crown Lands Bill—Recommending appropriation under—for Immigration ... ..	1035
„ 11. Real Property Bill—Recommending appropriation under—For Salary of two Solicitors ... ..	1037
„ 12. The Prince Consort—Notifying receipt of Despatch from Secretary of State confirming intelligence of death of— ... ..	1039
„ 13. Crown Lands Sale and Occupation Bill—Recommending appropriation under—for Main Roads and Bridges ... ..	1041
„ 14. Insolvency Bill—Recommending appropriation under ... ..	1043
„ 15. Estimates of Expenditure in Salaries, 1862 ... ..	1045
„ 16. Further Additional Supplementary Estimates, 1861, and Additional Estimates, 1862 ... ..	1099
„ 17. Railway Loan—Recommending appropriation for repairing Melbourne and Geelong Line ... ..	1113

						PAGE.
B. 18. Further Additional Estimates, 1862	...	...	...	...	...	1115
„ 19. Further Additional Estimates, 1862	...	...	...	...	...	1119
„ 20. Third Further Additional Estimates, 1862	...	...	...	...	...	1123

---

RETURNS TO ORDERS AND ADDRESSES :—

C. 1. Select Committees—Return of Select Committees appointed during the last and present Parliament, with the actual or approximate cost of each Committee	...	...	...	...	...	...	1127
---	-----	-----	-----	-----	-----	-----	------

# INDEX.

NOTE.—For reference to the various proceedings on Bills, subsequent to their initiation, see "Summary of Proceedings on Bills."

\*\*\* To facilitate reference to papers ordered to be printed, the Cypher (as A. 1) at the bottom of the title-page of each Paper has been introduced into the Index and Table of Contents.

	PRINTED PAPERS.			
	VOTES.			
	Vol. I.	Vol. I.	Vol. II.	Vol. III.
Page	Page	Page	Page	
<b>A.</b>				
Aborigines—First Report of Central Board—Presented (No. 39) ...	27	...	...	487
Addresses to His Excellency the Governor :—				
In reply to Opening Speech ... ..	8			
Requesting His Excellency to place a sum of £500 upon a Supplementary Estimate for 1861, for compensating Mrs. Clara Seekamp ... ..	54			
Informing His Excellency that a Bill had been introduced to amend the Constitution Act in respect to Pensions ...	88			
Requesting His Excellency to place a sum of £6000 on an Additional Estimate, for 1862, for rewards to the discoverers of new Gold Fields, subject to certain conditions... ..	123			
For copies of any Despatches from the Imperial Government respecting the pay and allowances to Her Majesty's Forces serving in the Colony... ..	126			
Requesting His Excellency to recommend an appropriation from the Consolidated Revenue for the purposes of the Real Property Bill... ..	144			
Requesting His Excellency to recommend an appropriation from the Consolidated Revenue to defray salaries of Assignees of Insolvent Court ... ..	150			
Applying to His Excellency for any opinion submitted by the Law Officers for the consideration of himself or Her Majesty in reference to the Real Property Bill ... ..	370			
Requesting His Excellency to place a sum of £1451 5s. upon a Supplementary Estimate for 1862, as compensation to Mrs. Morphy and others ... ..	374			
Requesting His Excellency to place a sum of £2000 upon a Supplementary Estimate for 1862, as compensation to Mr. Hennelle for personal injuries ... ..	379			
Requesting His Excellency to place a sum of £2000 upon a Supplementary Estimate for 1862, for the purposes of survey and formation of public roads through the Goulburn and Yarra auriferous district ... ..	379			
Adulteration of Food Bill—Initiated ... ..	351			
Agriculture, Board of—Second Annual Report—Presented (No. 42) ...	44	...	...	527
Agricultural Statistics. See "Statistics."				
Albert, His Royal Highness Prince—Announcement of intelligence of death of, and motion for adjournment of House ( <i>Mr. O'Shanassy</i> ) ... ..	171			
Message from His Excellency the Governor notifying receipt of despatches confirming intelligence of death of—Presented (B. 12) ... ..	187	1039		
Appointment of Select Committee to prepare Address of Condolence to Her Majesty ( <i>Mr. O'Shanassy</i> ) ... ..	192			
Address brought up and adopted ... ..	192			
Message to Legislative Council requesting their concurrence in Address ... ..	192			
Message from Legislative Council notifying that they had already agreed to an Address to Her Majesty ... ..	197			
Motion for pre-entation of Address to His Excellency the Governor ( <i>Mr. O'Shanassy</i> ) ... ..	197			
Presentation of Address and the Governor's Reply thereto—reported ... ..	201			
Aliens Bill—Motion for leave to introduce Bill ( <i>Mr. Levey</i> )—Withdrawn	84			
Bill initiated ... ..	100			
Anatomy Bill—Initiated... ..	257			
Anderson's Pre-emptive Right, Police Reserve, &c.—Appointment of Select Committee to report upon refusal to open roads through ( <i>Mr. Snodgrass</i> ) ... ..	135			
Motion for leave to present Progress Report ( <i>Mr. Snodgrass</i> ) ...	209			
Progress Report brought up (D. 36) ... ..	209	...	347	
Motion for opening road through Police Paddock, Carlsruhe; also through Anderson's purchase ( <i>Mr. Snodgrass</i> ) ... ..	277			

	VOTES.	PRINTED PAPERS.			
		Vol. I.	Vol. I.	Vol. II.	Vol. III.
		Page	Page	Page	Page
<b>ASSEMBLY—Adjournments of—Special</b> ... ..	4, 5, 10, 12, 14, 31, 78, 86, 116, 133, 136, 171, 178, 200, 231, 232, 368, 377				
For want of a quorum ... ..	101, 137, 148, 188, 189, 219, 249, 259, 278, 326				
Motion for—Negatived ... ..	75, 107, 200, 202, 217, 345, 374				
<b>Bills—Governor's assent to, reported by Mr. Speaker</b>	105, 197, 217, 273, 345, 379				
Reserved ... ..	273, 379				
<b>Business—Days of, appointed</b> ... ..	12				
Government days of, appointed	12				
Despatch of—Motion respecting ( <i>Mr. Heales</i> )	156				
Hour of meeting ... ..	12				
Precedence of ... ..	136				
<b>Call of the House—Ordered</b> ... ..	96				
House called ... ..	113				
<b>Chairman of Committees—Appointment of</b> ... ..	12				
Temporary appointment of ... ..	237, 241, 249, 251, 255, 259, 263, 270, 273, 281, 284, 289, 295, 300, 305, 307, 309, 311				
<b>Clerk of—Leave given to—to attend at Supreme Court and to produce documents</b> ... ..	16, 18, 49, 53 57, 81, 111				
<b>Commissioner to administer Oaths to Members—Introduced, and Commission read</b> ... ..	2				
<b>Committees, Select—Motion for Return respecting (<i>Dr. Owens</i>) Return (C. 1)</b> ... ..	247 369	1127			
<b>Complaint. See "Complaint."</b>					
<b>Control of, and arrangements in Department of—Referred to Standing Orders Committee</b> ... ..	156				
<b>Governor—Message to attend in Council Chamber</b> ... ..	5				
Speech reported ... ..	6				
Motion for Address in reply ... ..	8				
Committee appointed to draw up same, and proceedings thereon ... ..	9				
Address presented, and His Excellency's Reply reported... ..	11				
Speech on Prorogation ... ..	380				
<b>Members—Leave given to—to attend Committee of Legislative Council</b> ... ..	55, 151				
Resignation of Seats by—Announced ... ..	79, 95, 173, 201, 205				
Retention of Seat by Mr. Ireland—Notified ... ..	13				
Sworn ... ..	4, 6, 11, 13, 45, 55, 67, 79, 91, 96, 173, 197, 199, 223, 233, 261				
<b>Opening of—Proceedings on</b> ... ..	1				
<b>Order—Points of—Ruled by Mr. Speaker</b> ... ..	159, 184, 198, 199, 200, 281, 310				
<b>Orders of the Day—Discharged</b> ... ..	56, 68, 84, 152, 184, 188, 194, 202, 253, 263, 297, 301, 326, 344, 355, 359, 366, 377				
Lapsed ... ..	104, 210, 242, 264, 282, 301, 319, 322				
<b>Parliamentary Agents—Rules for—Read and agreed to. See also "Standing Orders"</b> ... ..	150				
<b>Prisoner—Motion that Mr. Speaker do issue warrant to keeper of Pentridge Gaol, to bring a prisoner to give evidence before a Select Committee</b> ... ..	203				
<b>Privilege—Mr. Costello—Motion that he attend in his place in the House (<i>Mr. Service</i>)</b> ... ..	57				
Copy of Return of Prisoners tried and convicted at Ballarat, October, 1861—Presented, read, and proceedings thereon ... ..	65				
Mr. Costello expelled ... ..	66				
Mr. Reid—Motion for attendance of—to give evidence before Committee of Elections and Qualifications ( <i>Mr. Mollison</i> )—Debate adjourned ... ..	223				
Order lapsed ... ..	242				
<b>Proclamation for convening—Read</b> ... ..	1				



	VOTES.		PRINTED PAPERS.		
	Vol. I.	Page	Vol. I.	Vol. II.	Vol. III.
<b>ASSEMBLY—Speaker—Election of</b> ... ..		4			
Presents himself to Governor ... ..		5			
Governor's Commission to—to administer Oaths to Mem- bers—Read ... ..		5			
Standing Orders—Motion for Suspension of ... ..	350, 351, 368				
Votes and Proceedings, &c., of Assembly—Question of supply of—to Mechanics' Institutes, Reading Rooms, &c., referred to Library Committee ( <i>Mr. Nixon</i> ) ... ..		136			
Supply of—to Mechanics' Institutes and Reading Rooms— Ordered ( <i>Mr. Edwards</i> ) ... ..		216			
Writs of Election—Issue of—Notified ... ..		33, 68, 79, 95, 173, 201, 205			
Motion for Issue of ( <i>Mr. Service</i> ) ... ..		68			
Returns to—Read ... ..		3, 49, 57, 79, 95, 169, 197, 223, 233			
Assessment on Stock—Returns respecting—Presented (A. 25) ...		165	751		
Astronomical and Magnetical Observatory—Second and Third Annual Reports of the Board of Visitors—Presented (No. 126) ... ..	369				1485
Audit Act—Report of Audit Commissioners for 1860—Presented (A. 11)	79		529		
<b>B.</b>					
Bank Notes Tax Bill—See "Tax on Bank Notes Bill."					
Bank Returns—For quarter ending 30th June, 1861—Presented (A. 1)	14		455		
For quarter ending 30th September, 1861—Presented (No. 60)...	77				609
For quarter ending 31st December, 1861—Presented (A. 26) ...	169		753		
For quarter ending 31st March, 1862—Presented (A. 31) ...	283		771		
Barristers Admission Bill—Initiated ... ..	51				
Beilby, Mr. J. Wood—Reply to question for copy of Memorial presented to Executive Government, setting forth his claim as a gold discoverer—Presented ... ..	121				
Bills of Sale Bill—Initiated ... ..	100				
Botanist, Government—Annual Report of—Presented (No. 105) ...	201				967
Brown, Mrs.—Motion for going into Committee to consider Address ( <i>Mr. Nixon</i> ) ... ..	95				
House in Committee—No report ... ..	146				
Motion for referring case of, to Select Committee on Claims to Compensation ( <i>Mr. Nixon</i> ) ... ..	174				
Brown and Kelly, Sergeants—Motion respecting ( <i>Mr. Pope</i> )—Withdrawn	358				
Brunton, Thomas. See "St. Patrick's College."					
Bryant, Mr.—Appointment of Select Committee to enquire into claims of ( <i>Mr. Lalor</i> ) ... ..	112				
Substitution of name ... ..	216				
Buckley, Mr. P. C.—Petition from—Presented ... ..	131				
Appointment of Select Committee to enquire into allegations in ( <i>Dr. Hedley</i> ) ... ..	144				
Motion for Speaker's Warrant to bring a prisoner from Pentridge Stockade to give evidence ( <i>Dr. Hedley</i> ) ... ..	203				
Report brought up (D. 65) ... ..	370			1287	
Building Act Extension Bill—Initiated ... ..	127				
Burke and Wills—Report of Commissioners—Presented (No. 97) ...	163				819
<b>C.</b>					
Capital Convictions. See "Convictions."					
Castlemaine Election. See "Elections."					
Castlemaine and Sandhurst Water Supply. See "Water Supply."					
Cemeteries—Motion respecting burial of poor persons in, ( <i>Mr. Pope</i> )— Withdrawn ... ..	375				
Chapman, Mr. Justice—Motion respecting appointment of ( <i>Mr. Kyte</i> ) Negatived ... ..	160				
Charitable Institutions—Reply to question for copies of latest financial statements by—Presented (A. 47) ... ..	369		845		
Chief Medical Officer—Appointment of Select Committee upon duties of ( <i>Mr. Cohen</i> ) ... ..	112				
Report brought up (D. 48) ... ..	270			535	
Referred to Committee of Supply ( <i>Mr. Cohen</i> ) ... ..	289				
Report of—on the Sanitary Station for the year 1860—Presented (No. 9) ... ..	11				381
Return of Diseases for the year 1861—Presented (No. 112) ...	303				1089
Chinese Immigrants Act Amendment Bill—Initiated ... ..	117				
Church Act Amendment Bill—Initiated ... ..	152				
Civil Service—Message from Governor recommending appropriation for purposes of the Civil Service Bill (B. 2) ... ..	31		875		
Motion for going into Committee to consider resolutions ( <i>Mr. Heales</i> ) ... ..	45				
House in Committee ... ..	47				
Resolutions reported, agreed to, and Bill ordered ... ..	51				
Bill initiated ... ..	53				
Order for second reading discharged ... ..	84				
Message from the Governor recommending appropriation from Consolidated Revenue for gratuities and allowances to which officers of—may become entitled by law (B. 7) ... ..	99		957		

	VOTES.		PRINTED PAPERS.		
	Vol. I.		Vol. I.	Vol. II.	Vol. III.
	Page		Page	Page	Page
Civil Service—Motion for going into Committee to consider resolutions ( <i>Mr. O'Shanassy</i> ) ... ..	103				
House in Committee ... ..	105				
Resolutions reported and agreed to ... ..	114				
Bill (2) initiated ... ..	112				
Message to Legislative Council ordered, stating reasons for insisting on disagreeing in amendments ( <i>Mr.</i> <i>O'Shanassy</i> ) ... ..	376				
Colonial Wines—Motion for going into Committee to consider reso- lutions ( <i>Mr. Richardson</i> ) ... ..	88				
House in Committee; resolutions reported, agreed to, and Bill ordered ... ..	100				
Bill initiated ... ..	103				
Collingwood Drain—Motion for going into Committee to consider Address ( <i>Mr. Francis</i> ) ... ..	363				
Order for consideration in Committee discharged ... ..	377				
Common Schools Bill—Initiated ... ..	247				
Motion for second reading to take precedence of all business ( <i>Mr. Heales</i> ) ... ..	278				
Compensation, Claims for—Appointment of Select Committee ( <i>Mr.</i> <i>Haines</i> ) ... ..	163				
Report brought up (D. 62)... ..	358	...	1179		
Motion for considering same in Committee ( <i>Mr. Haines.</i> ) ... ..	363				
House in Committee; resolution reported, agreed to, and Address ordered ... ..	374				
Complaint—Complaint made by A. A. O'Connor, Esq., one of the Members for Grenville, of an article in the <i>Tribune</i> news- paper, printed and published by Henry John Turner, im- puting improper conduct to him—Paper handed in and paragraph read ... ..	199				
Henry John Turner ordered to attend the House ... ..	199				
Order for attendance discharged ... ..	202				
Complaint made by William Frazer, Esq., one of the Members for Creswick, of an article in the <i>Argus</i> newspaper, printed and published by George Dill, reflecting on him—Paper handed in and paragraph read ... ..	221				
George Dill ordered to attend the House ... ..	221				
Non-attendance of reported ... ..	231				
Motion—That George Dill is guilty of contempt and that he be sent for in custody of the Serjeant-at- Arms—( <i>Mr. Frazer</i> ) ... ..	231				
Attendance of George Dill and proceedings thereon ... ..	234				
Announcement by Mr. Speaker of service of writ of <i>habeas</i> <i>corpus</i> on Serjeant-at-Arms, at the suit of George Dill, and motion thereon ( <i>Mr. Ireland</i> ) ... ..	243				
Motion—That George Dill be allowed to go on parole ( <i>Mr. Ireland</i> ) ... ..	249				
Notification by the Serjeant that he had made return to writ ... ..	265				
Motion for enlarging parole of George Dill ( <i>Mr. Ireland</i> ) ... ..	270				
Motion for discharge of George Dill on payment of his fees ... ..	283, 289				
Notification of receipt of writ by Mr. Speaker and Serjeant-at-Arms at suit of George Dill, and motion thereon ... ..	303				
Copy of Government Shorthand Writer's Notes of the argument and judgment in the matter of George Dill, with Appendix, &c.—Presented (No. 125) ... ..	379	...	...	1439	
Consolidated Revenue Bill. See "Ways and Means".					
Consolidated Revenue Bill—(2). See "Ways and Means."					
Constitution Act, Schedule D, Part II.—Statement of Expenditure under—during and on account of 1860—Presented (No. 75)	99	...	...	641	
Similar Statement of Expenditure during 1860 on account of 1859—Presented (No. 76.) ... ..	99	...	...	645	
Contractors and Workmen Lien Bill—Initiated ... ..	160				
Conveyancers' Bill—Initiated ... ..	309				
Convictions, Capital—Reply to question for Return of—Presented (A. 7)	65	507			
Costello, Mr. Patrick. See Assembly, "Privilege."					
County Councils—Message from His Excellency the Governor, recom- mending appropriation from consolidated revenue for pur- poses of Bill (B. 3) ... ..	31	877			
Ordered to be considered ... ..	31				
Order discharged ... ..	84				
County Courts—Return of Fees paid in cases of appeals from—Pre- sented ... ..	125				
County Courts Act—Order in Council—Presented (No. 99) ... ..	91	...	...	937	
Proclamation creating a Court at Smythesdale—Presented (No. 114) ... ..	201	...	...	1111	
Proclamation transferring Court at Buckland to Morse's Creek— Presented (No. 115) ... ..	201	...	...	1113	
Courts of Petty Sessions. See "Petty Sessions." Criminals, Juvenile. See "Juvenile Prisoners." Statistics. See "Statistics."					
Crown—Claims against the — Return of actions commenced and defended—Presented ... ..	323				

	VOTES.	PRINTED PAPERS.		
	Vol. I.	Vol. I.	Vol. II.	Vol. III.
	Page	Page	Page	Page
<b>Crown Lands :</b>				
Alienated—Return of, for quarter ending 30th June, 1861—Presented (No. 45) ...	47	...	...	563
Return of, for quarter ending 30th September, 1861—Presented (No. 94) ...	139	...	...	805
Return of, for quarter ending 31st December, 1861—Presented (No. 120) ...	304	...	...	1401
Commons—Reply to question for returns respecting ( <i>Mr. Brodribb</i> ) ...	205			
Ordered to be printed (A. 28) ...	222	759		
Licenses for Occupation of—Motion respecting issue of ( <i>Mr. G. Duffy</i> ) ...	16, 17, 18, 19, 21, 23, 25			
Motion for Return of Memorials received in reference to ( <i>Mr. H. S. Chapman</i> ) ...	32			
Country Lands—Presented (No. 33) ...	23	...	...	473
(No. 44) ...	...	...	...	561
Graziers—Regulations respecting—on Gold Fields' Commons—Presented (No. 6.) ...	11	...	...	375
Additional Regulations—Presented (No. 68) ...	99	...	...	627
Pastoral—Motion respecting issue of ( <i>Mr. Brooke</i> )—Negatived ...	92			
Return showing the number and area of new Runs let and forfeited Runs re-let during each of the last six years—Presented (A. 16) ...	117	703		
Residence and Cultivation—Regulations respecting—Presented (No. 4) ...	11	...	...	371
(No. 46) ...	...	...	...	571
Memoranda respecting—Applications for, approved and rejected—Presented (A. 15) ...	105	695		
Reply to question for Return respecting—Presented (A. 9) ...	71	513		
Residence and Occupation—Motion respecting ( <i>Mr. Heales</i> )—Withdrawn ...	159			
Mining Leases—Regulations respecting—Presented (No. 32) ...	25	...	...	465
Offered for sale and unsold—Reply to question for Return of—Presented ...	121			
Proclamations of—Presented :				
Farmers' Commons ... (No. 1 a) ...				3
(No. 1 b) ...				5
(No. 23) ...				441
(No. 18) ...	11			431
(No. 17) ...				429
(No. 19) ...				433
(No. 29) ...	19			459
(No. 41) ...	49			525
(No. 61) ...				613
(No. 56) ...				601
(No. 57) ...	80			603
(No. 69) ...				629
(No. 72) ...				635
(No. 74) ...	87			639
(No. 71) ...				633
(No. 77) ...	99			649
(No. 80) ...				655
(No. 82) ...	105			721
(No. 89) ...	131			749
(No. 92) ...	165			801
(No. 98) ...				935
(No. 86) ...	179			741
(No. 102) ...				961
(No. 106) ...	217			979
(No. 107) ...	223			981
(No. 122) ...	358			1411
(No. 123) ...	369			1413
Prohibiting depasturing of Sheep on (No. 34) ...	49			477
Golds Fields' Common (No. 22) ...				439
(No. 20) ...				435
(No. 16) ...	11			427
(No. 12) ...				419
(No. 11) ...				417
(No. 27) ...	19			455
(No. 36) ...				481
(No. 37) ...	25			483
(No. 59) ...	80			607
(No. 73) ...	87			637
(No. 106) ...	217			979
(No. 107) ...	223			981
(No. 110) ...	274			1067
Respecting punishment of offences under Act—Presented (No. 35) ...	23			479
Towns Commons ... (No. 13) ...				421
(No. 14) ...				423
(No. 15) ...	11			425
(No. 21) ...				437
(No. 38) ...	23			485

	VOTES.		PRINTED PAPERS.		
	Vol. I.		Vol. I.	Vol. II.	Vol. III.
	Page		Page	Page	Page
<b>Crown Lands—Proclamations of—Presented:</b>					
Town Commons ... (No. 47) ... ..			{ ...	...	573
(No. 48) ... ..	49		{ ...	...	575
(No. 58) ... ..			{ ...	...	605
(No. 62) ... ..			{ ...	...	615
(No. 63) ... ..			{ ...	...	617
(No. 64) ... ..			{ ...	...	619
(No. 65) ... ..			{ ...	...	621
(No. 67) ... ..			{ ...	...	625
(No. 70) ... ..			{ ...	...	631
(No. 78) ... ..	105		{ ...	...	651
(No. 87) ... ..			{ ...	...	743
(No. 84) ... ..			{ ...	...	737
(No. 85) ... ..	129		{ ...	...	739
<b>Sale and Occupation Bill—Initiated</b> ... ..	85				
Map—Letter from Surveyor-General to Commissioner of Lands and Survey respecting—Presented (A. 45) ...	358		839		
Message from His Excellency the Governor recommend- ing appropriation from Consolidated Revenue for Im- migration under (B. 10) ... ..	131		1035		
Ordered to be considered in Committee ... ..	131				
House in Committee ... ..	206				
Resolution reported and agreed to ... ..	211				
Message from His Excellency recommending appropriation for Railway purposes, for expenditure on main Roads and Bridges, and in aid of District Boards under—Pre- sented (B. 13) ... ..	223		1041		
Motion for taking same into consideration ( <i>Mr.</i> <i>Francis</i> ) ... ..	224				
Notification from Clerk of Parliaments of clerical errors in Considered and agreed to ... ..	354				
Selection of allotments—Regulations respecting—Presented (No. 26) ... ..	11				453
"                                  "                                  " Statement of amount of Monies under, refunded to squatters during 1862—Presented ... ..	14				
Ditto to occupants of runs—Presented (No. 121) ...	274				
Customs Laws Amendment Bill—Initiated ... ..	313				1409
Message from Legislative Council requesting appointment of Committee to confer on amendment made by Council in ... ..	117				
Motions thereon ( <i>Mr. Anderson</i> ) ... ..	252				
	252, 270, 280				
D.					
Deaf, Dumb and Blind Children—Correspondence respecting—Presented (A. 33) ... ..	265		777		
Death—Punishment of—Abolition Bill. <i>See</i> "Punishment." Defence Commission—Reply to question for copies of correspondence with His Excellency the Governor—Presented (A. 22) ...	121		741		
Deputations—Motion for Return of ( <i>Mr. McCann</i> )—Negatived ...	141				
Deserted Children Protection Bill—Initiated ... ..	6				
Destitute Persons—Erection of Sheds for—Motion for going into Com- mittee to consider Address ( <i>Mr. L. J. Smith</i> )—Negatived ...	277				
Diana—Reply to question for copies of Correspondence relating to— Presented ... ..	233				
Dill, Mr. George. <i>See</i> "Complaint." Distillation—Motion for going into Committee to consider resolutions... House in Committee ... ..	185, 192				
Resolutions reported, agreed to (with amendments), and Bill ordered ... ..	206				
Bill initiated ... ..	238				
Divorce Act Amendment Bill—Initiated ... ..	241				
Divorce and Matrimonial Causes Act—Rules and Regulations of the Supreme Court relating to proceedings under—Presented (A. 2) ... ..	58				
Drainage—Motion for leave to introduce Bill to regulate— on the Gold- fields ( <i>Mr. Denovan</i> )—Withdrawn ... ..	47		459		
Drainage of Quartz Reef's Bill. <i>See</i> "Quartz Reefs." Dromana Jetty—Motion for going into Committee to consider Address ( <i>Mr. McCulloch</i> ) ... ..	246				
Order discharged ... ..	312				
	344				
E.					
East Collingwood—Petition from Municipal Council of—praying for leave to suspend Standing Orders and to introduce a Bill for the Improvement of the District ... ..	97				
Motion thereon ( <i>Mr. Don</i> )... ..	126				
Bill initiated ... ..	145				
Referred to Select Committee... ..	238				
Special Report, by leave, brought up ... ..	259				
Second Special Report, by leave, brought up ... ..	270				
Third Report brought up ... ..	353				
Resolutions adopted as Standing Orders ( <i>Mr. Don</i> ) ... ..	367		1397		
Governor's assent reported ... ..	379				

	PRINTED PAPERS.			
	VOTES.	Vol. I.	Vol. II.	Vol. III.
	Page	Page	Page	Page
<b>Education.</b> See also "Common Schools" and "Primary Schools."				
Carlton Presbyterian School—Reply to Question for Copies of Correspondence respecting—Presented ... ..	80			
National School Board—Eighth Report of Commissioners for the Year 1860-61—Presented (No. 81) ... ..	173	...	...	657
Rule—Presented (No. 113) ... ..	251	...	...	1109
Schools—Motion for returns respecting ( <i>Mr. Pope</i> ) ... ..	257			
School Boards—Reply to Question for copy of opinion of Law Officers respecting power of Denominational Board in reference to vote—Presented (A. 4) ... ..	21	475		
<b>Edwards, Charlotte</b> —Motion for referring Petition from—to Select Committee on Gold Prospectors ( <i>Mr. Frazer</i> ) ... ..	207			
<b>Elections</b> —Mornington—Notification by Mr. Speaker of receipt by Clerk of Subpœna to give evidence before Supreme Court ... ..	13			
Motion thereon ( <i>Mr. Aspinall</i> )—Withdrawn ... ..	13			
Similar Motion ... ..	16			
North Grenville—Notification by Mr. Speaker of receipt by Clerk of Subpœna to attend and give evidence at Supreme Court ... ..	111, 221			
Motions thereon ... ..	111, 221			
North Melbourne—Notification by Mr. Speaker of receipt by Clerk of a Subpœna to attend and give evidence at Supreme Court ... ..	15, 111			
Motions thereon ... ..	17, 18, 81, 111			
<b>Elections and Qualifications Committee</b> —Mr. Speaker's Warrant appointing—Laid on the Table ... ..	14, 15, 17			
Members sworn ... ..	19, 85			
Warrant reappointing Mr. Ireland—Laid on the Table ... ..	85, 87, 91			
Castlemaine Election—Petition from R. B. Tucker, complaining of Return of James Chapman—Presented ... ..	17			
Referred to Committee ... ..	23			
Report brought up (D. 7) ... ..	61	...	27	
Service of Subpœna on Clerk in case of <i>Kenney v. Chapman</i> notified by Mr. Speaker ... ..	53			
Leave given for Clerk to attend ... ..	53			
<b>East Bourke Election</b> —Petition from John Lewis, complaining of Election of George Kirk—Presented ... ..	38			
Referred to Committee ... ..	40			
Withdrawn ... ..	125			
Petition from J. M. Tompkins complaining of Election—Presented ... ..	40			
Referred to Committee ... ..	41			
Withdrawn ... ..	44			
<b>Murray Election</b> —Petition from John Orr complaining of Return of David Reid ... ..	36			
Referred to Committee ... ..	38			
Resolution from Committee (D. 39) ... ..	223	...	397	
Order for considering same—Lapsed ... ..	242			
Resolutions from Committee brought up (D. 43) ... ..	251	...	489	
Additional Resolution brought up (D. 44) ... ..	251	...	515	
Motion thereon ... ..	251			
Considered ... ..	257			
Further consideration—Lapsed... ..	282			
Petition from Alfred Chenery complaining of the Election for the Murray—Presented ... ..	43			
Referred to the Committee ... ..	44			
Withdrawn ... ..	265			
<b>North Melbourne Election</b> —Petition from John Sinclair, complaining of undue return of Patrick Costello—Presented ... ..	27			
Referred to Committee ... ..	30			
Petition from Michael Fitzgerald, complaining of Election ... ..	42			
Referred to Committee ... ..	43			
Withdrawn ... ..	44			
Report from Committee brought up (D. 8) ... ..	67	...	43	
<b>Sandhurst Election</b> —Petition from R. F. Howard, complaining of Return of Jas. Joseph Casey—Presented ... ..	33			
Referred to Committee ... ..	35			
Petition from Michael Herbert, praying that Election may be declared void—Presented ... ..	35			
Referred to Committee ... ..	36			
Resolutions from Committee brought up (D. 32) ... ..	192	...	255	
<b>Registration</b> —Motion for Select Committee to enquire into and report upon present mode of conducting ( <i>Dr. Owens</i> )—Elected by ballot ... ..	49			
Motion for leave to bring up Progress Report ( <i>Dr. Owens</i> ) ... ..	87			
Progress Report brought up (D. 13) ... ..	87	...	65	
Report considered, and Motion thereon—Negatived ... ..	93			
Electoral Act Suspension Bill—Initiated ... ..	105			
<b>Electric Telegraph</b> —Report of General Superintendent for the Year 1861—Presented (No. 111) ... ..	233	...	...	1069
Equity Jurisdiction Bill—Initiated ... ..	140			
<b>Experimental Farm</b> —Motion for Copy of Correspondence ( <i>Mr. Frazer</i> ) ... ..	88			
Return ... ..	91			
Appointment of Select Committee ... ..	96			
Motion for attendance of the Honorable W. H. F. Mitchell before the Committee ... ..	284			
Report brought up (D. 57) ... ..	321	...	1015	

	VOTES.		PRINTED PAPERS.		
	Vol. I.	Page	Vol. I.	Vol. II.	Vol. III.
<b>Exploring Expedition—Motion expressive of sympathy for death of Messrs. Burke and Wills (<i>Mr O'Shanassy</i>)</b> ...	68				
<b>Letter from Commander Norman, reporting return of H.M.S.S. <i>Victoria</i> from Gulf of Carpentaria, with Reports, &amp;c.—Presented (No. 108)</b> ...	221		...	...	983
<b>Report of Commander Norman, together with a copy of his Journal, on the late Expedition to the Gulf of Carpentaria (No. 109)</b> ...	243		...	...	1035
F.					
<b>Federal Union of Australian Colonies—Copy of Letter from Colonial Secretary, Tasmania, on the subject of—Presented (A. 34)</b> ...	289		779		
<b>Appointment of Select Committee (<i>Mr. G. Duffy</i>)</b> ...	299				
<b>Report brought up (D. 64)</b> ...	370		...	1283	
<b>Considered and motion thereon (<i>Mr. G. Duffy</i>)</b> ...	370				
<b>Message from the Legislative Council returning resolution, and suggesting amendment therein</b> ...	377				
<b>Fisheries Acts—Appointment of Select Committee (<i>Mr. L. L. Smith</i>)</b> ...	49				
<b>Motion for referring Petitions presented from certain Oyster-Dredgers, and from Retailers of Oysters in Victoria to Committee (<i>Mr. L. L. Smith</i>)</b> ...	103				
<b>Report brought up (D. 28)...</b> ...	179		...	227	
<b>Fisheries Act Amendment Bill—Initiated</b> ...	203				
<b>Friendly Societies—Return of, registered during the year 1861—Presented (No. 90)</b> ...	151		...	...	751
G.					
<b>Game Preservation Bill—Initiated</b> ...	59				
<b>Geelong Junction Railway. See "Railway Loan."</b> ...					
<b>Geological Survey—Report for the year 1861—Presented (A. 43)</b> ...	309		803		
<b>Gipps Land Revenue—Motion for Return of (<i>Dr Mackay</i>)</b> ...	100				
<b>Return</b> ...	361				
<b>Glenlyon Road Board District. See "Roads."</b> ...					
<b>Gold Department—Motion respecting appointment of Responsible Minister (<i>Mr. McLellan</i>)—Negatived</b> ...	126				
<b>Export Duty Act Amendment Bill (<i>Mr. Sullivan</i>)—Initiated</b> ...	25				
<b>Order for second reading discharged</b> ...	84				
<b>Initiated (<i>Mr. McLellan</i>)</b> ...	112				
<b>(2) (<i>Mr. Haines</i>)</b> ...	121				
<b>Export Duty Exemption Bill—Initiated</b> ...	170				
<b>Message to Legislative Council, asking for return of Bill sent in error</b> ...	202				
<b>Message returning Bill</b> ...	202				
<b>Fields Act—Orders in Council—Presented:</b> ...					
(No. 1) ...	6		...	...	1
(No. 24) ...	6		...	...	443
(No. 5) ...	6		...	...	373
(No. 7) ...	6		...	...	377
(No. 8) ...	6		...	...	379
(No. 24) ...	6		...	...	443
(No. 28) ...	13		...	...	457
(No. 30) ...	13		...	...	461
(No. 31) ...	15		...	...	463
(No. 40) ...	44		...	...	523
(No. 43) ...	44		...	...	553
(No. 66) ...	79		...	...	623
(No. 79) ...	105		...	...	653
(No. 88) ...	131		...	...	745
(No. 95) ...	151		...	...	813
(No. 93) ...	151		...	...	803
(No. 96) ...	179		...	...	815
(No. 101) ...	179		...	...	959
<b>Discoverers of—Motion for going into Committee to consider Address (<i>Mr. Denovan</i>)</b> ...	108				
<b>House in Committee</b> ...	114				
<b>Resolution reported and agreed to, and Address ordered</b> ...	123				
<b>Disputes on—Reply to question for Return of—Presented</b> ...	139				
<b>Management Bill—Initiated</b> ...	53				
<b>Act Amendment Bill—Initiated</b> ...	311				
<b>Reservoirs—Motion for going into Committee to consider Resolutions (<i>Mr. Humffray</i>)</b> ...	45				
<b>House in Committee</b> ...	48				
<b>Resolutions reported, agreed to, and Bill ordered</b> ...	51				
<b>Mining Leases Bill—Initiated</b> ...	179				
<b>Mining on Private Property—Motion respecting (<i>Mr. Weeks</i>)</b> ...	375				
<b>Withdrawn</b> ...	96				
<b>Prospectors—Appointment of Select Committee (<i>Mr. McLellan</i>)</b> ...	299				
<b>Motion that evidence taken in 1854 be referred to Committee (<i>Mr. McCann</i>)</b> ...	99		709		
<b>Revenue—Reply to question for amount of, from October, 1851, to present date—Presented (A. 18)</b> ...	99				
<b>Statistical Returns respecting. See "Municipal Councils."</b> ...	183		...	...	939
<b>Statistics—Return of—for 1861—Presented (No. 100)</b> ...	183				

	VOTES. — Vol. I.	PRINTED PAPERS.		
		Vol. I.	Vol. II.	Vol. III.
	Page	Page	Page	Page
Goulburn and Yarra District—Motion for going into Committee to consider Address ( <i>Dr. Owens</i> ), and House in Committee ...	376			
Resolution reported, agreed to, and Address ordered ...	379			
Government Employés in Hobson's Bay—Reply to question for Return of—Presented ...	201			
Governor's Salary Reduction Bill—Initiated ...	224			
Government Shorthand Writer—Reply to question for Copies of Correspondence with the Government upon the subject of the Estimates for 1862—Presented (A. 21) ...	121	735		
H.				
Hawkers Act Amendment Bill—Initiated ...	112			
Hawthorn Bridge—Motion for going into Committee to consider Address ( <i>Mr Francis</i> ) ...	356			
Order discharged ...	377			
Health Officer—Report for the year ending 31st December, 1861 (No. 83)	251			723
Hennelle, Mr. Geo.—Appointment of Select Committee to enquire into case of ( <i>Mr. Chapman</i> ) ...	100			
Report brought up (D. 34) ...	205		321	
Motion for considering same in Committee ( <i>Mr. Kyte</i> ) ...	247			
House in Committee ...	377			
Resolutions reported and agreed to and Address ordered	379			
Hinds, W.—Appointment of Select Committee to consider claim to compensation ( <i>Mr. Woods</i> ) ...	123			
Resolution rescinded ...	135			
Hines, Mr. G. B.—Appointment of Select Committee to enquire into claim of—to compensation ...	135			
Report brought up (D. 38) ...	217		373	
Motion for going into Committee to consider Report ( <i>Mr. Woods</i> )	242			
Order discharged ...	377			
Horticultural Society—Motion for going into Committee to consider Address ( <i>Mr. O'Grady</i> ) ...	308			
I.				
Immigration—Returns relating to—Presented (A. 13) ...	76	691		
" " (A. 14) ...	91	693		
" " (A. 29) ...	233	767		
Report of—and Emigration during 1861 (No. 124) ...	369			1415
Impounding Prevention Bill—Initiated ...	63			
Imprisonment for Debt Limitation Bill—Initiated ...	293			
Industrial and Reformatory Schools. See "Schools."				
Injuries Bill—Initiated ...	271			
Insolvency Laws—Appointment of Select Committee to enquire into ( <i>Mr. Levi</i> ) ...	32			
Evidence taken last Session referred to Committee ...	32			
Motion for leave to sit during recess ( <i>Mr. Levi</i> ) ...	77			
Report brought up (D. 14) ...	91		69	
Motion for taking same into consideration ...	112			
House in Committee ...	145			
Resolutions reported, agreed to, and Address ordered ...	150			
Bill initiated ...	160			
Message from His Excellency recommending appropriation under (B. 14) ...	224	1043		
Inspector of Pounds. See "Pounds."				
Inventors Rights Protection Bill—Initiated ...	21			
Ireland, Mr. R. D.—Motion for copies of Correspondence with His Excellency the Governor relating to Pension of ( <i>Mr. Heales</i> ) —Negatived ...	111			
J.				
Judges of County Courts, &c.—Motion for going into Committee to consider resolutions ( <i>Mr. Mollison</i> ) ...	246			
Order discharged ...	377			
Justices Law Administration Bill—Initiated ...	76			
Juvenile Prisoners—Reply to question for Return of—Presented (A. 19)	115	711		
Motion for printing Returns ( <i>Mr. Weeks</i> ) ...	144			
K.				
Kent—H.R.H. Duchess of—Copy of Despatch acknowledging receipt of certain Addresses to Her Majesty upon occasion of death of —Presented (No. 50) ...	61			577

	VOTES.	PRINTED PAPERS.		
		Vol. I.	Vol. II.	Vol. III.
		Page	Page	Page
<b>L.</b>				
Lands Titles Registration Bill—Initiated ... ..	169			
Lands Titles Registration Bill (2)—Initiated ... ..	179			
Library (Joint) Committee appointed ... ..	12			
Addition of name ... ..	97			
First Report brought up (D. 29) ... ..	184	...	245	
Licensed Publicans Acts Amendment Bill (2)—Initiated ... ..	284			
Public Houses—Motion for going into Committee to consider				
Resolutions ... ..	327			
House in Committee ... ..	327			
Report brought up, agreed to, and Bill ordered ... ..	327			
Bill initiated ... ..	327			
Victuallers Acts—Motion for going into Committee to consider				
Resolutions ( <i>Mr. Edwards</i> ) ... ..	63			
House in Committee, Resolutions reported, agreed to, Bill				
ordered and initiated ... ..	72			
Motion for reference to Select Committee ( <i>Mr. Edwards</i> )				
—Withdrawn ... ..	158			
Referred to Select Committee elected by ballot ... ..	164			
Motion for leave to send for persons and papers ( <i>Mr.</i>				
<i>Edwards</i> ) ... ..	174			
Motion for leave to sit on Saturdays and Mondays ( <i>Mr.</i>				
<i>Edwards</i> ) ... ..	209			
Licensing Acts Amendment Bill—Initiated ... ..	141			
Lindsay, Mr. H. S.—Motion for copies of contract, &c., entered into by				
Survey Department with—( <i>Mr. Service</i> ) ... ..	186			
Return ... ..	186			
Motion for appointment of Select Committee to consider case of				
( <i>Dr. Mackay</i> )—Negatived ... ..	301			
Lunatic Asylum, Yarra Bend—Appointment of Select Committee ( <i>Mr.</i>				
<i>Don</i> ) ... ..	50			
Addition of names ( <i>Mr. Mollison</i> ) ... ..	84, 97			
Motion for leave to bring up Progress Report ( <i>Mr. Heales</i> )				
Progress Report brought up (D. 27)... ..	174			
Second Progress Report brought up (D. 31) ... ..	174	...	223	
Considered and resolution agreed to ... ..	189	...	251	
Third Progress Report, by leave, brought up (D. 41) ... ..	282			
Final Report brought up (D. 50) ... ..	231	...	403	
Reply to question for Return of Patients received into—		...	569	
Presented ... ..	243			
<b>M.</b>				
McLachlan, Mr. A.—Motion for going into Committee to consider				
Address ( <i>Mr. Francis</i> )... ..	364			
Order discharged ... ..	377			
Mail Service <i>See</i> "Postal Service."				
Main Murray Road, Sandhurst. <i>See</i> "Sandhurst."				
Malmsbury Municipality—Reply to question for copy of Petition from				
certain inhabitants, praying for erection of township into				
Municipality, and also of counter Petition, &c —Presented	73			
Malmsbury Railway Station. <i>See</i> "Railways."				
Markets Bill—Initiated ... ..	184			
Medical Practitioners Bill—Initiated ... ..	51			
Unregistered — Motion for Return of certificates granted by				
( <i>Mr. L. L. Smith</i> ) ... ..	126			
Melbourne and Geelong Corporations Acts—Petition from Mayor, Alder-				
men, Councillors, and Citizens of City of Melbourne and				
Town of Geelong—for leave to introduce Bill to amend— ...	73			
From same—For leave to suspend Standing Orders and to bring				
in Bill to amend the Corporations Acts ... ..	80			
Motion for suspension of Standing Orders ( <i>Mr. Bennett</i> ) ... ..	88			
Amendment Bill—Initiated ... ..	88			
Referred to Select Committee elected by ballot ... ..	109			
Report brought up ... ..	163	...	1315	
Message from Legislative Council applying for copies of				
Report and Proceedings of Committee on Melbourne				
and Geelong Corporations Acts Amendment Bill ... ..	374			
Ordered to be communicated ... ..	374			
Melbourne and Hobson's Bay Railway. <i>See</i> "Railways."				
Melbourne Police Office—Motion for going into Committee to consider				
Address ( <i>Mr. Cohen</i> ) ... ..	319			
Order discharged ... ..	366			
Messages from the Governor—Recommending an Appropriation from				
the Consolidated Revenue for the purposes of the Deserted				
Children Protection Bill (B. 1) ... ..	30	873		
Recommending an Appropriation from the Consolidated Revenue				
for the purposes of the Civil Service Bill (B. 2) ... ..	31	875		
Recommending an Appropriation from the Consolidated Revenue				
for the purposes of the County Councils Bill (B. 3) ... ..	31	877		
Stating that the Estimates of Revenue and Expenditure for 1862				
will be prepared and laid on the Table immediately (B. 4)... ..	45	879		



	VOTES.	PRINTED PAPERS.		
	Vol. I.	Vol. I.	Vol. II.	Vol. III.
	Page	Page	Page	Page
Messages from the Governor—Transmitting Estimates of Expenditure for 1862 (B. 5) ... ..	55	881		
Transmitting Supplementary Estimates for 1861 (B. 6) ... ..	72	947		
Recommending an Appropriation from the Consolidated Revenue for the requirements of the Bill to regulate the Civil Service (B. 7) ... ..	99	957		
Reply to Address of the Legislative Assembly with reference to the conditions under which retiring Responsible Ministers ought to be entitled to Pensions (B. 8) ... ..	103	959		
Transmitting substituted Estimates for 1862 and Additional Supplementary Estimates for 1861 (B. 9) ... ..	107	961		
Recommending Appropriation from Consolidated Revenue to provide Assisted Immigration under Bill to amend the Crown Lands Sales Act (B. 10) ... ..	131	1035		
Recommending Appropriation from Consolidated Revenue for the purposes of the Real Property Bill (B. 11) ... ..	184	1037		
Notifying receipt of Despatch from Secretary of State confirming intelligence of death of H. R. H. the Prince Consort (B. 12) ... ..	187	1039		
Recommending Appropriation out of the Consolidated Revenue, under the Crown Lands Sale and Occupation Bill, for repayment of the Railway Loan for Expenditure on Main Roads and Bridges and in aid of Local Boards (B. 13) ... ..	223	1041		
Recommending Appropriation out of the Consolidated Revenue for the purposes of the Insolvency Bill (B. 14) ... ..	224	1043		
Transmitting Estimates of Expenditure for Salaries, in substitution of previous Estimates (B. 15) ... ..	283	1045		
Transmitting Additional Estimates of Expenditure for 1862, and further Supplementary Estimates for 1861, and recommending Appropriation (B. 16) ... ..	313	1099		
Recommending the advance of sums not exceeding £300,000, out of sums raised under the Railway Loan Act of 1857, for repairing Railway from Melbourne to Geelong, and for forming a junction line and a deviation line, and for other purposes in connection therewith (B. 17) ... ..	323	1113		
Transmitting Further Additional Estimates for 1862, and recommending Appropriation (B. 18)... ..	325	1115		
Transmitting Further Additional Estimates for 1862, and recommending Appropriation (B. 19) ... ..	344	1119		
Transmitting Further Additional Estimates for 1862, and recommend Appropriation (B. 20) ... ..	347	1123		
Messages from the Legislative Council—Informing that they have agreed to Inventors Rights Protection Bill ... ..	31			
Requesting that leave might be given to the Honorable J. B. Humfray to give evidence before the Select Committee on the Ballaarat Court of Mines ... ..	55			
Transmitting Weights and Measures Bill and Justices Law Administration Bill and requesting concurrence therein ... ..	75			
Notifying agreement in Statutes Construction Bill ... ..	96			
Notifying adoption of Progress Report of Joint Committee on the Refreshment Rooms ... ..	97			
Requesting leave to be given to the Honorables J. B. Humfray, J. M. Grant, and Mr. Edwards, and Mr. Gray, to attend and give evidence before Select Committee on Barristers' Admission Bill ... ..	151			
Transmitting Church Act Amendment Bill and requesting concurrence therein ... ..	152			
Notifying agreement in Chinese Immigrants Act Amendment Bill ... ..	165			
Notifying agreement in Second Progress Report of Joint Committee on the Refreshment Rooms ... ..	165			
Requesting copies of Report and Proceedings of the Select Committee on the Melbourne and Suburban Railway Sale Bill ... ..	183			
Informing of agreement in Passengers Act Amendment Bill ... ..	184			
Informing of agreement in Melbourne and Suburban Railway Sale Bill ... ..	186			
Informing that they had agreed to an Address of Condolence to Her Majesty on the death of the Prince Consort before receipt of Message from Legislative Assembly ... ..	197			
Returning Gold Export Duty Exemption Bill, sent in error ... ..	202			
Returning Customs Act Amendment Bill, with amendments ... ..	217			
Transmitting Anatomy Bill ... ..	233			
Notifying agreement in Gold Export Duty Act Amendment Bill ... ..	241			
Returning Real Property Bill with amendments ... ..	245			
Returning Customs Act Amendment Bill and pointing out a clerical error made by Council ... ..	246			
Returning Electoral Act Suspension Bill with amendments ... ..	246			
Notifying agreement in Pleuro-Pneumonia Act Amendment Bill ... ..	247			
Requesting appointment of Committee to confer with the Committee of the Council upon the Customs Laws Amendment Bill ... ..	252			
Notifying agreement in Governor's Salary Reduction Bill ... ..	270			
Returning Bills of Sale Bill with amendments ... ..	274			
Returning Scab in Sheep Act Amendment Bill with amendments ... ..	274			
Informing that leave had been granted to the Honorable T. H. Fellows to attend the Select Committee of the Assembly on Pensions ... ..	274			

	VOTES.		PRINTED PAPERS.		
	Vol. I.		Vol. I.	Vol. II.	Vol. III.
	Page		Page	Page	Page
<b>Messages from the Legislative Council—Notifying agreement in Gold Export Duty Exemption Bill</b> ... ..	295				
Informing that they do not intend to insist upon their Amendments in Customs Act Amendment Bill, and stating reasons	305				
Returning Injuries Bill with an amendment ... ..	318				
Returning Aliens Bill with amendments ... ..	318				
Notifying agreement in Consolidated Revenue Bill ... ..	318				
Notifying agreement in Crown Lands Sale and Occupation Bill...	318				
Returning Civil Service Bill with amendments ... ..	357				
Returning Preferable Lien on Crops Bill with amendments ...	357				
Returning Distillation Bill with an amendment ... ..	357				
Returning Mining Leases Bill with an amendment ... ..	361				
Returning Fisheries Act Amendment Bill with amendments ...	361				
Notifying agreement in Common Schools Bill ... ..	372				
Notifying agreement in Railway Loan Bill ... ..	372				
Applying for copies of Report and Proceedings of Committee on Melbourne and Geelong Corporations Acts Amendment Bill	374				
Notifying agreements in amendment of Legislative Assembly in Weights and Measures Bill ... ..	374				
Notifying agreement in amendments of Legislative Assembly in Church Act Amendment Bill ... ..	374				
Notifying agreement in Appropriation Bill ... ..	374				
Notifying agreement in amendments of Legislative Assembly in Justices Law Administration Bill ... ..	375				
Returning Civil Service Bill, and informing that they insist upon some amendments made by them, but do not insist upon others ... ..	376				
Returning resolution on the subject of Federal Union and suggesting amendment therein ... ..	377				
Notifying that they no longer insist upon their amendments in Civil Service Bill ... ..	377				
Notifying assent to Licensed Public Houses Bill, Quartz Reefs Drainage Bill, Medical Practitioners Bill, and Opium Duties Bill ... ..	379				
Notifying agreement in amendments of Legislative Assembly in Anatomy Bill ... ..	379				
Notifying agreement in Game Preservation Bill ... ..	379				
<b>Military.</b> See also "Defence Commission."					
Reply to question for Copy of Correspondence and Returns respecting—Presented (A. 20) ... ..	117	731			
Pay—Motion for Address for Copies of Despatches from the Imperial Government respecting ( <i>Mr. Levey</i> ) ... ..	126				
Return (A. 23) ... ..	139	745			
Reply to question for returns respecting ... ..	183				
<b>Military and Naval Forces—Appointment of Select Committee (<i>Mr. Loader</i>)</b> ... ..	140				
Report brought up (D. 63)... ..	370	...	1215		
Stores—Reply to question of <i>Mr. Loader</i> for Return of—Presented	135				
<b>Mines—District Court of—Proclamation establishing—at Morse's Creek Presented (No. 116)</b> ... ..	201	...	...	1115	
Mining Commission—Motion for appointment of ( <i>Mr. Humffray</i> ) ...	375				
Mining and Geological Departments—Part reply to question for copy of Report of Board appointed to inquire into working of ...	279				
Mining on Private Property Bill—Initiated ... ..	278				
Mint. See "Royal Mint."					
Mollison street Bridge, Kyneton. See "Railways."					
Mornington Election. See "Elections."					
Municipal Districts—Gold Fields and Towns—Motion for Statistical Returns respecting ( <i>Dr. Owens</i> ) ... ..	126				
Municipalities Act—Motion for leave to introduce Bill to amend ( <i>Mr. Wood</i> ) ... ..	237				
N.					
Newspapers Bill—Initiated ... ..	248				
Order for Second Reading—Lapsed ... ..	301				
Motion for restoring same to Paper ( <i>Mr. Frazer</i> ) ... ..	312				
North Melbourne Election. See "Elections."					
O.					
Occupation Licenses. See "Crown Lands."					
Officials in Parliament Act—Copy Despatch from Secretary of State and enclosures relative to—Presented (A. 5) ... ..	27	477			
Officials in Parliament Act Amendment and Repeal Bill—Initiated ...	45				
Opium Duties—Motion for going into Committee to consider Resolutions ( <i>Mr. Anderson</i> ) ... ..	345				
House in Committee ... ..	353				
Resolutions reported, agreed to, and Bill ordered ... ..	359				
Bill Initiated ... ..	359				
Ovens Gold Field Water Company—Service of subpoena on Clerk notified by <i>Mr. Speaker</i> ... ..	49				
Clerk ordered to attend ... ..	49				
Similar notification and order ... ..	57				
Oyster Fisheries Act Amendment Bill—Initiated ... ..	257				

	PRINTED PAPERS.			
	VOTES.	PRINTED PAPERS.		
	Vol. I.	Vol. I.	Vol. II.	Vol. III.
	Page	Page	Page	Page
P.				
Parliamentary Agents. <i>See</i> "Assembly."				
Parliament Buildings—(Joint)—Committee appointed ... ..	12			
Addition of names ... ..	97, 156			
Report brought up (D. 47) ... ..	261	...	531	
Resolutions thereon considered, and Report referred back to Committee ... ..	279			
Parliamentary Electors. <i>See</i> Registration.				
Passengers Act Amendment Bill—Initiated ... ..	118			
Peck, Mr. W. H.—Motion referring Petition of—To Committee on Claims to compensation ( <i>Mr. Edwards</i> ) ... ..	275			
Pensions—Motion for Address to His Excellency the Governor in reference to Regulations for granting ( <i>Mr. Heales</i> ) ... ..	87			
Message in reply (B. 8) ... ..	103	959		
Bill—Initiated ... ..	87			
Motion for appointment of Committee to consider question of rights of responsible Ministers to Pensions ( <i>Mr. Wood</i> ) ... ..	113			
Motion for leave to call for persons and papers ( <i>Mr. Levi</i> ) ... ..	150			
Motion for reducing quorum ( <i>Mr. Wood</i> ) ... ..	165			
Addition of names ... ..	185			
Motion for Message to Council requesting attendance of the Hon. T. H. Fellows ... ..	251			
Message from Legislative Council acquainting Assembly that leave had been given ... ..	274			
Report brought up (D. 56) ... ..	313	...	965	
PETITIONS presented from—				
<i>Aliens Bill</i> —				
Certain German Residents at Tarrangower, suggesting amendment in Clause IV. of— ... ..	179			
Certain Inhabitants of Melbourne ... ..	187			
<i>Banks (Joint Stock)</i> —				
Representatives of—in Victoria, praying the House not to pass any Act to tax Bank Notes ... ..	121			
From same, praying to be heard at the Bar of the House against the proposed Bill to impose a tax on Bank Notes ... ..	129			
From same, praying the House not to sanction any further increase of Expenditure; and if tax is necessary to impose a Stamp Tax upon all Contracts or Transactions Referred to Committee of the whole on "Tax on Bank Notes Bill" ... ..	143			
... ..	156			
<i>Beechworth</i> —Farmers, Dairymen, and Others, owning Cattle in the neighbourhood of Beechworth, Stanley, Chiltern, and Rutherglen, praying for redress of grievances ... ..	80			
<i>Buckley, Patrick Coady</i> —Of Gippsland, praying the House to take his case into consideration ... ..	131			
Common Schools Bill. <i>See</i> "Education."				
CROWN LANDS SALES ACT—				
<i>Commons</i> —				
Certain Dairymen, Farmers, Miners, Tradesmen, &c., resi- dent in the agricultural and mining divisions of Beech- worth, in reference to ... ..	215			
Certain Farmers at Little River and Duck Ponds, praying the House to take steps to confirm rights of Petitioners to exclusive use of—and asking for power for Board to expend money for eradication of Thistles ... ..	174			
<i>Occupation Licenses (in favor of)</i> —				
Certain Farmers and Landowners in the district of Little River ... ..	16			
Certain Landowners and Occupiers in the parish of Mode- warre, South Grant ... ..	23			
Joseph Clarke, Chairman of meeting of Inhabitants of Kyneton and neighborhood ... ..	27			
Certain Farmers, Landholders, and other Inhabitants of town and district of Kyneton ... ..	27			
<i>Against Occupation Licenses</i> —				
Certain Farmers and Landowners of the district of Kyneton ... ..	21			
<i>Sale and Occupation Bill</i> —				
John Greeves, Chairman of public meeting at Warrnambool, praying the House to provide in the Bill for the reser- vation of blocks of land for Educational purposes ... ..	191			
Certain Graziers, Dairymen, Storekeepers, and others, at Kingower, Moliagul, and McIntyre's, praying the House to refuse assent to Bill unless it gives free selection before survey, and other advantages ... ..	151			
Certain Inhabitants of Brown's and vicinity ... ..	159			
Certain Inhabitants of Smythesdale ... ..	159			
Certain Miners, Tradesmen, &c., of Jericho ... ..	163			
Certain other Inhabitants of Smythesdale ... ..	163			
Certain Inhabitants of Richmond ... ..	173			
Certain Tradesmen, Farmers, Miners, &c. of Welch- man's Reef, Maldon ... ..	185			

} Similar prayer

PETITIONS presented from—	VOTES. — Vol. I.	PRINTED PAPERS.		
		Vol. I.	Vol. II.	Vol. III.
		Page	Page	Page
<b>CROWN LANDS—</b>				
<i>Sale and Occupation Bill—</i>				
Samuel Gordon, of Lonsdale street, Melbourne, praying the House to reject the provisions in the Bill in reference to the Squatters ... ..	151			
M. O'Malley and others, in favor of introduction of a clause to give pre-emption to occupants of twenty-acre allotments ... ..	151			
James Young, President and Chairman of the Bacchus Marsh and Pentland Hills Agricultural Society, praying the House speedily to pass a Land Bill embodying certain principles set forth in the Petition ... ..	80			
Certain Farmers and Landowners of Little River and Duck Ponds, praying the House to assimilate the Crown Lands Bill to that passed in New South Wales ... ..	173			
A. Rodgers, Chairman of Municipal Council of Beechworth, praying the House to make provisions in the Bill for commonage for Beechworth and townships similarly situated ... ..	223			
<i>Cunningham, James</i> , praying the House to grant a Committee to enquire into his case ... ..	131			
<i>Davis, Richard</i> , praying the House to fulfil the promise of reward referred to in the petition ... ..	215			
Referred to Committee on Claims for Compensation	218			
<i>Dowling, Henry</i> , praying the House to take his case into favorable consideration ... ..	255			
Referred to Committee on Gold Prospectors ... ..	264			
<i>Dunstone, Louisa</i> , praying the House to enquire into and determine her claims on behalf of her late husband ... ..	191			
Referred to Committee on Claims for Compensation	207			
East Collingwood—Municipal Council of—Praying for leave to introduce a Bill for improvement of the District, and for leave to suspend Standing Order No. 7 for Private Bills ... ..	97			
<b>EDUCATION :—</b>				
Certain Roman Catholic parents and guardians near Pakenham, praying the House to devise such measures as should conduce to the vital interests of this rising community ... ..	107			
Certain Electors of the County of Villiers, praying the House to amalgamate the systems of Education ... ..	177			
Certain Inhabitants of Warrnambool in favor of one National System of Education ... ..	199			
Certain Members of the United Church of England and Ireland, residing at Sandridge, suggesting provisions in the event of the Denominational and National School Boards being abolished ... ..	295			
<i>Common Schools Bill—</i>				
<i>(In favor of)</i>				
Wesleyan Education Committee of the Australian Conference ... ..	353			
<i>(Against)</i>				
Roman Catholics of Sandridge ... ..	323			
Roman Catholics of Williamstown ... ..	323			
Roman Catholic Clergy and Laity (E. 11) ... ..	323	...	1423	
Roman Catholics of Brighton ... ..	323			
Certain Inhabitants of Richmond and Hawthorn ... ..	323			
Certain Inhabitants of Geelong ... ..	323			
Roman Catholic Inhabitants of Pentridge ... ..	323			
Catholics of Ballarat ... ..	327			
Certain Parents and Guardians residing in the Parishes of Bulban, Murteaim, &c., in the County of Grant ... ..	345			
Certain persons in Victoria ... ..	345			
<i>Denominational Schools.</i>				
Certain parents and guardians of Roman Catholic children, residing at or near Coleraine, praying the House to take the cause of Denominational Education into their favorable consideration ... ..	99			
Certain parents and guardians of Roman Catholic children, residing in parish of Yangardook ... ..	99			
<i>National Schools.</i>				
Certain teachers employed under National System of Education, praying the House to take their statements into consideration and apply a remedy ... ..	139			
Local Patrons and others interested in National School at Kirkstall, praying the House to put the National Board in a position to meet its engagements ... ..	191			
Local patrons and others interested in National School at Warrnambool ... ..	199			

PETITIONS presented from—	VOTES.	PRINTED PAPERS.				
		Vol. I.	Vol. II.	Vol. III.		
		Page	Page	Page		
<b>EDUCATION :—</b>						
<i>Resolutions praying the House to guarantee the rights of conscience of the Petitioners, imperilled by certain clauses in—</i>						
Certain Catholics of Ballaarat ... ..	174					
Certain Catholics, St. Francis's ... ..	174					
Certain Catholics of Hotham ... ..	174					
Certain Catholics of Hawthorn ... ..	174					
Certain Catholics of Carlton ... ..	174					
Certain Catholics of the Ararat Mission, Pleasant Creek ...	183					
Certain Catholics of Williamstown ... ..	185					
Certain Catholics of Brighton ... ..	191					
Certain Catholics of Portland ... ..	202					
Certain Catholics of Hamilton ... ..	209					
Ordered to be taken into consideration in Supply upon Education vote ... ..	216					
Certain Catholics of Barkly ... ..	209					
Certain Catholics of Belfast ... ..	215					
Certain Catholics of Tower Hill ... ..	223					
<b>ELECTIONS--</b>						
<i>Castlemaine—</i>						
John Braithwaite Tucker, of Malmsbury, complaining of Return of James Chapman ... ..	17					
Referred to Elections and Qualifications Committee	23					
<i>East Bourke—</i>						
John Lewis, of Campbellfield, complaining of undue Election of George Kirk ... ..	38					
Referred to Elections and Qualifications Committee...	40					
John M. Tomkins, of Wallan Wallan, in favor of George Kirk's Election ... ..	40					
Referred to Elections and Qualifications Committee...	41					
<i>Murray—</i>						
John Orr, of Rutherglen, complaining of undue Election of David Reid ... ..	36					
Referred to Elections and Qualifications Committee...	38					
Alfred Chenery, of Delatite, Mansfield, praying that David Reid might be declared duly elected ... ..	43					
Referred to Elections and Qualifications Committee...	44					
<i>North Melbourne—</i>						
John Sinclair, of Melbourne, complaining of undue Return of Patrick Costello ... ..	27					
Referred to Elections and Qualifications Committee...	30					
Michael Fitzgerald, Lothian-street, Melbourne, in favor of Election of Patrick Costello ... ..	42					
Referred to Elections and Qualifications Committee...	43					
<i>Sandhurst—</i>						
Robert Frederick Howard, of Sandhurst, complaining of undue Return of James Joseph Casey ... ..	33					
Referred to Elections and Qualifications Committee	35					
Michael Herbert, of McCrae-street, Sandhurst, praying that Election may be declared void ... ..	35					
Referred to Elections and Qualifications Committee	36					
<i>Electric Telegraph—</i>						
Certain Inhabitants of Moonambel, Barkly, and the Pyrenees district, for establishment of—between Avoca and Moonambel ... ..	283					
Certain Residents of Gippsland for extension of—to that district ... ..	303					
<i>Emerald Hill—</i>						
Certain Residents and Freeholders of Emerald Hill, praying the House to consider the Statements set forth in the Petition, and apply a remedy ... ..	151					
<i>Exploration—</i>						
Thomas Embling, praying the House to take steps to have Mr. Howitt employed in further Explorations, under the direct authority of Government, for the purpose of ascertaining the fate of Dr. Leichardt ... ..	111					
Ordered to be printed (E. 10) ... ..	289	...	1421			
<i>Ferron's Reef Mining Company—Certain Miners and Others at Fryer's Creek, praying that certain evidence taken before Inspecting Warden relating to—be laid on the Table of the House (E. 4) ... ..</i>				57	...	1409
<i>Fisheries Act—Certain Fishermen of Melbourne and Geelong, praying for repeal or amendment of the ... ..</i>				23		
<i>Fitzroy—Certain Inhabitants of the Municipality of Fitzroy, praying the House to pass a Law to erect the Municipality into a separate Electoral District (E. 8) ... ..</i>				231	...	1417
<i>Flinn, Michael, late of West Moranding, praying for Survey of 200 Acres of Land referred to in the Petition ... ..</i>				44		
<i>Gibson, J. R., and Conolly, John, praying for restoration of Land and compensation ... ..</i>				270		

PETITIONS presented from—	VOTES.	PRINTED PAPERS.		
	Vol. I.	Vol. I.	Vol. II.	Vol. III.
	Page	Page	Page	Page
<i>Gilman, Caroline</i> , of Melton, widow, praying the House to take her case as set forth in the petition into consideration ...	321			
Referred to Committee on Claims for Compensation	344			
<i>Gippsland</i> —Certain inhabitants of—praying the House to pass a Law against introduction of diseased cattle into that district ...	95			
<i>North</i> —From certain Landholders, Settlers, Farmers, Tradesmen, Mechanics, Laborers, &c., praying the House to take the statements set forth in the petition into consideration, and grant their request (E. 3.) ...	67	...	1407	
<i>Gold Mining Leases Bill</i> —				
Certain Miners and Others resident in Avoca Division of Maryborough District, praying amendment in ...	283			
( <i>Against</i> )				
Certain Holders of Miners' Rights, at Maryborough ...	303			
Miners and Others, at Dunolly and Burnt Creek ...	303			
<i>Gordon Samuel</i> , Mining Engineer, praying the House to appoint a Committee to inquire into the statements in the Petition, and grant relief ...	67			
Of Mount Rowan, praying the House to take the statements in the Petition into consideration ...	80			
Certain Inhabitants of Victoria, praying the House to grant a Committee to enquire into complaint of ...	209			
Motion for reading same ( <i>Mr. Nixon</i> )—Negatived ...	209			
<i>Grants to Municipal Council, Melbourne.</i> See "Melbourne Corporation."				
<i>Hawthorn</i> —Certain Gentlemen, Farmers, Tradesmen and Others, at Hawthorn, praying the House to take the Petition into early consideration ...	309			
<i>Hill, Edward</i> , of Clifton-street, Richmond, praying his case might be considered by a Select Committee ...	55			
<i>Hines, George Barclay</i> , and <i>John Barnes</i> , praying the House to take their case into consideration, and grant relief ...	61			
<i>Howie, Adam</i> , of Merri Creek, praying the House to take his claims into consideration ...	309			
<i>James, Grace Anna</i> , praying that her case, as set forth in the Petition, may be referred to Committee on Claims for Compensation ...	177			
Motion for referring same to Committee withdrawn	188			
<i>Lang, John Dunmore, D.D.</i> (a Member of the Legislative Assembly of New South Wales), praying the House to take the statements in his Petition into consideration ...	115			
<i>Licensed Victuallers—praying the House to pass a measure for the protection and regulation of their trade—</i>				
Certain Licensed Victuallers at Ballaarat ...	107			
Licensed Victuallers at Clunes ...	111			
Certain Licensed Victuallers at Creswick ...	121			
Certain Licensed Victuallers of the District of Linton's, Lucky Woman's, Skipton, Pitfield, and Rokewood ...	125			
Certain Licensed Victuallers at Ballaarat, praying the House not to pass any law which would infringe their rights without granting them compensation ...	323			
<i>Licensed Victuallers Act Amendment Bill—</i>				
<i>Against the Clause in the Bill authorizing the opening of Public Houses on Sunday.</i>				
Certain inhabitants of Sandhurst ...	213			
Total Abstainers and others resident at Eagle Hawk and its vicinity ...	217			
Members of United Church of England and Ireland and others residing at Heathcote ...	221			
John Steele, Moderator of the Presbytery of Castlemaine ...	233			
Total Abstainers and other colonists of Lake Learmonth ...	233			
Peter Duff, Chairman of meeting at Warrnambool ...	241			
Members of Chalmers Church, Melbourne ...	241			
Certain Members of the United Church of England and Ireland at Essendon ...	241			
Ministers and Elders of the Presbytery of Melbourne of the Presbyterian Church of Victoria ...	241			
Certain residents at Wahgunyah ...	241			
Congregations at Miners' Rest and Coghill's Creek Presbyterian Churches ...	241			
Certain members of the United Church of England and Ireland at Sandhurst ...	249			
Congregation of the Presbyterian Church, Richmond ...	249			
Certain members of United Church of England and Ireland in Kilmore ...	249			
Certain members of United Church of England and Ireland at Emerald Hill ...	249			
Certain members of United Church of England and Ireland, St. John's ...	249			
Certain members of United Church of England and Ireland, St. James's, Melbourne ...	249			

PETITIONS presented from—	VOTES.	PRINTED PAPERS.			
		Vol. I.	Vol. I.	Vol. II.	Vol. III.
		Page	Page	Page	Page
<i>Licensed Victuallers Act Amendment Bill—</i>					
<i>Against the Clause in the Bill authorizing the opening of Public Houses on Sunday.</i>					
Certain members of United Church of England and Ireland, Cheltenham, parish of Brighton ... ..	249				
Certain members of United Church of England and Ireland, parish of Brighton ... ..	249				
Certain members of United Church of England and Ireland, residing at Gipsy Village, parish of Brighton ... ..	249				
Certain Inhabitants of Geelong connected with the congregation worshipping in Baptist Chapel, Fenwick-street	273				
Total Abstainers and other Colonists ... ..	273				
M. McEachern and others ... ..	273				
Certain Residents at Belfast ... ..	277				
Congregation St. George's Presbyterian Church, East Collingwood ... ..	277				
Total Abstainers and other Colonists of Victoria ... ..	277				
Certain Inhabitants of Geelong belonging to the Wesleyan Church ... ..	307				
Certain Inhabitants of Newtown, Geelong, belonging to Wesleyan Methodist Church ... ..	307				
Certain Inhabitants of Geelong, belonging to St. Andrew's Presbyterian Church ... ..	307				
Congregation of St. George's Presbyterian Church ... ..	307				
Certain Inhabitants belonging to High Presbyterian Church	307				
Certain Inhabitants, Geelong, Reformed Presbyterian Church	307				
Certain Inhabitants, Geelong, Congregational Church, McKillop-street ... ..	307				
Certain Inhabitants, Ashby, Geelong, belonging to Congregational Church ... ..	307				
Certain Inhabitants of Belmont, belonging to United Christian Church ... ..	307				
Certain Inhabitants of Chilwell, Barrabool Hills, Duneed, and Modewarre, belonging to Bible Christian Church ... ..	307				
Certain Inhabitants of Geelong, belonging to Trinity Church Minister and Members of the Primitive Methodist Church, Vere-street, Collingwood ... ..	307				
Geelong Presbytery of Presbyterian Church of Victoria ... ..	309				
Certain Inhabitants, parish of Barrabool ... ..	313				
Certain Inhabitants of Kyneton ... ..	357				
<i>Against the Bill—</i>					
Certain members of the United Church of England and Ireland, and other Christian Churches, residing at Ballan	231				
Certain members of United Church of England and Ireland at Williamstown ... ..	243				
Certain inhabitants of Brighton ... ..	243				
Certain inhabitants of St. Kilda and vicinity ... ..	251				
Certain members of the United Church of England and Ireland at Bacchus Marsh ... ..	255				
Certain members of same Church at Seymour, Avenel, Longwood, and Euroa ... ..	255				
Robert Bennett, Mayor, chairman of public meeting at Melbourne ... ..	255				
Certain members of United Church of England and Ireland in the parish of Avoca ... ..	261				
Certain inhabitants of Carngham ... ..	261				
Certain members of United Church of England and Ireland at Pleasant Creek ... ..	261				
Residents of Wangaratta ... ..	261				
Residents at Schnapper Point ... ..	261				
Certain Members of United Church of England and Ireland residing in Brunswick and Northcote ... ..	279				
Certain Members of the United Church of England and Ireland, and others, residing at Gisborne ... ..	321				
<i>McMinn, James Thomson</i> , late station master on Victorian Railways, praying to be reinstated ... ..	270				
Motion for reading same negatived ... ..	270				
<i>Manning, John</i> , praying the House would indemnify him ... ..	241				
Referred to Committee on Claims for Compensation ... ..	257				
<i>Markets Act</i> —Certain inhabitant Householders at Prahran, praying the House to remedy the serious evils therein complained of, by extension of powers of Commissioners under ... ..	169				
<i>Medical Practitioners Act Amendment Bill</i> —President, Council, and Members of Pharmaceutical Society, praying the House to introduce a clause in the Bill exempting from its action all persons now Members of their Society ... ..	169				
<i>Mejemsey, Robert</i> , of Barker's Creek, praying the House to take his case into consideration and obtain for him a redress of grievances ... ..	309				
Referred to Committee on Claims for Compensation ... ..	312				

	VOTES.		PRINTED PAPERS.		
	Vol. I.		Vol. I.	Vol. II.	Vol. III.
	Page		Page	Page	Page
<b>PETITIONS—presented from—</b>					
<i>Melbourne and Geelong Corporation Acts Amendment Bill—</i>					
Mayor, Aldermen, Councillors, and Citizens of Melbourne ; and Mayor, Aldermen, and Burgesses of Geelong, pray- ing for leave to introduce a Bill to amend the Melbourne and Geelong Corporation Acts ... ..	73				
From same, praying the House to suspend certain Standing Orders, and for leave to introduce Bill to amend the laws relating to Corporations ... ..	80				
Mayor, Aldermen, Councillors, and Citizens of Melbourne, praying the House to reject a Clause proposed to be added to ... ..	303				
Mayor, Aldermen, Councillors, and Citizens of Melbourne	303				
Certain Freeholders and Ratepayers of Smith Ward, Mel- bourne, in reference to the— ... ..	313				
Mayor, Aldermen, Councillors, and Citizens of Melbourne, praying House to take statement in Petition into con- sideration, and order thereon ... ..	174				
<i>Melbourne Corporation—</i>					
Chairman and Members of Municipal Council of Fitzroy, pray- ing that Grant to—may be charged with the maintenance of a certain portion of carriage way off Nicholson-street	303				
Municipal Council of Prahran, praying the Corporation may be charged with the repair of portion of the Punt road	299				
<i>Meredith, John Hurst</i> , Chairman of Public Meeting of Farmers, at Carisbrook, and North Western Province, praying that the Assembly would take into consideration the Reso- lutions adopted by meeting in dealing with the question referred to in their Petition ... ..	91				
<i>Milton, William</i> —Praying the House for redress of Grievances set forth in Petition ... ..	143				
<i>Mint (Royal)</i> . See "Royal Mint."					
<i>Murray, Elizabeth Alice</i> , widow, praying that her case may be referred to Committee sitting on Claims for Compen- sation ... ..	165				
Referred to Committee ... ..	170				
<i>Nicholls, Charles F.</i> , praying the House to take his case into consideration ... ..	215				
<i>Oyster Fisheries—</i>					
Certain Oyster Dredgers and Leaseholders of Oyster-beds in Victoria, praying the House to accede to the state- ments set forth in the Petition ... ..	6				
Referred to Committee on Fisheries Acts ... ..	103				
Certain Shopkeepers being Retailers of Oysters in Mel- bourne and vicinity, praying the alteration of the pre- sent closed season for oysters ... ..	6				
Referred to Committee on Fisheries Acts ... ..	103				
<i>Perry, C. J.</i> , praying the House to take steps to cause the Anti- Collision Dial and Shipwreck Preventor to be classed with auxiliaries to safety required by law to be used on board ship Ordered to be printed (E 7) ... ..	47		...	1415	
	211				
<i>Pinnock, James Denham</i> , praying the House to take his case as set forth in Petition into consideration ... ..	177				
Referred to Committee on Claims for Compensation ... ..	180				
<i>Port and Harbor Regulations—</i> Landowners, Household- ers, &c., at Queenscliff, praying the House to cause the regulations to be altered so as to abolish certain restrictions ... ..	71				
<i>Powlett, Frederick Armand</i> , praying the House to take his case as set forth in the Petition into consideration ... ..	197				
Referred to Committee on Claims for Compensation ... ..	207				
<i>Prayer—</i> Certain Ministers of the Church of Christ praying the House to take steps for commencing business with (E. 1) ... ..	15		...	M401	
<i>Property—</i> Farmers Association, Indented Heads, &c., praying that property and vested interests may receive a due propor- tion of representation in Parliament ... ..	139				
<i>Putwain, James</i> , late Inspector of Fisheries, praying for redress...	270				
Referred to Select Committee on Claims for Compensation	278				
<b>RAILWAYS—</b>					
<i>Castlemaine to Maryborough—</i>					
Certain residents of Baringhup praying House to allow deviation on Railway from... ..	157				
<i>Loan Bill—</i>					
Certain Landholders, Merchants, Tradesmen, Farmers, and others, praying the House not to assent to that portion of the Bill which refers to the Loop Line or the build- ing of a station at Cowie's Creek ... ..	345				
Certain residents in and around Geelong ... ..	345				
<i>Malmsbury Station—</i>					
Certain Merchants, Bankers, Tradesmen, Miners, &c., resi- dent at Daylesford and its vicinity, praying the House to cause the Malmsbury Railway Station to be placed on the west side of the Coliban ... ..	321				
Certain Landholders in the parishes of Glenlyon, Burke, Holcombe, Drummond, Coliban, and Wombat, praying the House to cause the Station to be placed on the site already intended ... ..	321				



	VOTES. — Vol. I.	PRINTED PAPERS.		
		Vol. I.	Vol. II.	Vol. III.
	Page	Page	Page	Page
<b>PETITIONS presented from—continued.</b>				
<b>RAILWAYS—</b>				
<i>Melbourne to Ballaarat—</i>				
Certain Inhabitants, Ratepayers, &c., of Clunes, praying the House to take steps to open railway communication between—during the present year ... ..	77			
Certain Inhabitants of Ballaarat and Western District ...	80			
Mayor, Aldermen, Councillors, and Burgesses of Geelong ...	80			
Chairman and Councillors of South Barwon Municipality...	80			
<i>Melbourne and Suburban Railway—</i>				
Melbourne and Suburban Railway Company praying for leave to introduce a Bill to enable them to sell their undertaking, and for that purpose to dispense with certain Standing Orders ... ..	71			
<i>Melbourne and Suburban Railway Sale Bill—</i>				
John Barter Bennett, Matthew William Taylor, and Edward Sandford, solicitors, praying to be heard by counsel against the Bill ... ..	87			
Melbourne and Suburban Railway Company praying the House to grant the Select Committee sitting on this Bill additional powers... ..	151			
<i>Real Property Bill—</i>				
<i>(In favor of)</i>				
Certain Residents of Geelong and neighborhood ... ..	173			
Certain Residents of Melbourne and neighborhood ... ..	183			
Certain Residents at Richmond and neighborhood ... ..	183			
Certain Residents of Winchelsea and neighborhood ... ..	183			
Certain Residents of Steiglitz ... ..	183			
Thomas Lang, President of Ballaarat Chamber of Commerce	191			
Robert Lewis, Chairman of Public Meeting of Inhabitants at Ballaarat ... ..	202			
Certain Farmers, Landholders, &c., residing at Ballaarat and Learmonth .. ..	202			
Certain Residents, Landowners, Miners, and others in the District of Ararat ... ..	202			
Certain Residents of Colac and neighborhood ... ..	209			
Thomas Lang, President of the Chamber of Commerce, Ballaarat, praying the House to enquire into cause of delay in assenting to, and to press its becoming law ...	313			
<i>Regan, James, and John Dunlop, praying the House to take their case into consideration and grant relief ... ..</i>	139			
Referred to Select Committee on Gold Prospectors ...	164			
<i>Road—Castlemaine to Maryborough—</i>				
Certain Members of Municipal Council, Merchants, Bankers, and others at Maldon, on the subject of the route of the	251			
<i>Road Boards—</i>				
R. Martin, Chairman of Heidelberg District Road Board, praying the House to take the case, as set forth in the petition, into consideration... ..	23			
Charles Young, Chairman, and Members of Lauriston and Mount Edgecombe District Road Board, praying the House to enquire into the matter set forth in the petition ... ..	71			
<i>Royal Mint—Valentine Hellicar—Praying the House not to agree to an Address to Her Majesty on the subject of—</i>	105			
<i>Sewerage—</i>				
Mayor, Aldermen, Councillors, and Citizens, of City of Melbourne, praying the House to take the statements in the petition into consideration, and to take steps to improve the underground Sewerage of the City (E 5)... ..	85	...	1411	
<i>Smith, Mrs. Ronald, of Collingwood, praying the House to take her case into consideration... ..</i>	187			
Referred to Committee on Claims for Compensation	203			
<i>Smith, William John, Miner, praying the House to award him such compensation as he might appear to merit ... ..</i>	311			
<i>St. Patrick's College—Committee of Creditors, praying the House to cause Grant of Land for—to be issued to Trustees for benefit of creditors (E. 9) ... ..</i>	273	...	1419	
<i>Stawell—Paymaster at—certain Residents of Stawell, praying the House to interpose and prevent removal of— ... ..</i>	169			
<i>Tariff—</i>				
Certain Manufacturers of Tobacco, Cigars, &c., in reference to duties on raw and manufactured Tobacco ... ..	13			
Certain Merchants and others interested in pastoral pursuits in Victoria, praying the House to rescind the resolution imposing a duty on Sheepwash Tobacco ... ..	199			
Melbourne Chamber of Commerce, against the proposed alteration in the Tariff, and imposition of Wharfage Rates (E. 2) ... ..	67	...	1403	
Certain Farmers and Residents of Darriwill, praying the House to withhold consent from revision of— ... ..	69			
<i>Taylor, Eliza Johns, of Ballaarat, praying the House to take her case into favorable consideration ... ..</i>	231			
Referred to Committee on Claims for Compensation	277			

	PRINTED PAPERS.			
	VOTES.	Vol. I.	Vol. II.	Vol. III.
	Page	Page	Page	Page
<b>PETITIONS presented from—continued.</b>				
<i>Thistles</i> —Certain Landholders and Residents in county of Normanby, praying the House to take steps to stop the spread of Thistles ... ..	299			
<i>Tomlins, Phillip Stanley</i> , praying the House to appoint a Committee to inquire into the subject matter of his Petition Referred to Committee on Claims for Compensation	191 198			
<i>Water Supply (Castlemaine and Sandhurst)</i> —Mining Board of the District of Castlemaine, setting forth statements in favor of ... ..	375			
<i>Webb, James Hemming</i> , Assistant Government Shorthand Writer, praying that he might be restored to his professional and official status... ..	187			
Referred to Committee of Supply ... ..	257			
<i>Weights and Measures Bill</i> —				
Wallace, Daniel, Chairman of the Municipality of Castlemaine, praying the House to amend the Weights and Measures Bill in the manner stated in the Petition ...	80			
Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne, praying the House to amend the Weights and Measures Bill ... ..	85			
Municipal Council, Sandhurst, praying an amendment in the Weights and Measures Bill ... ..	97			
Municipal Council, Prahran, praying the House to amend the Weights and Measures Bill, so as to allow them to appoint an Inspector of— ... ..	107			
Chairman and Members of Municipal Council of Fitzroy ...	125			
Chairman and Members of Municipal Council, East Collingwood ... ..	131			
<i>Wharfage Rates</i> —Melbourne and Hobson's Bay Railway Company, against the imposition of Wharfage Rates ...	67			
<i>Wines and Spirits</i> —Certain Merchants and others, of Dunolly, Sandy Creek, and surrounding districts, praying introduction of Bill to authorise sale of—on payment of a nominal Register Fee ... ..	125			
<i>Wright, William Henry</i> , praying the House to give his case favorable consideration ... ..	187			
Referred to Committee on Claims for Compensation	203			
<i>Yarra Pollution Prevention Act</i> —Certain Inhabitants of Victoria, praying repeal of—(E. 6) ... ..	97	...	1413	
<i>Yarra Pollution Prevention Act Repeal Bill</i> —Mayor, Aldermen, Councillors, and Citizens of Melbourne, praying the House to reject the Bill ... ..	143			
Petty Sessions—Courts of—Reply to question for Return of Cases tried at during 1861—Presented ... ..	125			
Phillip Island—Motion respecting Survey of ( <i>Mr. L. L. Smith</i> ) ...	62			
Pilot Board—Accounts of—for the years ending respectively 31st August, 1859 and 1860, and from 10th September to 1st December, 1860—Presented (No. 118) ... ..	361	...	...	1119
Pilot Service—Motion that certain Evidence taken last Session be laid on Table and printed ( <i>Mr. Lalor</i> ) (D. 5) ... ..	50	...	11	
Pinnock, Mr. J. D.—Reply to question for copy of Correspondence between Commissioner of Trade and Customs and—Presented ... ..	117			
Pitt, Colonel—Resignation of—Reply to question for copies of Correspondence respecting—Presented (A. 3) ... ..	21	471		
Pleuro-pneumonia—Correspondence with the Government of New South Wales on the subject of the state of the law relating to—Presented (A. 30) ... ..	251	769		
Copy of Letter from Colonial Secretary, New South Wales, with Proclamation in reference to the prohibition against imported cattle—Presented (A. 32) ... ..	265	775		
Act Amendment Bill—Initiated ... ..	98			
Police Force—Appointment of Select Committee ( <i>Mr. Frazer</i> ) ...	123			
Evidence taken last Session referred to Committee ( <i>Mr. Frazer</i> ) ... ..	144			
Addition of Names ... ..	168			
Motion for copy of Petition from—recently presented to Chief Secretary ( <i>Mr. B. G. Davies</i> )—Withdrawn ...	218			
Paddock—Carlsruhe. See "Anderson's Pre-emptive Right."				
Reward Fund—Reply to question for Returns respecting—Presented (A. 27) ... ..	169	757		
Postal Contracts, 1862—Copy of Correspondence with Messrs. Rutledge and Brown respecting tenders for Inland Mail Service—Presented (A. 8) ... ..	71	509		
Motion for reading same ( <i>Mr. Edwards</i> )—Negatived ...	71			
Additional Correspondence—Presented (A. 10) ... ..	77	525		
Service—Correspondence relative to—between the United Kingdom and Australia—Presented (No. 54) ... ..	86	...	...	595
Contract for conveyance of Mails between Point de Galle and Australia—Presented (No. 53) ... ..	86	...	...	585
Post Office Statistics—Reply to question for a Return of Cost of receipt, transmission, and delivery of all Letters and Newspapers during 1861—Presented (A. 41) ... ..	309	799		

	PRINTED PAPERS.			
	VOTES.	Vol. I.	Vol. II.	Vol. III.
	Page	Page	Page	Page
Pounds, Inspector of—Motion for going into Committee to consider				
Address ( <i>Mr. Snodgrass</i> ) ... ..	86			
Order discharged ... ..	355			
Motion for restoring same to Paper ... ..	370			
Order discharged ... ..	377			
Preferable Lien on Crops Bill—Initiated ... ..	99			
Presbyterian Church—Motion for appointment of Select Committee				
( <i>Mr. Gillies</i> )—Negatived ... ..	86			
Motion respecting issue of Deed of Grant of Presbyterian Scotch				
College ( <i>Mr. Gillies</i> )—Negatived ... ..	92			
Primary Schools Bill—Initiated ... ..	293			
Motion for second reading—Negatived ... ..	296			
Printing Act Amendment Bill—Initiated ... ..	277			
House in Committee—no report ... ..	324			
Printing Committee appointed ... ..	12			
First Report (D. 1) ... ..	15	...	1	
Second Report (D. 2) ... ..	19	...	5	
Third Report (D. 3) ... ..	45	...	7	
Fourth Report (D. 4) ... ..	47	...	9	
Fifth Report (D. 6) ... ..	57	...	25	
Sixth Report (D. 10) ... ..	73	...	59	
Seventh Report (D. 11) ... ..	76	...	61	
Eighth Report (D. 12) ... ..	81	...	63	
Ninth Report (D. 15) ... ..	97	...	177	
Tenth Report (D. 16) ... ..	105	...	181	
Eleventh Report (D. 18) ... ..	117	...	187	
Twelfth Report (D. 20) ... ..	135	...	193	
Thirteenth Report (D. 21) ... ..	139	...	195	
Fourteenth Report (D. 24) ... ..	157	...	217	
Fifteenth Report (D. 25) ... ..	165	...	219	
Sixteenth Report (D. 26) ... ..	173	...	221	
Seventeenth Report (D. 30) ... ..	185	...	249	
Eighteenth Report (D. 33) ... ..	202	...	319	
Nineteenth Report (D. 35) ... ..	209	...	345	
Twentieth Report (D. 37) ... ..	215	...	371	
Twenty-first Report (D. 40) ... ..	231	...	401	
Twenty-second Report (D. 42) ... ..	233	...	487	
Twenty-third Report (D. 46) ... ..	259	...	527	
Twenty-fourth Report (D. 49) ... ..	273	...	567	
Twenty-fifth Report (D. 51) ... ..	289	...	609	
Twenty-sixth Report (D. 54) ... ..	307	...	673	
Twenty-seventh Report (D. 59) ... ..	323	...	1149	
Twenty-eighth Report (D. 61) ... ..	353	...	1177	
Twenty-ninth Report (D. 66) ... ..	379	...	1311	
Thirtieth Report (D. 67) ... ..	379	...	1313	
Prisoners, Juvenile. See "Juvenile Prisoners."				
Privilege. See "Assembly" and "Complaint."				
Prize Essays, 1860—Copy of—Presented ... ..	86			
Public Accounts—Regulations respecting—Presented (No. 52) ... ..	65	...	...	583
" Amended " " Presented ... ..	343			
" " " Presented ... ..	369			
Public Companies Bill—Initiated ... ..	50			
Public Worship—Additional Regulations respecting Grants in Aid of—				
Presented ... ..	15			
Punishment of Death Abolition Bill—Motion for leave to introduce Bill				
( <i>Mr. L. L. Smith</i> )—Withdrawn ... ..	62			
Similar Motion ( <i>Mr. L. L. Smith</i> )—Negatived ... ..	100			
Q.				
Quartz Reefs Drainage Bill—Initiated ... ..	158			
Yield of Gold from—Memorandum respecting—Presented (No. 117) ... ..	265	...	...	1117
Drainage Bill (2)—Initiated ... ..	345			
Queensland—Copy of Despatch from Secretary of State, transmitting				
an Act to remove doubts respecting authority of Legislature				
of Queensland, and to annex certain territories to South				
Australia—Presented (No. 51) ... ..	71	...	...	579
Queen's Plate—Motion for going into Committee to consider Address				
( <i>Mr. Levey</i> )—Negatived ... ..	278			
R.				
RAILWAY—				
Accounts—Reply to Question for latest Report from Audit Com-				
missioners on state of—Presented (A. 46) ... ..	369	841		
Brighton—				
Accident on—22nd May, 1862—Report of Engineer-in-Chief—				
Presented (A. 44) ... ..	361	837		
Central Terminus—				
Motion for appointment of Select Committee ( <i>Mr. Kyte</i> )—House				
counted out ... ..	147			
Committee appointed by ballot ... ..	160			
Report brought up (D. 58) ... ..	321	...	1071	

	VOICES.		PRINTED PAPERS.		
	Vol. I.		Vol. I.	Vol. II.	Vol. III.
	Page		Page	Page	Page
<b>RAILWAY—</b>					
<i>Geelong and Ballarat—</i>					
Reply to Question for Return of Passenger Traffic between— and between Melbourne and Ballarat—Presented ...	358				
<i>Geelong Junction—</i>					
Motion for going into Committee to consider Resolution ( <i>Mr. Johnston</i> ) ...	304				
House in Committee ...	308				
Resolutions reported, agreed to, and Bill ordered ...	314				
Message from the Governor recommending an advance for the purposes of Railway Loan Bill (B. 17) ...	323		1113		
Loan Bill—Initiated ...	323				
<i>Loan (Debentures)—</i>					
Motion for copies of Correspondence with contracting Banks respecting ( <i>Mr. Mollison</i> ) ...	63				
Return (A. 12) ...	76		689		
<i>Malmsbury Railway Station—</i>					
Appointment of Select Committee ( <i>Mr. Tucker</i> ) ...	178				
Motion for leave to sit that day ( <i>Mr. Tucker</i> ) ...	200				
Addition of Names ...	264				
Motion for leave to adjourn from place to place, and from time to time ( <i>Mr. Tucker</i> ) ...	277				
Progress Report by leave brought up (D. 52) ...	289		...	611	
Motion respecting the site of Station ( <i>Mr. Tucker</i> ) ...	368				
<i>Melbourne and Hobson's Bay Railway Act Amendment Bill—</i>					
Notification by Clerk of Assembly of deposit of Bill... ..	11				
Motion for reading Petition and Order of previous Session ( <i>Mr. Anderson</i> ) ...	11				
Bill read a first and second time, and committed to a Select Committee ...	12				
Appointment of Select Committee ...	159				
Special Report brought up ...	197		...	1393	
Committee revived, and leave given to print Evidence ( <i>Mr. Anderson</i> ) ...	242				
Motion for taking Special Report into consideration ( <i>Mr. Anderson</i> ) ...	257				
Order for considering same discharged, and Report referred back to Select Committee ...	301				
Standing Orders respecting adopted ...	319				
Governor's assent to—Notified ...	379				
<i>Melbourne and Suburban Railway Company—</i>					
Petition from—for leave to introduce a Bill to enable them to sell their undertaking, and to suspend Standing Orders ...	71				
Motion for suspension of Standing Orders, and leave to introduce a Bill for sale of ( <i>Mr. Loader</i> ) ...	76				
Bill initiated ...	76				
Motion for suspension of Standing Orders in order to read Bill a second time ...	77				
Appointment of Select Committee ...	77				
Petition from Messrs. Bennett, Taylor, and Sandford against the Bill, and praying to be heard by Counsel ...	87				
Leave given to print Evidence ...	91				
Committee revived, and leave given to print Evidence ( <i>Mr. Loader</i> ) ...	98				
Petition from Melbourne and Suburban Company, praying the House to give the Committee additional powers ...	151				
Motion for instructions to Committee ( <i>Mr. Loader</i> ) ...	157				
Report brought up ...	165		...	1329	
Message from Legislative Council for copies of Report and Evidence... ..	183				
Motion for transmission of same ( <i>Capt. Mac Mahon</i> ) ...	183				
<i>Mollison-street Bridge, Kyneton—</i>					
Motion for referring question of—to Select Committee on Malms- bury Railway Station ( <i>Mr. Tucker</i> ) ...	178				
Victorian—Appointment of Select Committee to consider delay in completion of—By ballot ( <i>Mr. W. C. Smith</i> ) ...	92				
Addition of name ...	98				
Reply to question for Return of cost of Locomotive De- partment on each of the Stations—Presented ...	304				
Reply to question for Return of total amount paid to owners of private property appropriated for Railway purposes (A. 42) ...	327		801		
Motion for Return of Passenger Traffic on—For last three months of 1861 ( <i>Mr. J. T. Smith</i> ) ...	174				
Return ...	183				
<i>Station Masters, &amp;c., on—</i>					
Reply to question respecting increase of—upon opening of Ballarat line—Presented ...	274				
<b>Real Property Bill—Motion for going into Committee to consider resolutions (<i>Mr. Service</i>).</b>					
House in Committee ...	141				
Resolutions reported, agreed to, and Address ordered ...	144				
Bill initiated ...	150				
Order for second reading discharged, and Bill withdrawn ...	184				
Message from the Governor, recommending Appropriation from Consolidated Revenue for purposes of (B 11) ...	184		1037		

	VOTES.	PRINTED PAPERS.		
		Vol. I.	Vol. II.	Vol. III.
	Page	Page	Page	Page
Real Property Bill (2)—Initiated ... ..	188			
Motion for Address to His Excellency the Governor for copy of				
Opinion of Law Officers respecting ( <i>Mr. Service</i> ) ...	370			
Refreshment Rooms (Joint)—Committee appointed ... ..	12			
Report brought up (D. 9) ... ..	72	...	55	
Motion for going into Committee to consider same				
( <i>Mr. Snodgrass</i> ) ... ..	92			
House in Committee ... ..	100			
Resolutions reported and agreed to ... ..	104			
Second Report brought up (D 22) ... ..	149	...	197	
Motion respecting ... ..	185			
Resolutions upon Report considered and agreed to ...	210			
Refuges—Motion for going into Committee to consider Address ( <i>Mr.</i>				
<i>Kyte</i> ) ... ..	301			
Order discharged ... ..	377			
Registrar-General—Offices of—Motion respecting removal of ( <i>Mr.</i>				
<i>Grant</i> )—Negatived ... ..	375			
Registration of Parliamentary Electors—Account of all Payments made				
under 30 sec. Act 22 Vict., No. 81—Presented (No. 55) ...	73	...	...	599
Reid, Sergeant—Reply to question respecting case of—Presented ...	246			
Residence and Cultivation Licenses. See "Crown Lands."				
River and Harbor Trust—Resolution respecting ( <i>Mr. Loader</i> ) ...	125			
Road Board—Glenlyon District—Reply to question for copies of Corre-				
spondence respecting extension of district—Presented ...	61			
Boards—Vote for—Motion respecting ( <i>Mr. McCann</i> ) ...	63			
Return of Moneys handed over to—Presented (A 36) ...	299	783		
Engineer—Western District—also Roads and Bridges—				
Appointment of Select Committee ( <i>Mr. McLellan</i> ) ...	50			
Addition of Names ... ..	66, 98,			
Substitution of Names ... ..	205, 247			
Progress Report by leave brought up (D 55) ... ..	313	...	675	
Resolution upon Report ( <i>Mr. McLellan</i> ) ... ..	376			
Royal Mint—Resolutions respecting establishment of—and appoint-				
ment of Committee to prepare Address ( <i>Mr. Pyke</i> ) ...	61			
Addition of names ... ..	97			
Report brought up (D 17) ... ..	111	...	183	
Address read and agreed to, and Message to Legislative Council				
ordered ... ..	136			
Ryan, Mrs.—Motion for referring case to Committee on Claims to				
Compensation ( <i>Mr. Lalor</i> ) ... ..	195			

S.

Sale and Occupation of Crown Lands Bill. See "Crown Lands."				
Sandhurst—Main Murray Road—Appointment of Select Committee				
( <i>Mr. Edwards</i> ) ... ..	203			
Motion for referring evidence taken on former Committee				
( <i>Mr. Edwards</i> ) ... ..	205			
Report brought up (D. 45) ... ..	251	...	519	
Motion to consider same in Committee ( <i>Mr. Edwards</i> ) ...	271			
Savings Banks—Statements and Returns for the year ending 30th June,				
1861—Presented (A. 6) ... ..	44	479		
Scab Act Amendment Bill—Initiated ... ..	32			
Scab and Pleuro-pneumonia Acts—Motion for Select Committee to				
enquire into working of ... ..	58			
Order discharged ... ..	84			
Schnapper Point—Firewood at—Motion for copy of correspondence				
respecting removal of ( <i>Mr. H. S. Chapman</i> ) ... ..	32			
School Boards. See "Education."				
School—Carlton Presbyterian. See "Education."				
Schools—Industrial and Reformatory—Motion for going into Committee				
to consider Resolutions ( <i>Mr. Heales</i> ) ... ..	45			
House in Committee ... ..	53			
Resolutions reported, agreed to, and Bill ordered ...	56			
Scotch Solicitors and Procurators Bill—Initiated ... ..	98			
Seekamp, Mrs.—Motion for going into Committee to consider Address				
( <i>Mr. Frazer</i> ) ... ..	48			
House in Committee ... ..	51			
Resolutions reported, agreed to, and Address ordered ...	54			
Sewerage and Water Commission—Receipts and Expenditure—Pre-				
sented—				
For the year 1859 (A 38) ... ..	309	787		
From 1st January to 31st August, 1860 (A. 39) ...	309	791		
From 1st September to 31st December, 1860 (A. 40) ...	309	795		
Signals Bill—Initiated ... ..	253			
Snowball, Mr. John—Motion respecting ( <i>Mr. Humffray</i> )—Debate ad-				
journed ... ..	358			
Societies—Ladies Benevolent—Motion for going into Committee to con-				
sider Address ( <i>Mr. Richardson</i> )—Withdrawn ... ..	159			
Spirits—Illicit sale of—Reply to question for a Return of Convictions,				
Fines imposed, and Fines remitted and reduced—Presented				
(A. 17) ... ..	95	707		

	VOTES. — Vol. I.	PRINTED PAPERS.		
		Vol. I.	Vol. II.	Vol. III.
	Page	Page	Page	Page
Standing Orders Committee—Appointed ... ..	12			
Addition of names ... ..	97			
First Report brought up (D. 19) ... ..	117	...	189	
Considered and Rules adopted ... ..	150			
Motion for Additional Standing Orders relating to Private Bills—				
Considered and adopted ( <i>Mr. Anderson</i> ) ... ..	319			
Approval of—By His Excellency the Governor notified ... ..	379			
Motion for Additional Standing Orders relating to Private Bills—				
Considered and adopted ( <i>Mr. Don</i> ) ... ..	367			
Approval of—by His Excellency the Governor—Notified ... ..	379			
State Aid to Religion—Motion for Return ( <i>Mr. Frazer</i> ) ... ..	207			
Lapsed ... ..	264			
Statistics of the Colony for the year 1860—Presented (No. 3) ... ..	79	...	...	43
Agricultural and Live Stock for the year ending 31st March,				
1861—Presented (No. 119) ... ..	303	...	...	1297
Criminal—Presented (No. 10) ... ..	47	...	...	385
Similar Return—Presented (No. 91) ... ..	233	...	...	753
Statutes Consolidation—Motion respecting ( <i>Mr. Verdon</i> ) ... ..	364			
Statutes Construction Bill—Initiated ... ..	85			
St. Patrick's College—Petition from Committee of creditors of—praying				
the House to cause the Grant of Land for—to be issued				
to Trustees for the security of the creditors ... ..	273			
Petition read, House counted out ... ..	278			
Motion respecting ( <i>Mr. Don</i> )—Withdrawn ... ..	358			
Supply—Estimates of Revenue and Expenditure for 1862—Motion				
respecting ( <i>Mr. O'Shaughnessy</i> ) ... ..	14			
Message from His Excellency the Governor notifying that				
Estimates of Revenue and Expenditure would be immediately				
laid on the Table (B. 4) ... ..	45	879		
Message considered and motion for supply made ... ..	47			
Referred, and motion for supply considered in Committee				
Resolution, that a supply be granted to Her Majesty, reported				
and agreed to ... ..	53			
Message from His Excellency the Governor transmitting Esti-				
mates of Expenditure for 1862 (B. 5) ... ..	55	881		
Referred to Committee of Supply ... ..	55			
Message from His Excellency the Governor transmitting Sup-				
plementary Estimates of Expenditure for 1861 (B. 6) ... ..	72	947		
Referred to Committee of Supply ... ..	72			
Message from His Excellency the Governor with substituted				
Estimates for 1862 and Additional Supplementary for 1861				
(B. 9) ... ..	107	961		
Referred to Committee of Supply ... ..	107			
Message from His Excellency the Governor transmitting sub-				
stituted Estimates for Salaries for 1862 (B. 15) ... ..	283	1045		
Referred to Committee of Supply ... ..	283			
Message from His Excellency the Governor with Additional				
Estimates for 1862 and Further Supplementary Estimates				
for 1861 (B. 16) ... ..	313	1099		
Referred to Committee of Supply ... ..	313			
Message from His Excellency the Governor with Further				
Additional Estimates for 1862 (B. 18) ... ..	325	1115		
Referred to Committee of Supply ... ..	325			
Message from His Excellency the Governor with Further				
Additional Estimates for 1862 (B. 19) ... ..	344	1119		
Referred to Committee of Supply ... ..	344			
Message from His Excellency the Governor with Further				
Additional Estimates for 1862 (B. 20) ... ..	347	1123		
Referred to Committee of Supply ... ..	347			
Supply—House in Committee ... ..				
				51, 55, 56, 77, 108, 116, 118, 131, 143, 149, 157, 163, 174, 184, 186, 189, 194, 253, 256, 263, 271, 274, 281, 286, 289, 300, 305, 308, 311, 318, 343, 344, 350.
Supply—Resolutions reported and agreed to ... ..				57, 81, 115, 122, 140, 147, 152, 161, 166, 252, 255, 262, 271, 280, 285, 290, 299, 304, 314, 327, 347, 350.
Reported and referred back to Committee ... ..	193			
Motion to refer same back ( <i>Mr Grant</i> )—Negatived ... ..	317			
" " ( <i>Mr. Gillies</i> ) ... ..	317			
Amended on Report ... ..				153, 154, 155, 280, 305, 336, 349

	VOTES. — Vol. I.	PRINTED PAPERS.		
		Vol. I.	Vol. II.	Vol. III.
	Page	Page	Page	Page
Supply—Amendment upon going into Committee ( <i>Mr. Verdon</i> )—Withdrawn ... ..	253			
"    "    ( <i>Mr. Service</i> ) ... ..	256			
"    "    ( <i>Mr. Jones</i> ) ... ..	286			
"    "    ( <i>Mr. Brodrigg</i> )—Negatived ... ..	343			
Supreme Court Costs Bill—Initiated ... ..	294			
Supreme Court Rules—Divorce and Matrimonial Causes—Presented (A. 2) ... ..	21	459		
<i>See also "Divorce and Matrimonial Causes."</i>				
T.				
Taranaki Relief Fund—Letter from the Honorable D. Monro, Speaker of House of Representatives, New Zealand, conveying thanks of that House for grant in aid of—Presented ... ..	44			
Tax on Bank Notes Bill—Initiated ... ..	121			
Petition from certain Managers and Representatives of Banks, praying to be heard in opposition to Bill ... ..	129			
Motion that Petitioners be heard by Counsel ( <i>Mr. Mollison</i> )—Negatived ... ..	132			
Thistles—Motion for going into Committee to consider Address ( <i>Mr. Cummins</i> )—Withdrawn ... ..	92			
Thomson, A., Esq.—Appointment of Select Committee to consider Case of ( <i>Mr. Snodgrass</i> ) ... ..	62			
Report brought up (D. 23)... ..	157		201	
Considered, and Resolution agreed to ... ..	210			
Thomson and Drummond, Messrs.—Motion for appointment of Select Committee ( <i>Mr. Don</i> )—Negatived ... ..	277			
Tolls—Resolution respecting ( <i>Mr. Bennett</i> ) ... ..	50			
Order—Lapsed ... ..	104			
Trade and Customs—Returns relating to, for the Year 1860—Presented (No. 2) ... ..	6			
Similar Returns for 1861—Presented (No. 127) ... ..	369			1497
Troops. <i>See "Military."</i>				
U.				
University of Melbourne—Report of Proceedings of Council of, during the Year ending on 31st day of May, 1861—Presented (No. 25)	11			445
Similar Report—During the Year from 1st day of June, 1861, to 31st May, 1862—Presented (No. 128) ... ..	369			1531
V.				
Volunteer Force—Return showing appropriation of £3,000 voted for Medals, &c.—Presented (A. 35) ... ..	283	781		
W.				
War with America—Copy of Despatch from Secretary of State in reference to measures of defence in case of—Presented (No. 104) ... ..	191			965
Copy of Despatch notifying that the question of War had been amicably adjusted—Presented (No. 103)... ..	191			963
Water Supply, Castlemaine and Sandhurst—Appointment of Select Committee ( <i>Mr. Denovan</i> ) ... ..	247			
Progress Report, by leave, brought up (D. 53) ... ..	295		639	
Memorial from Mining Board of Castlemaine in favor of—Presented ... ..	375			
Motion for considering Report in Committee ... ..	376			
House in Committee—resolution reported and agreed to... ..	376			
Ways and Means—Motion for going into Committee ( <i>Mr. Verdon</i> ) {	68, 69, 72, 73			
Resolution reported and agreed to ... ..	63			
Motion for going into Committee ( <i>Mr. Haines</i> ) ... ..	98, 149, 261			
House in Committee ... ..	58, 103, 106, 108, 115, 152, 351			
Resolutions reported and agreed to ... ..	106, 107, 108, 114, 118, 157, 351			
Amendment on Motion for going into Committee ( <i>Mr. O'Shanassy</i> ) {	68, 69, 72, 73			
( <i>Mr. Verdon</i> ) ... ..	106			
( <i>Mr. McCann</i> ) ... ..	108			
Appropriation Bill—Initiated ... ..	354			
Consolidated Revenue Bill—Initiated ... ..	118			
(2)—Initiated ... ..	163			
Webster, Mr. Warden.—Reply to question for copy of Minutes of Enquiry into charges preferred by Mr. Geo. Clark against	369			
Weights and Measures Bill—Initiated ... ..	75			

	VOTES.		PRINTED PAPERS.		
	Vol. I.		Vol. I.	Vol. II.	Vol. III.
	Page		Page	Page	Page
Reply to question for list of in the custody of Storekeeper—Presented (A. 24) ...	157		749		
Western Port—Reply to question for Chart of Eastern Entrance and for Report on same—Presented (A. 37) ...	304		785		
Wills, Dr.—Motion for going into Committee to consider Address ( <i>Mr. Humffray</i> ) ...	358				
Order discharged ...	377				
Winch, Mr. Superintendent—Reply to question for papers in the case of—Presented ...	80				
Motion for referring Papers to Police Committee ...	253				
Y.					
Yarra Bend Lunatic Asylum. See "Lunatic Asylum."					
Yarra—Improvement of Navigation of the—Appointment of Select Committee ( <i>Mr. Orkney</i> ) ...	126				
Yarra Pollution Prevention Act Repeal Bill—Initiated ...	108				
Young, Mr. Geo.—Appointment of Select Committee ( <i>Mr. Ramsay</i> ) ...	247				
Report brought up (D. 60.) ...	345		...	1153	
Motion for taking same into consideration ( <i>Mr. Ramsay</i> ) ...	359				
Order discharged ...	377				





VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

No. 1.

FRIDAY, 30TH AUGUST, 1861.

1. Assembly met pursuant to Proclamation of His Excellency the Governor, bearing date the 19th day of August, 1861, which Proclamation was read by the Clerk, and is as follows:—

FIRST SESSION OF THE THIRD PARLIAMENT OF VICTORIA.

PROCLAMATION.

By His Excellency SIR HENRY BARKLY, Knight Commander of the Most Honorable Order of the Bath, Captain-General and Governor-in-Chief of the Colony of Victoria, and Vice-Admiral of the same, &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 in the said Act contained) such times for holding the first and every other session of the Legislative Council and Legislative Assembly of Victoria, and to vary and alter the same respectively as he might think fit: And whereas it is expedient to fix the time for holding the next Session of the said Legislative Council and Legislative Assembly now called "The Parliament of Victoria:" Now therefore I, Sir Henry Barkly, the Governor of Victoria, do hereby, in pursuance of the power and authority in me vested as aforesaid, appoint and proclaim that the First Session of the Third Parliament of Victoria shall commence and be holden for the despatch of business on Friday, the thirtieth day of August instant, at Twelve of the clock at noon, in the Parliament Houses, situate in Parliament Place, Spring Street, in the City of Melbourne: And the Members of the said Legislative Council and Legislative Assembly respectively 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 nineteenth day of August, in the year of Our Lord One thousand eight hundred and sixty-one, and in the twenty-fifth year of Her Majesty's reign.

(L.S.)

(Signed) HENRY BARKLY.

By His Excellency's Command,  
(Signed) R. HEALES.

GOD SAVE THE QUEEN!

2. MESSAGE FROM THE GOVERNOR'S COMMISSIONERS.—A Message from Commissioners appointed by His Excellency the Governor, by the Usher of the Legislative Council:—

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY—

Commissioners appointed by His Excellency the Governor request the presence of the Members of the Legislative Assembly to hear the Commission for opening the Parliament read.

Accordingly the Members of the Assembly went to the Council Chamber, where the Commissioners being seated, Chief Justice Sir W. F. Stawell said:—

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

His Excellency the Governor not thinking fit to be present in person this day, has been pleased to cause Letters Patent to issue under the Seal of the Colony, constituting us, his Commissioners, to do in his name all that is necessary to be performed in this Parliament. This will more fully appear from the Letters Patent, which will now be read.

Here the said Letters Patent were read, and are as follow:—

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING:—

WHEREAS by Proclamation made on the nineteenth day of August instant, by His Excellency SIR HENRY BARKLY, Knight Commander of the Bath, Governor of Our Colony of Victoria, the said SIR HENRY BARKLY did fix that the next Session of the Legislative Council and Legislative Assembly of Our said Colony, now called "THE PARLIAMENT OF VICTORIA," should commence and be holden on this day, at Twelve of the clock at noon, in the Parliament Houses, situate in Parliament Place, Spring Street, in the City of Melbourne: And forasmuch as for certain causes the said SIR HENRY

BARKLY cannot conveniently be present in person in the said Parliament at that time : Now KNOW YE that we, trusting in the discretion, fidelity, and care of Our trusty and well-beloved SIR WILLIAM FOSTER STAWELL, Knight, Our Chief Justice of Our Supreme Court of Victoria, and SIR REDMOND BARRY, Knight, a Justice of Our said Court, do, by the advice of Our Executive Council, give and grant by the tenor of these presents unto you the said SIR WILLIAM FOSTER STAWELL and SIR REDMOND BARRY, or either of you, full power in Our name to begin and hold Our said Parliament, and to do everything which for and by us, or the said SIR HENRY BARKLY shall be there to be done ; commanding also by the tenor of these presents, with the consent of Our said Council, all whom it may concern, to meet Our said Parliament, that to the said SIR WILLIAM FOSTER STAWELL and SIR REDMOND BARRY, or either of them, they diligently attend in the premises and form aforesaid. IN TESTIMONY whereof we have caused the Seal of Our said Colony to be hereunto affixed.

WITNESS Our trusty and well-beloved SIR HENRY BARKLY, Knight Commander of the Most Honorable Order of the Bath, Captain-General and Governor-in-Chief of Our Colony of Victoria, and Vice-Admiral of the same, at Melbourne, in Our said Colony, this thirtieth day of August, in the year of Our Lord One thousand eight hundred and sixty-one, and in the twenty-fifth year of Our Reign.

(L.S.)

(Signed) HENRY BARKLY.

By His Excellency's Command,

(Signed) J. MOORE.

Entered on Record in Register of Patents, Book 12,  
page 27, this thirtieth day of August, One thousand  
eight hundred and sixty-one.

(Signed)

J. MOORE.

And then the Chief Justice said—

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL AND GENTLEMEN OF THE  
LEGISLATIVE ASSEMBLY :

We have it in command from His Excellency to let you know that on Tuesday, the 3rd day of September next, at Two o'clock, His Excellency will declare to you in person in this place the causes of his calling this Parliament together ; and Gentlemen of the Legislative Assembly, as it is necessary before you proceed to the despatch of business that a Speaker of the Legislative Assembly be chosen, His Excellency requests that you in your chamber will proceed to the choice of a proper person to be the Speaker.

And the House being returned,

3. COMMISSIONER TO ADMINISTER OATHS TO MEMBERS.—Sir Redmond Barry, one of the Judges of the Supreme Court of Victoria, having been announced by the Serjeant-at-Arms, and by him conducted to the Chair, handed to the Clerk at the Table a Commission, in the words following :—

*VICTORIA, by the Grace of God of the United Kingdom of  
Great Britain and Ireland, Queen, Defender of the Faith.*

TO SIR REDMOND BARRY, Knight, one of the Judges of Our Supreme Court  
in Our Colony of Victoria,

GREETING :—

WHEREAS by the Bill contained in the schedule to a statute passed in the Session of our Imperial Parliament, holden in the eighteenth and nineteenth years of Our 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 authorised by the Governor in that behalf, the oath in the said Bill mentioned : WE DO THEREFORE by these presents command and authorise you to proceed to the Parliament House, in the City of Melbourne, on Friday, the thirtieth day of August instant, at Twelve of the clock at noon, then and there to administer the said oath to the several Members of the said Legislative Assembly. IN TESTIMONY whereof we have caused the Seal of our said Colony to be hereunto affixed.

WITNESS Our trusty and well-beloved SIR HENRY BARKLY, Knight Commander of the Most Honorable Order of the Bath, Captain-General and Governor-in-Chief of Our Colony of Victoria, and Vice-Admiral of the same, at Melbourne, this thirtieth day of August, One thousand eight hundred and sixty-one, and in the twenty-fifth year of Our Reign.

(Signed) HENRY BARKLY.

By His Excellency's Command,

(Signed) J. MOORE.

Entered on Record by me in Register of Patents, Book 12,  
page 28, this thirtieth day of August, One thousand  
eight hundred and sixty-one.

(Signed)

J. MOORE.

And which Commission was read by the Clerk.

4. WRITS OF ELECTION.—The Clerk announced that there had been handed to him Writs that had been issued by His Excellency the Governor, for the Election of Members to serve in the Legislative Assembly during the present Parliament, for the several Electoral Districts of the Colony; and that by the Returns respectively endorsed on such Writs, it appeared that the following Members were duly elected for the several Districts set opposite their respective names, viz. :—

West Melbourne	...	...	...	{ James Orkney. Thomas Loader.
North Melbourne	...	...	...	{ John Davies. Patrick Costello.
East Melbourne	...	...	...	{ Edward Cohen. Ambrose Kyte.
Emerald Hill	...	...	...	Mr. Robert Stirling Anderson.
Sandridge	...	...	...	William Nicholson.
Williamstown	...	...	...	The Hon. George Frederic Verdon.
Collingwood	...	...	...	{ Graham Berry. Charles Jardine Don. John Edwards the Younger.
Richmond	...	...	...	{ James Goodall Francis. Thomas Lambert.
St. Kilda	...	...	...	{ Kenric Edmund Brodribb. James Stewart Johnston.
Brighton	...	...	...	William Adams Brodribb.
South Bourke	...	...	...	{ Louis Lawrance Smith, Esq. Michael O'Grady, Esq.
Evelyn	...	...	...	Wm. Halse Gatty Jones.
Mornington	...	...	...	Henry Samuel Chapman.
North Gipps Land	...	...	...	John Everard, Esq.
South Gipps Land	...	...	...	George Dixon Hedley.
East Bourke	...	...	...	{ Robert Bennett. George Kirk.
East Bourke Boroughs	...	...	...	The Hon. Richard Heales.
West Bourke	...	...	...	{ John Carre Riddell. Charles MacMahon. John Thomas Smith.
Kilmore	...	...	...	The Hon. John O'Shanassy.
Kyneton Boroughs	...	...	...	Robert Breathwheat Tucker.
Dalhousie	...	...	...	Peter Snodgrass.
Rodney	...	...	...	Wilson Gray, Esq.
Murray	...	...	...	David Reid.
Murray Boroughs	...	...	...	Sir Francis Murphy.
Maryborough	...	...	...	{ Nathaniel Levi. Richard Davies Ireland. The Hon. John Macadam.
Castlemaine	...	...	...	{ Vincent Pyke, Esq. James Chapman, Esq.
Creswick	...	...	...	{ William Fraser, Esq. Robert MacDonald, Esq.
Sandhurst	...	...	...	{ William Dixon Campbell Denovan. James Joseph Casey.
Avoca	...	...	...	{ James Macpherson Grant. Benjamin George Davies.
Mandurang	...	...	...	{ James Forrester Sullivan. John Downes Owens.
Maldon	...	...	...	Mr. John Ramsay.
Ovens	...	...	...	{ William Charles Weeks. Peter Wright.
Geelong East	...	...	...	{ John Richardson, Esq. Butler Cole Aspinall, Esq.
Geelong West	...	...	...	{ John Henry Brooke. Nicholas Foott. Peter Lalor.
South Grant	...	...	...	{ Michael James Cummins. William Nelson McCann.
Ripon and Hampden	...	...	...	James Service.
Polwarth and South Grenville	...	...	...	William Nixon.
Villiers and Heytesbury	...	...	...	{ Chas. Gavan Duffy. Richard Davies Ireland.
Belfast	...	...	...	John Hood.
Warrnambool	...	...	...	Thomas Manifold, Esq.
Dundas	...	...	...	William Thomas Mollison.
Wimmera	...	...	...	Samuel Wilson, Esq.

Normanby	...	...	...	...	George Collins Levey.
Portland	...	...	...	...	William Clarke Haines, Esq.
Ballaarat West	...	...	...	...	{ Duncan Gillies.
				...	{ William Collard Smith.
Ballaarat East	...	...	...	...	{ John Basson Humffray, Esq.
				...	{ John Cathie, Esq.
Grenville	...	...	...	...	{ Robert Gillespie.
				...	{ Alfred Arthur O'Connor.
Crowlands	...	...	...	...	{ The Hon. John Houston.
				...	{ John Woods, Esq.
Ararat	...	...	...	...	{ William McLellan.
				...	{ Daniel Ratcliffe Flint.

5. MEMBERS SWORN.—J. Orkney, Esq., T. Loader, Esq., J. Davies, Esq., P. Costello, Esq., E. Cohen, Esq., A. Kyte, Esq., R. S. Anderson, Esq., W. Nicholson, Esq., G. F. Verdon, Esq., G. Berry, Esq., C. J. Don, Esq., J. Edwards, Esq., jun., J. G. Francis, Esq., T. Lambert, Esq., K. E. Brodribb, Esq., J. S. Johnston, Esq., W. A. Brodribb, Esq., L. L. Smith, Esq., M. O'Grady, Esq., H. S. Chapman, Esq., G. D. Hedley, Esq., R. Bennett, Esq., G. Kirk, Esq., R. Heales, Esq., J. C. Riddell, Esq., C. Mac Mahon, Esq., J. T. Smith, Esq., J. O'Shanassy, Esq., R. B. Tucker, Esq., P. Snodgrass, Esq., W. Gray, Esq., Sir F. Murphy, N. Levi, Esq., R. D. Ireland, Esq., J. Macadam, Esq., V. Pyke, Esq., J. Chapman, Esq., R. MacDonald, Esq., W. D. C. Denovan, Esq., J. J. Casey, Esq., J. M. Grant, Esq., J. F. Sullivan, Esq., J. D. Owens, Esq., J. Ramsay, Esq., W. C. Weeks, Esq., P. Wright, Esq., J. Richardson, Esq., B. C. Aspinall, Esq., J. H. Brooke, Esq., N. Foott, Esq., P. Lalor, Esq., M. J. Cummins, Esq., W. N. McCann, Esq., J. Service, Esq., W. Nixon, Esq., C. G. Duffy, Esq., D. Ireland, Esq., J. Hood, Esq., T. Manifold, Esq., W. T. Mollison, Esq., S. Wilson, Esq., G. C. Levey, Esq., W. C. Haines, Esq., D. Gillies, Esq., W. C. Smith, Esq., J. B. Humffray, Esq., J. Houston, Esq., J. Woods, Esq., W. McLellan, Esq., D. R. Flint, Esq., having severally taken the Oath, and A. A. O'Connor, Esq., having made the affirmation, required by law severally took their seats as Members of the said Legislative Assembly.

The Commissioner, preceded by the Serjeant-at-Arms, then retired from the Chamber of the Assembly.

6. ELECTION OF SPEAKER.—Mr. Humffray, addressing himself to the Clerk, proposed to the House, for their Speaker, Sir Francis Murphy, and moved "That Sir Francis Murphy do take the Chair of the House as Speaker," which motion was seconded by W. T. Mollison, Esq.

The House then calling Sir Francis Murphy to the Chair, he stood up in his place and expressed the sense he had of the honor proposed to be conferred upon him, and submitted himself to the House.

The House then unanimously calling Sir Francis Murphy to the Chair, he was taken out of his place by Mr. Humffray and Mr. Mollison, and conducted to the Chair, where, standing upon the upper step, he returned his humble acknowledgments to the House for the great honor they had been pleased to confer upon him by again unanimously choosing him to be their Speaker.

And thereupon he sat down in the Chair, and then the Mace (which before lay under the Table) was laid upon the Table.

Then Mr. Heales and Mr. Haines having congratulated Mr. Speaker,

7. PRESENTATION OF MR. SPEAKER.—Mr. Heales stated that he had already ascertained that it would be His Excellency's pleasure to receive the Speaker at twelve o'clock on Tuesday next, and moved, That the House do adjourn until twelve o'clock on Tuesday next.  
Question—put and resolved in the affirmative.

Assembly adjourned at twenty minutes after one o'clock until twelve o'clock on Tuesday next.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

VICTORIA.

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VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 2.

TUESDAY, 3RD SEPTEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PRESENTATION OF THE SPEAKER.—The Assembly, according to Order, proceeded to the Government Offices, in order that Mr. Speaker might present himself to His Excellency the Governor.

The Assembly being returned, Mr. Speaker reported that the Assembly had proceeded to the Government Offices, and that he had presented himself to His Excellency the Governor as the choice of the Assembly, and that His Excellency had been pleased to address him in the following terms:—

MR. SPEAKER,

It gives me much pleasure to learn that you have been again raised by the representatives of the people to the Speakership of the Legislative Assembly.

The unanimous testimony thus borne to the ability, impartiality, and urbanity hitherto displayed by you, affords the surest guarantee for your continued success in the discharge of the important and arduous duties of that high office.

Government House,

(Signed) HENRY BARKLY.

3rd September, 1861.

3. ADJOURNMENT.—On the motion of Mr. Humffray, the Assembly adjourned at seventeen minutes to one o'clock until a quarter to two o'clock p.m. this day.

QUARTER TO TWO O'CLOCK P.M.

4. Assembly met pursuant to adjournment—Mr. Speaker took the Chair.
5. GOVERNOR'S SPEECH.—A Message from His Excellency the Governor by the Usher of the Council:—

MR. SPEAKER,

The Governor requests the immediate attendance of the Assembly in the Chamber of the Legislative Council.

Accordingly Mr. Speaker and the House went up to attend His Excellency; and being returned,

6. COMMISSION TO ADMINISTER OATHS TO MEMBERS.—Mr. Speaker announced that he had received from His Excellency the Governor the following Commission, which was read by the Clerk, and is as follows:—

*VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith.*

To the Honorable SIR FRANCIS MURPHY, Knight, Speaker of Our Legislative Assembly of Our Colony of Victoria.

WHEREAS by the Bill contained in the schedule to a statute passed in the Session of Our Imperial Parliament, holden in the eighteenth and nineteenth years of Our 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: WE DO THEREFORE by these presents command and authorize you from time to time in the Parliament House, in the City of Melbourne, to administer the oath to such members of the said Legislative Assembly as have not taken and subscribed the same in the present Parliament. IN TESTIMONY whereof we have caused the seal of Our said Colony to be hereunto affixed.

WITNESS Our trusty and well-beloved SIR HENRY BARKLY, Knight Commander of the Most Honorable Order of the Bath, Captain-General and Governor-in-Chief of Our Colony of Victoria, and Vice-Admiral of the same, at Melbourne, this second day of September, One thousand eight hundred and sixty-one, and in the twenty-fifth year of Our reign.

(L.S.)

(Signed) HENRY BARKLY.

By His Excellency's Command,

(Signed) J. MOORE.

Entered on Record by me in Register of Patents, Book 12, page 29, this second day of September, One thousand eight hundred and sixty-one.

(Signed)

J. MOORE.

7. PAPERS.—Mr. Sullivan presented, by command of His Excellency the Governor—  
Trade and Customs.—Returns relating to Trade and Customs, for the year 1860.  
Ordered to lie on the Table.
- Mr. Humffray presented, by command of His Excellency the Governor—  
Gold Fields Act.—Orders in Council:—  
Mining under Wendohree Swamp (Royal Saxon Company).  
Mining under Quarry Reserve, Ballaarat West.  
Mining Districts altered.  
Mining under Wendouree Swamp (Durham Gold Mining Company).  
Mining operations under New Inglewood Reservoir and under Town Reserve at  
Daylesford.  
Severally ordered to lie on the Table.
8. PETITIONS.—Mr. L. L. Smith presented a Petition from certain Oyster Dredgers and  
Leascholders of Oyster Beds, in the Colony of Victoria, praying the Assembly to accede  
to the statements set forth in the Petition.  
Petition read, and ordered to lie on the Table.  
Mr. L. L. Smith presented a Petition from certain Shopkeepers, being retailers of Oysters  
in the city of Melbourne and its vicinity, praying the alteration of the present closed  
season for Oysters.  
Ordered to lie on the Table.
9. MEMBER SWORN.—William Frazer, Esq., took the Oath and his seat as Member of the  
Legislative Assembly.
10. DESERTED CHILDREN PROTECTION BILL.—Mr. Heales moved, That he have leave to bring  
in a Bill for the protection of neglected Children and the prevention of Crime by  
Children.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Heales do prepare and bring in the Bill.  
Mr. Heales then brought up a Bill, intituled, "*A Bill for the protection of neglected  
Children and the prevention of Crime by Children,*" 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, 10th September instant.
11. GOVERNOR'S SPEECH.—Mr. Speaker reported, That the House had this day attended his  
Excellency the Governor in the Legislative Council, where His Excellency was pleased  
to make a Speech to both Houses of Parliament, of which, to prevent mistakes, he had  
obtained a copy, which he read to the House, and is as followeth:—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

In order to prevent the embarrassment that might have resulted to the financial  
engagements of the country, had the provisions of the third clause in the *Appropriation  
Act* not been complied with, Parliament has been called together earlier than is usual  
after a general election.

The period that has elapsed since the dissolution of the late Assembly having  
necessarily been occupied by the business incident to the elections, the leisure ordinarily  
afforded to Ministers for maturing their measures has not been at the disposal of my  
advisers. They are nevertheless prepared with several important Bills, which will be  
laid before you.

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

The premature re-assembling of Parliament, occasioned by the operation of the  
third section of the *Appropriation Act*, has rendered the preparation of the Estimates  
for the ensuing year, before the meeting of Parliament, impossible. Moreover, as it is  
the intention of my advisers immediately to introduce measures which, if passed, will  
largely affect the construction of the Estimates, their preparation will necessarily be  
delayed until these measures shall have received the consideration of Parliament, when a  
short adjournment will be necessary.

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

It is with satisfaction that I am enabled to inform you that the demand for  
Occupation and Cultivation Licenses on the Gold Fields, granted by the Board of Land  
and Works under the authority of the Crown Lands Sales Act, is so great as, in the  
opinion of my advisers, amply to vindicate the necessity and expediency of their issue.  
The introduction of these licenses has proved most beneficial; and such is the general  
satisfaction evinced by miners and others desirous of providing homes for themselves and  
their families, but who have been hitherto practically denied the opportunity of substantial  
settlement, that it has been deemed expedient to extend the advantages of the system to  
persons who may be desirous of engaging in agricultural pursuits, under regulations  
framed to prevent speculation and undue competition, and to promote the occupation  
of the lands by those who will actually cultivate and reside on them.

I trust that this,—the most liberal land system in the Australian Colonies,—will not only be duly appreciated and extensively resorted to by our own population; and that the exodus of those unsettled portions of the people, who, having no fixed attachment to the country, are led away by every rumor of a newly discovered gold field, will be checked, but that it will be a powerful inducement to intending emigrants to make this favored land their home, who might otherwise have directed their course elsewhere. It is not too much to hope that the prosperity of the country, retarded by the want of facilities for settling on the soil, will rapidly advance under the operation of the new system.

Amongst the Bills which will claim your earliest attention is one for the establishment of County Councils, and the division and nomenclature of the unnamed portion of the territory. This important measure provides for the extension of local government, conferring on County Councils functions hitherto exercised partly by Road Boards and partly by the general Government, giving, in addition to other powers, authority to impose taxation for local improvements, and subsidising the incomes of the local councils from the general revenue.

The re-organization of the Civil Service forms the subject of a Bill to be submitted, providing amongst other things for the appointment, classification, promotion and superannuation of officers employed in the Civil Service of the Government, and for the establishment of an Insurance and Guarantee Fund.

Several measures for the benefit of the mining interest, which are much needed, will be speedily introduced: these will comprise Bills for the better Administration of Justice, for the Management of the Gold Fields, for authorising and regulating Mining on Private Property, to secure compensation to the families of persons killed by mining accidents, and for the amendment and consolidation of the Laws relating to Mining Partnerships. These Bills will rectify some of the defects of our present mining code, and tend to the further development of mining industry.

The amendment of the law affecting the transfer of real property has had the consideration of my advisers, and a measure analogous to that of Mr. Torrens is in the course of preparation; before, however, introducing it to Parliament it has been deemed expedient to await the Report of the Commission appointed to enquire into the operation of the Act in South Australia.

The establishment of Local Insolvency Courts, it is believed, will prove beneficial to the trading classes in the country districts, and a Bill will be introduced for that purpose.

A Bill for the Abolition of State Aid to Religion will be also laid before you, and a measure to consolidate the Administration of the Systems of Public Instruction under one Board will be submitted, its object being to diminish the cost of tuition, and to secure to the rising generation the advantages of a sound secular education.

Two important measures, calculated to relieve and encourage domestic interests, will be submitted for your consideration; one providing for a reduction of the Export Duty on Gold, the other for facilitating the establishment of Distilleries and lessening the duty on Spirits distilled in Victoria.

The inadequacy of our national income from existing sources, and the imperfect development of industries for which natural facilities exist in this country, have led to a general conviction that it is expedient that the Tariff should be reconsidered by Parliament, with the twofold object of raising a sufficient revenue, and, by a judicious rearrangement of our imposts, of affording to our industrial interests the incidental advantages derivable from duties imposed on such articles as compete with our own products, rather than on those which do not. It is therefore contemplated by my Ministers, after the Estimates of Expenditure have been framed, to submit propositions to Parliament for realizing these objects.

The removal of the impediments that have hitherto existed to settlement on the public lands, and the encouragement to our industrial interests which the measures proposed by my advisers will afford, will, it is hoped, by inspiring confidence in the future of the colony, revive immigration and restore prosperity. It will, however, be desirable, in addition to these inducements, to continue to support the system of assisted immigration already sanctioned by Parliament.

I am happy to inform you that the action taken by my advisers shortly after accepting office has induced the Imperial authorities to extend the Postal Money Order system to this Colony, and that the whole of the arrangements for bringing it into practical operation will be completed by the close of the present year. This concession will prove a great convenience to persons remitting small sums to their friends in the United Kingdom.

The experience already gained of the working of the Constitution, has, from time to time, developed defects which could not have been anticipated by its framers. Some of these the wisdom of Parliament has already removed. It has, however, long been apparent that there has been a want of harmony in the working of the two branches of the Legislature, and it is considered by my advisers that reforms which have been made in the constitution of the Assembly must remain comparatively ineffectual unless corresponding improvements be made in the Council. A Bill to amend the constitution of the Council will be therefore introduced.



The impossibility of otherwise securing the adequate representation of the country in Parliament, renders it expedient that members should be compensated for their services during their attendance on their legislative duties. The result of the election proves, that whilst a majority has been returned favorable to the principle, considerable difference of opinion exists as to the mode of applying it. The principle being conceded, the manner of carrying it into effect is a question which Parliament alone can determine, and it will be the duty of my advisers to take the sense of the representatives of the people on this subject when the proper time arrives.

Notwithstanding the advantages which Municipal Institutions have conferred on the country, experience has shown that it would be desirable to amend and consolidate the laws relating to them; Bills with that object will be introduced as soon as the business of Parliament will admit.

The subjects to which I have called your attention will, I am satisfied, receive your most earnest consideration. I pray God to prosper your deliberations, and direct your decisions.

(Signed) HENRY BARKLY.

Government Offices,  
3rd September, 1861.

12. ADDRESS IN REPLY TO GOVERNOR'S OPENING SPEECH.—Mr. Edwards moved, That this House do resolve that an humble Address be presented to His Excellency the Governor, expressing our loyalty to our Most Gracious Sovereign, and to thank His Excellency for having called Parliament together in order to prevent any embarrassment to the financial arrangements of the country.

To express our satisfaction that notwithstanding the shortness of the period that has elapsed since the dissolution of the late Assembly, several important Bills will be laid before us, and to assure His Excellency that they will receive our careful consideration.

To assure His Excellency that our earnest attention will be given to such measures as it is the intention of His Excellency's advisers to introduce prior to the preparation of the Estimates; and to state that the Estimates, when transmitted to us, will receive our serious consideration.

To express our pleasure at the assurance given to us by His Excellency that the introduction of the Occupation and Cultivation Licenses has proved most beneficial, and that it has been deemed expedient to extend the advantages of the system to persons who may be desirous of engaging in agricultural pursuits.

To assure His Excellency that we join with him in trusting that this, which is now the most liberal land system in the Australian Colonies, will be duly appreciated and extensively availed of by our own population, and that it may be a powerful attraction to intending emigrants to make this favored land their home; and to concur with His Excellency that it is not too much to hope that the prosperity of the country, retarded by the want of facilities for settling on the soil, will rapidly advance under the operation of this new system.

To assure him that we shall give our best attention to the measures which it is proposed to submit for our consideration—for the establishment of County Councils—for the re-organization of the Civil Service—for the better Administration of Justice—for the management of the Gold Fields—for authorising and regulating Mining on Private Property—to secure compensation to the families of persons killed by mining accidents—and for the amendment and consolidation of the Laws relating to Mining Partnerships.

To assure His Excellency that we concur in the expediency of awaiting the report of the Commission appointed to enquire into the operation of Mr. Torrens' Act in South Australia before the introduction of any measure for the amendment of the law affecting the transfer of real property here; and to state that the Bills for the establishment of Local Insolvency Courts, for the abolition of State Aid to Religion, to consolidate the administration of the systems of Public Instruction under one Board, for a reduction of the Export Duty on Gold, and for facilitating the establishment of Distilleries and lessening the duty on Spirits distilled in Victoria, will receive our earnest consideration.

To assure His Excellency that we participate in the general conviction that the inadequacy of our income from existing sources to meet our expenditure, and the imperfect development of industries for which facilities exist in this country, renders it expedient that the Tariff should be reconsidered by Parliament, with the double object of raising a sufficient revenue, and by a judicious re-arrangement of our imposts affording to our industrial interests the incidental advantages derivable from duties imposed on such articles as compete with our products, rather than on those which do not; and further to assure him that the propositions to be submitted to Parliament for realizing these objects will have our most earnest consideration.

To assure His Excellency that we unite in the hope that the removal of the impediments that have hitherto existed to settlement on the public domain, and the encouragement to our industrial interests which the measures proposed by His Excellency's advisers will afford, will by inspiring confidence in the future of the Colony, revive immigration and restore prosperity.

To thank His Excellency for the information conveyed to us by him that the action taken by His Excellency's advisers has induced the Imperial authorities to extend the Postal Money Order system to this Colony, and that the whole of the arrangement for bringing it into practical operation will be completed by the close of the present year.

To assure His Excellency that we shall give our serious attention to the Bill for the amendment of the constitution of the Legislative Council; and further to assure His Excellency that we concur with His Excellency that the impossibility of otherwise securing the adequate representation of the country in Parliament renders it expedient that members should be compensated for their services during their attendance on their duties, and that the manner of carrying the principle into effect is a question which Parliament alone can determine.

To assure His Excellency that the Bill for the amendment and consolidation of the laws relating to Municipal Institutions will receive our careful attention; and, in conclusion, to assure His Excellency that the subjects to which he has called our attention will receive our most earnest consideration; and to join with His Excellency in prayer to God that He may prosper our deliberations and direct our decisions.

Debate ensued.

The entry No. 5 in the Votes and Proceedings of the 11th January, 1861, as to Payment of Members, was read by the Clerk.

Question—That this House do resolve, That an humble Address, as above, be presented to His Excellency the Governor—put and resolved in the affirmative.

13. COMMITTEE TO DRAW UP ADDRESS.—Mr. Edwards moved, That a Committee be appointed to draw up an Address to be presented to His Excellency the Governor upon the said resolution; and that such Committee consist of Mr. Flint, Mr. Heales, Mr. Aspinall, Mr. Wilson Gray, Mr. Frazer, Mr. Richardson, and the Mover, and that they withdraw immediately.

Question—put and resolved in the affirmative.

Ordered—That His Excellency's Speech to both Houses of Parliament be referred to the Committee.

Mr. Edwards, Chairman, brought up the Report from the above Committee, which was read, and is in the words following:—

*To His Excellency SIR HENRY BARKLY, Knight Commander of the Most Honorable Order of the Bath, &c., &c., &c.*

We, Her Majesty's faithful subjects, the Members of the Legislative Assembly of Victoria, in Parliament assembled, desire to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for having called the Parliament together, in order to prevent any embarrassment to the financial arrangements of the country.

We desire to express our satisfaction that, notwithstanding the shortness of the period that has elapsed since the dissolution of the late Assembly, several important Bills will be laid before us. We beg to assure Your Excellency that they will receive our careful consideration.

Our earnest attention will be given to such measures as it is the intention of Your Excellency's advisers to introduce prior to the preparation of the Estimates. The Estimates, when transmitted to us, will receive our serious consideration.

We rejoice at the assurance given to us by Your Excellency that the introduction of the Occupation and Cultivation Licenses has proved most beneficial, and that it has been deemed expedient to extend the advantages of the system to persons who may be desirous of engaging in agricultural pursuits.

We join with Your Excellency in trusting that this, which is now the most liberal land system in the Australian Colonies, will be duly appreciated and extensively adopted by our own population, and that it may be a powerful attraction to intending emigrants to make this favored land their home. We concur with Your Excellency that it is not too much to hope that the prosperity of the country, retarded by the want of facilities for settling on the soil, will rapidly advance under the operation of this new system.

We shall give our best attention to the measures which it is proposed to submit for our consideration—for the establishment of County Councils—for the re-organization of the Civil Service—for the better Administration of Justice—for the management of the Gold Fields—for authorising and regulating Mining on Private Property—to secure compensation to the families of persons killed by mining accidents—and for the amendment and consolidation of the laws relating to mining partnerships.

We concur in the expediency of awaiting the report of the commission appointed to enquire into the operation of Mr. Torrens' Act in South Australia, before the introduction of any measure for the amendment of the law affecting the transfer of real property.

The Bills for the establishment of Local Insolvency Courts, for the abolition of State Aid to Religion, to consolidate the administration of the systems of Public Instruction under one Board, for a reduction of the Export Duty on Gold, and for facilitating the establishment of Distilleries and lessening the duty on spirits distilled in Victoria, will receive our earnest consideration.

We participate in the general conviction that the inadequacy of our income from

existing sources to meet our expenditure, and the imperfect development of industries for which facilities exist in this country, renders it expedient that the Tariff should be reconsidered by Parliament, with the double object of raising a sufficient revenue, and by a judicious re-arrangement of our imposts affording to our industrial interests the incidental advantages derivable from duties imposed on such articles as compete with our products rather than on those which do not. The propositions to be submitted to Parliament for realizing these objects will have our most earnest consideration.

We unite in the hope that the removal of the impediments that have hitherto existed to settlement on the public domain, and the encouragement to our industrial interests which the measures proposed by Your Excellency's advisers will afford, will, by inspiring confidence in the future of the Colony, revive immigration and restore prosperity.

We shall readily continue to support the system of assisted Immigration.

We thank Your Excellency for the information conveyed to us by Your Excellency, that the action taken by your advisers has induced the Imperial authorities to extend the Postal Money Order system to this Colony, and that the whole of the arrangements for bringing it into practical operation will be completed by the close of the present year.

We shall give our serious attention to the Bill for the Amendment of the Constitution of the Legislative Council.

We concur with Your Excellency that the impossibility of otherwise securing the adequate representation of the country in Parliament renders it expedient that members should be compensated for their services during their attendance on their duties, and that the manner of carrying the principle into effect is a question which Parliament alone can determine.

The Bill for the Amendment and Consolidation of the Laws relating to Municipal Institutions will receive our careful attention.

We desire, in conclusion, to assure Your Excellency that the subjects to which you have called our attention will receive our most earnest consideration; and we join Your Excellency in prayer to God, that He may prosper our deliberations and direct our decisions.

On the Motion of Mr. Edwards, the Assembly agreed with the Committee in the above Address, and ordered the same to be presented to His Excellency the Governor, by Mr. Speaker and the Members of the Assembly.

14. ADJOURNMENT.—Mr. Heales moved, That the House, at its rising this day, do adjourn until three o'clock to-morrow.

Question—put and resolved in the affirmative.

Assembly adjourned at eleven minutes to seven o'clock until three o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 3.

WEDNESDAY, 4TH SEPTEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PRESENTATION OF ADDRESS TO HIS EXCELLENCY THE GOVERNOR.—Mr. Speaker reported that this House had waited upon His Excellency the Governor, and had presented to him the Address of the Assembly, agreed to yesterday, and that His Excellency had been pleased to make the following reply thereto :—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY—

I thank you for your loyal and dutiful Address.

I am happy to find that the measures, which it is the intention of my advisers to introduce, will receive your most earnest consideration.

(Signed) HENRY BARKLY.

Government House,  
4th September, 1861.

3. MEMBERS SWORN.—David Reid, Esq., and John Cathie, Esq., having taken the Oath, severally took their seats as Members of the Assembly.
4. PAPERS.—Mr. Heales presented, by command of His Excellency the Governor—  
Chief Medical Officer.—Report on the Sanitary Station for the year 1860.  
University of Melbourne.—Report of the Proceedings of the Council of the University of Melbourne during the year commencing on the 1st day of June, 1860, and terminating on the 31st day of May, 1861.  
Severally ordered to lie on the Table.  
Mr. Brooke presented, by command of His Excellency the Governor—  
Proclamation.—Smythesdale Town Common.  
" Hamilton Town Common altered.  
" Gisborne Town Common enlarged.  
" Meredith Town Common.  
Amended description of Farmers' Common at Bet-bet.  
Proclamation—Kerrit Bareet—Farmers' Common.  
" Farmers' Commons—Carlisle, North Buninyong, Shelford.  
" Farmers' Commons—Coolebarghurk, Woodford, and Yangery.  
" Farmers' Commons—Euroa, Gorrin, Lethbridge, West Bylands, Yarram Yarram.  
" Farmers' Commons—Boram Boram, Yalimba, Bundalaguah, Hexham, Holden and Tullamarine, Kangaroo Ground, Near Keilor, Murgheboluc, St. Arnaud.  
" Gold Fields Common—Mount Egerton.  
" Gold Fields Common—Steiglitz enlarged.  
" Gold Fields Common—Sandy Creek.  
" Gold Fields Common—Jones's Creek.  
" Gold Fields Common—Heathcote enlarged.  
Regulations respecting Graziers' Licenses for Gold Fields Common.  
Residence and Cultivation Licenses.  
Regulations respecting Selection of Allotments.  
Severally ordered to lie on the Table.
5. MELBOURNE AND HOBSON'S BAY RAILWAY ACT AMENDMENT BILL.—The Clerk of the Assembly having laid upon the Table of the House a Bill that had been duly deposited with him, intituled "*A Bill to amend an Act passed in the sixteenth year of the Reign of Her present Majesty Queen Victoria, intituled 'An Act to incorporate a Company to be called 'The Melbourne and Hobson's Bay Railway Company' and to compel the said Company to allow a carriage road or street called Murray-street to be continued across the said Company's Railway'*"—Mr. Anderson moved, That the Petition for the Melbourne and Hobson's Bay Railway Act Amendment Bill, which was presented upon the 27th day of February, in the last Session of Parliament, and the order

of leave for bringing in the said Bill made upon the 17th day of April following, be read ; and that the said Bill be read a first and second time, and referred to a Select Committee together with the evidence taken before the Committee of the last Session of Parliament.

Question—put and resolved in the affirmative.

Whereupon the Bill was read a first and second time, and committed to a Select Committee.

6. CHAIRMAN OF COMMITTEES.—Mr. Gillies moved, pursuant to notice, That Mr. Peter Lalor be appointed Chairman of Committees of this House.

Debate ensued.

Question—put and resolved in the affirmative.

7. DAYS OF BUSINESS.—Mr. Heales moved, pursuant to notice, That Tuesday, Wednesday, Thursday, and Friday in each week be the days on which the Assembly shall meet for the despatch of business during the present Session, and that four o'clock be the hour of meeting on each day.

Question—put and resolved in the affirmative.

8. GOVERNMENT BUSINESS.—Mr. Heales moved, pursuant to notice, That on Tuesday, Wednesday, and Friday in each week during the present Session, the transaction of Government business shall take precedence of all other business.

Debate ensued.

Mr. Haines moved, That the word "Friday" be omitted and the word "Thursday" inserted instead thereof.

Question—That the word proposed to be omitted stand part of the question—put and resolved in the affirmative.

Question—That on Tuesday, Wednesday, and Friday in each week during the present Session, the transaction of Government business shall take precedence of all other business—put and resolved in the affirmative.

9. PRINTING COMMITTEE.—Mr. Heales moved, pursuant to notice, That the following Members do form the Printing Committee during the present Session :—The Honorable the Speaker, Mr. McLellan, Mr. Berry, Mr. Richardson, Mr. Levey, Mr. Lalor, Mr. Gillies, Mr. Foott, and the Mover ; three to form a quorum.

Question—put and resolved in the affirmative.

10. STANDING ORDERS COMMITTEE.—Mr. Heales moved, pursuant to notice, That the following Members form the Select Committee on Standing Orders :—The Honorable the Speaker, the Chairman of Committees, Mr. Gavan Duffy, Mr. Snodgrass, Mr. O'Shanassy, Dr. Owens, Mr. Brooke, Mr. Gray, Mr. Aspinall ; three to form a quorum.

Question—put and resolved in the affirmative.

11. REFRESHMENT ROOMS COMMITTEE.—Mr. Heales moved, pursuant to *amended* notice, That the following Members form the Refreshment Rooms Committee of the Assembly :—Mr. Pyke, Mr. Frazer, Mr. Snodgrass, Mr. L. L. Smith, Mr. J. T. Smith ; with power to confer with the Committee of the Legislative Council.

Question—put and resolved in the affirmative.

12. LIBRARY COMMITTEE.—Mr. Heales moved, pursuant to notice, That the following Members form the Library Committee of the Assembly during the present Session, with power to confer with the Committee of the Legislative Council :—The Honorable the Speaker, Mr. Edwards, Mr. Mollison, Dr. Macadam, Mr. Haines.

Question—put and resolved in the affirmative.

13. PARLIAMENT BUILDINGS COMMITTEE.—Mr. Heales moved, pursuant to notice, That the following Members form the Parliament Buildings Committee of the Assembly :—The Honorable the Speaker, Mr. Grant, Mr. Gavan Duffy, Mr. Don, Mr. Francis ; with power to confer with the Committee of the Legislative Council.

Question—put and resolved in the affirmative.

14. ADJOURNMENT.—Mr. Heales, by leave of the Assembly, moved, That the House at its rising this day, do adjourn until Tuesday next.

Question—put and resolved in the affirmative.

Assembly adjourned at twenty minutes to five o'clock until four o'clock on Tuesday next.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 4.

TUESDAY, 10TH SEPTEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. MEMBERS SWORN.—Benjamin George Davies, Esq., and Robert Gillespie, Esq., severally took the Oath and their seats as Members of the Assembly.
3. PETITION.—Mr. Loader presented a Petition from certain manufacturers of tobacco, cigars, and snuff, and tobacconists of the Colony of Victoria, as to the duties paid and payable upon raw and manufactured tobacco.  
Petition read and ordered to lie on the Table.
4. RETENTION OF SEAT.—NOTICE.—Mr. Speaker announced that he had received from R. D. Ireland, Esq., a letter, which he read, and is as follows:—

Melbourne, 5th Sept., 1861.

SIR,

Pursuant to the provisions of the 23rd Vic, No. 91, I hereby give you notice that I intend to retain my seat for the Electoral District of Villiers and Heytesbury.

I am, Sir,

Your obedient Servant,

The Hon. the Speaker.

(Signed) R. D. IRELAND.

5. MORNINGTON ELECTION.—Mr. Speaker announced that a subpoena, issued from the Supreme Court of Victoria, had been served on the Clerk of the Assembly commanding him to appear before the said Court, on the 20th day of September instant, and then and there to give evidence on the part of the Queen, touching a certain information to be preferred against Patrick Costello, Timothy Murray, Francis O’Ryan, and Louis Frankel, in a case of personating voters; and that he bring with him and produce to the court and jury on the trial of this case, the ballot papers, official roll supplied to the Returning Officer, and the official roll likewise supplied to the Deputy Returning Officers for Dromana, Schnapper Point, and Kangerong divisions at the last Mornington election, and the book in which electors signed their names, and all other books, papers, and documents connected with the said election, which subpoena was read by the Clerk.

Whereupon Mr. Aspinall moved, that the Clerk of the Assembly have permission to attend and give evidence at the Supreme Court on the part of the Queen, touching a certain information to be preferred against Patrick Costello, Timothy Murray, Francis O’Ryan, and Louis Frankel, in a case of personating voters; and that he have permission to produce to the court and jury on such trial, the ballot papers, official roll supplied to the Returning Officer, and the official roll likewise supplied to the Deputy Returning Officers for Dromana, Schnapper Point, and Kangerong divisions at the last Mornington election, and the book in which electors signed their names, and all other books, papers, and documents connected with the said election.

Mr. Ireland moved, as an amendment, That all the words after the word “that” be omitted, with a view to insert instead thereof the words “the consideration of the question be referred to the Committee of Standing Orders, to report upon the same without delay.”

Debate ensued.

Motion and amendment by leave withdrawn.

6. PAPERS.—Mr. Humffray, by command of His Excellency the Governor, presented—  
Gold Fields Act.—Order in Council:—  
Mining under Wendouree Parade, Ballaarat West.  
Mining under Gaol Reserve, Ballaarat.

Severally ordered to lie on the Table.

Mr. Verdon presented—

Bank Liabilities and Assets.—General abstract of sworn returns of the average liabilities and assets of the several banks in Victoria, for the quarter ended 30th June, 1861.

Ordered to be printed.

Mr. Brooke presented, by command of His Excellency the Governor—

Crown Lands Sales Act.—Regulation respecting the selection of allotments of Country Lands under the 30th section of this Act.

Ordered to lie on the Table.

7. COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The following Warrant, appointing “*The Committee of Elections and Qualifications*,” was laid upon the Table of the Assembly by Mr. Speaker :—

“VICTORIA.

“Pursuant to the provisions of ‘*The Electoral Act of 1856*,’ I do hereby appoint—

Edward Cohen,  
James Macpherson Grant,  
Wilson Gray,  
Richard Davies Ireland,  
William Thomas Mollison,  
John Downes Owens,  
James Service,

to be Members of a Committee to be called ‘*The Committee of Elections and Qualifications*.’

“Given under my hand this tenth day of September, 1861.

(Signed)

“FRANS. MURPHY,

“Speaker.”

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

“*Deserted Children Protection Bill*”—*Second reading*.

9. ESTIMATES FOR 1862.—Mr. O’Shanassy moved, pursuant to notice, That this House considers it essentially useful to the exact performance of its duties, as guardians of the public purse, that the Estimates of Revenue and Expenditure for the year 1862 should be submitted to its “consideration” without delay, in accordance with the law and usage of Parliament.

Debate ensued.

Mr. W. C. Smith moved, as an amendment, That all the words after the word “consideration” be omitted, with a view to insert instead thereof the words “at a period not later than the 14th day of October next.”

Debate continued.

And the House having continued to sit till after twelve of the clock—

WEDNESDAY, 11TH SEPTEMBER, 1861.

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

Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put and resolved in the affirmative.

Question—That this House considers it essentially useful to the exact performance of its duties, as guardians of the public purse, that the Estimates of Revenue and Expenditure for the year 1862 should be submitted to its consideration at a period not later than the 14th day of October next—put and resolved in the affirmative.

10. ADJOURNMENT.—Mr. Heales, by leave of the Assembly, moved, That the House, at its rising this day, do adjourn until Thursday next.

Question—put and resolved in the affirmative.

Assembly adjourned at twenty-six minutes to four o’clock, a.m., until four o’clock on Thursday next.

FRANS. MURPHY,

*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 5.

THURSDAY, 12TH SEPTEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—Mr. Speaker's Warrant appointing "*The Committee of Elections and Qualifications*" was again laid upon the Table of the Assembly.
3. MORNINGTON ELECTION.—Mr. Speaker announced that a subpœna, issued from the Supreme Court of Victoria, had been served on the Clerk of the Assembly, commanding him to appear before the said Court, on Friday, the 20th September instant, then and there to give evidence on the part of the Queen, touching a certain information to be preferred against Patrick Costello and others, in a case of conspiracy ; and to bring with him and produce to the court and jury, on the trial of such case, the Writ dated the 15th day of July, 1861, for holding an election for the Electoral District of Mornington, in the said Colony.
4. NORTH MELBOURNE ELECTION.—Mr. Speaker also announced that subpœnas, issued from the Supreme Court of Victoria, had been served on the Clerk of the Assembly, commanding him to appear before the said Court, on the 16th day of September instant, and then and there to give evidence on the part of the Queen, touching a certain information to be preferred against John Henderson, Robert Healey, and Patrick Fitz Simons, in cases of personating voters ; and that he bring with him and produce to the court and jury on the trial of these cases, the Writ dated the 15th day of July, 1861, for holding an election at North Melbourne in the said Colony, and also the ballot papers, official roll supplied to Returning Officer, and the official rolls likewise supplied to the Deputy Returning Officers for Carlton and University divisions at the last election for North Melbourne, also the book in which electors signed their names, and all other papers, books, writings, and documents in his custody or power relating to said election.
5. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the First Report from this Committee.  
Ordered to lie on the Table and to be printed.
6. PETITION.—Mr. Verdon presented a Petition from certain Ministers of the Church of Christ in Victoria, praying the House would, at the earliest opportunity, take the matter referred to in the petition into serious consideration, and after the example of the Imperial Parliament, and almost every other Legislature of a Christian country, adopt such regulations as it should deem expedient for commencing the business of every day with prayer to Almighty God.  
Petition read and ordered to lie on the Table.
7. PAPERS.—Mr. Humffray presented, by command of His Excellency the Governor—  
Gold Fields Act.—Order in Council :—  
Mining under Mount Korong Road.  
Ordered to lie on the Table.  
Mr. Verdon presented—  
Public Worship.—Additional Regulations respecting Grants in Aid of Public Worship.  
Ordered to lie on the Table.



8. **MORNINGTON ELECTION.**—Mr. Aspinall moved, pursuant to notice, That the Clerk of the Assembly have permission to attend and give evidence at the Supreme Court on the part of the Queen, touching a certain information to be preferred against Patrick Costello, Timothy Murray, Francis O. Ryan, and Louis Frankel, in a case of personating voters ; and that he have permission to produce to the court and jury on such trial the ballot papers, official roll supplied to the Returning Officer, the official roll likewise supplied to the Deputy Returning Officers for Dromana, Schnapper Point, and Kangerong divisions at the last Mornington election, and the book in which electors signed their names, and all the other books, papers, and documents connected with the said election.

Debate ensued.

Mr. Snodgrass moved, as an amendment, That all the words after the word "That" be omitted, with a view to insert instead thereof the words "leave be given to the Clerk of the Assembly to produce such ballot papers as may be specified in any subpoena to be served upon him in the case of the Queen *versus* Patrick Costello and others for conspiracy in procuring the personation of voters in the last Mornington election."

Debate continued.

Amendment by leave withdrawn.

Mr. Gillespie moved, as a further amendment, That the following words be added to the above proposed resolution, viz., "but that this course must not be considered as a precedent for future proceedings."

Debate further continued.

Question—That the words proposed to be added be so added—put and negatived.

Question—That the Clerk of the Assembly have permission to attend and give evidence at the Supreme Court on the part of the Queen, touching a certain information to be preferred against Patrick Costello, Timothy Murray, Francis O. Ryan, and Louis Frankel, in a case of personating voters ; and that he have permission to produce to the court and jury on such trial the ballot papers, official roll supplied to the Returning Officer, the official roll likewise supplied to the Deputy Returning Officers for Dromana, Schnapper Point, and Kangerong divisions at the last Mornington election, and the book in which electors signed their names, and all the other books, papers, and documents connected with the said election—put and resolved in the affirmative.

9. **PETITION.**—Mr. Cummins presented a Petition from certain Farmers and Landowners in the district of the Little River, in the county of Grant, praying the House to add the weight of its sanction to the system set forth in the petition, so as to lead to its full and perfect development as offering the largest advantages to the mass of the people.

Petition read and ordered to lie on the Table.

10. **OCCUPATION LICENSES.**—Mr. Gavan Duffy moved, pursuant to notice, That the Government, by undertaking to issue the occupation licenses, announced in the *Gazette* of the 23th August, have set a dangerous example of lawlessness to the community, the Land Sales Act nowhere authorizing or contemplating the exercise of such an extensive power as they have thereby assumed ; that this proceeding is rendered more objectionable by the regulations for these licenses having been issued without the assent of the Governor in Council, to whose ultimate decision they ought, according to law, to have been subjected ; and that the Government have been guilty of a gross contempt of Parliament, in attempting to effect so serious a change in our land system, on the eve of its assembling, without seeking its sanction or authority ; proceedings of which this House feels bound to declare its disapprobation.

Debate ensued.

Mr. Chapman moved, That this debate be now adjourned.

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

11. **POSTPONEMENT OF ORDER OF THE DAY.**—The Assembly ordered that the consideration of the following Order of the Day be postponed until Tuesday, 17th September instant:—

*"Deserted Children Protection Bill—Second reading."*

Assembly adjourned at one minute to twelve o'clock until four o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 6.

FRIDAY, 13TH SEPTEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—Mr. Speaker's Warrant, appointing "*The Committee of Elections and Qualifications*," was again laid upon the Table of the Assembly.
3. NORTH MELBOURNE ELECTION.—Mr. Heales, by leave of the Assembly, moved, That the Clerk of the Assembly have permission to attend at the Supreme Court on the 16th day of this instant September, and then and there give evidence on the part of the Queen, touching certain informations to be preferred against John Henderson, Robert Healey, and Patrick Fitz Simons, in cases of personating voters, and that he have permission to produce to the court and jury on such trials the Writ dated the 15th day of July, 1861, for holding an election at North Melbourne, the certified roll used by the Returning Officer, the certified rolls used by the Deputy Returning Officers for Carlton and University divisions, the ballot papers "for Carlton and University," the book in which Henderson signed his name, the appointments and declarations of Deputy Returning Officers for Carlton and University, and the appointments and declarations of Scrutineers for Carlton and University.

Debate ensued.

Ordered—That the further consideration of this subject be postponed until after the hour of refreshment.

4. OCCUPATION LICENSES.—The Order of the Day for the resumption of the debate on this question—That the Government, by undertaking to issue the occupation licenses, announced in the *Gazette* of the 28th August, have set a dangerous example of lawlessness to the community, the Land Sales Act nowhere authorizing or contemplating the exercise of such an extensive power as they have thereby assumed; that this proceeding is rendered more objectionable by the regulations for these licenses having been issued without the assent of the Governor in Council, to whose ultimate decision they ought, according to law, to have been subjected; and that the Government have been guilty of a gross contempt of Parliament, in attempting to effect so serious a change in our land system, on the eve of its assembling, without seeking its sanction or authority; proceedings of which this House feels bound to declare its disapprobation—having been read,

Debate resumed.

5. CASTLEMAINE ELECTION PETITION.—Mr. Speaker laid before the Assembly a Petition that had been presented to him this day, and which Petition is as follows:—

*To the Honorable Sir Francis Murphy, Knight, Speaker of the Legislative Assembly of Victoria.*

The Petition of Robert Braithwaite Tucker, of Malmsbury, in the County of Talbot, in the Colony of Victoria, Esquire,

RESPECTFULLY SHEWETH,—

1. That His Excellency Sir Henry Barkly, K.C.B., Governor of Victoria, did on or about the fifteenth day of July, One thousand eight hundred and sixty-one, issue according to law, under his hand and the seal of the Colony, a Writ, directed to David Mackay, Esquire, Returning Officer for the Electoral District of Castlemaine, requiring him, the said David Mackay, to proceed as therein directed according to law for the purpose of procuring the return of three Members for the said Electoral District to serve in the Legislative Assembly of Victoria.
2. That in accordance with the exigency of the said Writ the said Returning Officer duly convened a meeting of the electors of the said district for the purpose of nominating candidates and otherwise proceeding to such election.
3. That such meeting was duly held on the fifth day of August last past, at Castlemaine, and that there were nominated and proposed as candidates thereat the Honorable Vincent Pyke, Esquire; Alexander John Smith, Esq.; the Honorable John Macadam, Esquire; John Joseph Walsh, Esquire; James Chapman, Esquire; and certain other persons whose names are not material to this Petition.
4. That after a show of hands had been called for by the Returning Officer, and after the persons upon whom the election had thereby fallen had been by him declared, a poll was then and there demanded in due form, according to law, by or on behalf of certain other candidates, and such poll was duly taken on the day and in the places specified in the said Writ.

5. That your Petitioner is an elector of the said district, and voted at the said election.
6. That on or about the twelfth day of August the said Returning Officer openly declared that the general state of the poll, at the close of the polling, as made up by him, was as follows (that is to say)—

Vincent Pyke	polled votes	1393
A. J. Smith	"	1066
John Macadam	"	1938
John Joseph Walsh	"	790
James Chapman	"	1187

7. That accordingly the said Returning Officer publicly declared that the said John Macadam, Vincent Pyke, and James Chapman were duly elected as Members to serve in the Legislative Assembly for the Electoral District of Castlemaine.
8. That your Petitioner believes and is prepared to prove that the aforesaid James Chapman, at the time of the said election, was an uncertificated Insolvent, and was therefore not capable of being elected a Member of the Legislative Assembly.

Your Petitioner therefore respectfully prays,

1. That you will, as soon as conveniently may be, lay this Petition before the Legislative Assembly.
2. That the Legislative Assembly will be pleased to refer the same to "The Committee of Elections and Qualifications," either forthwith or as soon as the said Committee has been duly appointed and confirmed.
3. That when such reference has been made, "The Committee of Elections and Qualifications" will determine and report to the Assembly that the said James Chapman was not duly elected, and that the said Alexander John Smith was duly elected as a Member to serve in the Legislative Assembly for the said Electoral District of Castlemaine.
4. That thereupon the said Alexander John Smith may be sworn as a Member of the said Assembly and may take his seat therein accordingly.
5. That your Petitioner may have such further and other relief as the nature of the case requires.

And your Petitioner will ever pray.

(Signed)

ROBT. B. TUCKER.

6. NORTH MELBOURNE ELECTION.—Debate on this question resumed.

Mr. Aspinall, by leave of the Assembly, amended this question by omitting therefrom the words "for Carlton and University" in the ninth line thereof, and inserting instead thereof the words "in question on their numbers being indicated to the Clerk."

Question—That the Clerk of the Assembly have permission to attend at the Supreme Court on the 16th day of this instant September, and then and there give evidence, on the part of the Queen, touching certain informations to be preferred against John Henderson, Robert Healey, and Patrick Fitz Simons, in cases of personating voters, and that he have permission to produce to the court and jury on such trials the Writ dated the 15th day of July, 1861, for holding an election at North Melbourne, the certified roll used by the Returning Officer, the certified rolls used by the Deputy Returning Officers for Carlton and University divisions, the ballot papers in question on their numbers being indicated to the Clerk, the book in which Henderson signed his name, the appointments and declarations of Deputy Returning Officers for Carlton and University, and the appointments and declarations of Scrutineers for Carlton and University—put and resolved in the affirmative.

7. OCCUPATION LICENSES.—Debate on this question resumed.

Mr. J. S. Johnston moved, as an amendment, That all the words after the word "That" be omitted, with a view to insert instead thereof the words "this House is of opinion the Occupation Licenses announced by the President of the Board of Land and Works in the *Gazette* of the 28th of August, ought to be withheld, and that a Bill should be forthwith introduced to amend the Land Sales Act, so as to bring the land law, as far as possible, into accord with the requirements of the country and the wishes of the great body of the people; and this House is further of opinion that the conduct of the Honorable the President of the Board of Land and Works in having, during the course of this debate, stated that the population on the soil was not only able to put the Government and the law at defiance, but is now actually doing so, is highly reprehensible."

Debate ensued.

And the House having continued to sit till after twelve of the clock,

SATURDAY, 14TH SEPTEMBER, 1861.

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

Mr. Weeks moved, That the further debate be now adjourned.

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

Assembly adjourned at a quarter past twelve o'clock, a.m., until four o'clock on Tuesday next.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 7.

TUESDAY, 17<sup>TH</sup> SEPTEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
  2. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the second report from this Committee.  
Ordered to lie on the Table, and to be printed.
  3. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The several Members of this Committee were sworn at the Table of the Assembly by the Clerk.  
Mr. Speaker appointed that this Committee do hold its first meeting on Thursday next, at twelve o'clock, in the North Division Lobby.
  4. PAPERS.—Mr. Brooke, by command of His Excellency the Governor, presented—  
Crown Lands Sales Act.—Proclamation of a Gold Fields Common at Hepburn.  
Proclamation of a Farmers' Commons at Avoca and Croxton West.  
Severally ordered to lie on the Table.
  5. POSTPONEMENT OF ORDER OF THE DAY.—The Assembly ordered that the consideration of the following Order of the Day be postponed until to-morrow:—  
“*Deserted Children Protection Bill—Second reading.*”
  6. OCCUPATION LICENSES.—The Order of the Day for the resumption of the debate on the question—That the Government, by undertaking to issue the occupation licenses, announced in the *Gazette* of the 28th August, have set a dangerous example of lawlessness to the community, the Land Sales Act nowhere authorizing or contemplating the exercise of such an extensive power as they have thereby assumed; that this proceeding is rendered more objectionable by the regulations for these licenses having been issued without the assent of the Governor in Council, to whose ultimate decision they ought, according to law, to have been subjected; and that the Government have been guilty of a gross contempt of Parliament, in attempting to effect so serious a change in our land system, on the eve of its assembling, without seeking its sanction or authority; proceedings of which this House feels bound to declare its disapprobation.  
And upon the amendment, That all the words after the word “That” be omitted, with a view to insert instead thereof the words “this House is of opinion the Occupation Licenses announced by the President of the Board of Land and Works in the *Gazette* of the 28th of August, ought to be withheld, and that a Bill should be forthwith introduced to amend the Land Sales Act, so as to bring the land law, as far as possible, into accord with the requirements of the country and the wishes of the great body of the people; and this House is further of opinion that the conduct of the Honorable the President of the Board of Land and Works in having, during the course of this debate, stated that the population on the soil was not only able to put the Government and the law at defiance, but is now actually doing so, is highly reprehensible”—and upon the further question, That the words proposed to be omitted stand part of the question—having been read—  
Mr. Speaker stated, that the portion of the amendment referring to what had been stated in the course of debate by the President of the Board of Land and Works was irregular—it being in contravention of the Rule that what had been said by an honorable member in debate could not be made the subject of a motion, unless the words objected to were noticed at the time they were spoken, and taken down in writing—and therefore could not be put to the House.  
Debate resumed.  
Mr. Flint moved, That this debate be further adjourned.  
Question—That this debate be now adjourned until to-morrow—put and resolved in the affirmative.
- Assembly adjourned at twenty-three minutes to twelve o'clock, until four o'clock to-morrow.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

By Authority: JOHN FERRES, Government Printer, Melbourne.

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 8.

WEDNESDAY, 18<sup>TH</sup> SEPTEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PAPERS.—Mr. Aspinall presented—
  - Supreme Court.—Rules and Regulations in the Divorce and Matrimonial Causes Jurisdiction.  
Ordered to be printed.
  - Mr. Heales presented—  
School Boards.—Reply to question put by Dr. Owens, 17th September instant, for copy of the opinion given by the Law Officers of the Crown about two years ago, relating to the reduction of salaries of teachers by the School Boards.  
Ordered to lie on the Table.
  - Mr. Verdon presented—  
Resignation of Colonel Pitt.—Reply to question put this day by Mr. Mollison, for copy of the correspondence in connection with Colonel Pitt's resignation.  
Ordered to lie on the Table.
3. PETITION.—Mr. Tucker presented a Petition from certain Farmers and Landholders, resident in the Kyneton district of the Colony of Victoria, praying the House would refuse to sanction the issue of licenses for occupation and cultivation, according to the regulations recently published by the President of the Board of Land and Works.  
Petition read, and ordered to lie on the Table.
4. INVENTORS' RIGHTS PROTECTION BILL.—Dr. Macadam moved, pursuant to notice, That he have leave to bring in a Bill to protect the rights of Inventors of Articles at the Exhibition in Victoria of One thousand eight hundred and sixty-one.  
Question—put and resolved in the affirmative.  
Ordered—That Dr. Macadam and Mr. Aspinall do prepare and bring in the Bill.  
Dr. Macadam then brought up a Bill, intituled "*A Bill to protect the rights of Inventors of Articles at the Exhibition in Victoria of One thousand eight hundred and sixty-one,*" 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. POSTPONEMENT OF ORDER OF THE DAY.—The Assembly ordered that the consideration of the following Order of the Day be postponed until Friday, 20th September instant:—  
"*Deserted Children Protection Bill—Second reading.*"
6. OCCUPATION LICENSES.—The Order of the Day for the resumption of the debate on the question—That the Government, by undertaking to issue the occupation licenses, announced in the *Gazette* of the 28th August, have set a dangerous example of lawlessness to the community, the Land Sales Act nowhere authorizing or contemplating the exercise of such an extensive power as they have thereby assumed; that this proceeding is rendered more objectionable by the regulations for these licenses having been issued without the assent of the Governor in Council, to whose ultimate decision they ought, according to law, to have been subjected; and that the Government have been guilty of a gross contempt of Parliament, in attempting to effect so serious a change in our land system, on the eve of its assembling, without seeking its sanction or authority; proceedings of which this House feels bound to declare its disapprobation,  
And upon the amendment, That all the words after the word "That" be omitted, with a view to insert instead thereof the words "this House is of opinion the Occupation Licenses announced by the President of the Board of Land and Works in the

*Gazette* of the 28th of August, ought to be withheld, and that a Bill should be forthwith introduced to amend the Land Sales Act, so as to bring the land law, as far as possible, into accord with the requirements of the country and the wishes of the great body of the people—and upon the further question, That the words proposed to be omitted stand part of the question—having been read—

Debate resumed.

Mr. Snodgrass moved, That this debate be further adjourned.

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

Assembly adjourned at twenty-five minutes to twelve o'clock, until four o'clock to-morrow.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 9.

THURSDAY, 19<sup>TH</sup> SEPTEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PAPERS.—Mr. Brooke presented, by command of His Excellency the Governor—  
Licenses for Occupation of Country Lands.  
Crown Lands Sales Act.—Proclamation prescribing the mode in which legal proceedings shall be taken for the punishment of certain offences under the Act 24 Vict. No. 117.  
Proclamation of Town Common—Belvoir.  
Severally ordered to lie on the Table.
3. PETITIONS.—Mr. L. L. Smith presented a Petition from certain Fishermen of Melbourne, Geelong, &c., praying the House would either repeal the Act, intituled "*An Act for the Protection of Fisheries of Victoria,*" or cause the Act to be so amended as would allow the Petitioners to gain a means of subsistence.  
Ordered to lie on the Table.  
Mr. Kirk presented a Petition from R. Martin, styling himself Chairman of the Heidelberg District Road Board, praying the House would take the case set forth in the Petition into serious consideration.  
Petition read, and ordered to lie on the Table.  
Mr. Foott presented a Petition from certain land owners and occupiers in the parish of Modewarre, South Grant, praying the House to refrain from any withdrawal or deferment of the system of Occupation Licenses, beseeching the House rather still further to confirm the system, so that the petitioners might at once enjoy the advantages of the land as a home for themselves and families, and be enabled to prepare it for the reception of crops for the present year.  
Petition read, and ordered to lie on the Table.
4. CASTLEMAINE ELECTION PETITION.—Dr. Hedley moved, That the Petition from R. B. Tucker, Esq., laid upon the Table of this House by Mr. Speaker, on the 13th September instant, be referred to "The Committee of Elections and Qualifications."  
Question—put and resolved in the affirmative.
5. POSTPONEMENT OF ORDER OF THE DAY.—The Assembly ordered that the consideration of the following Order of the Day be postponed until to-morrow:—  
"*Inventors' Rights Protection Bill—Second reading.*"
6. OCCUPATION LICENSES.—The Order of the Day for the resumption of the debate on the question—That the Government, by undertaking to issue the occupation licenses, announced in the *Gazette* of the 28th August, have set a dangerous example of lawlessness to the community, the Land Sales Act nowhere authorizing or contemplating the exercise of such an extensive power as they have thereby assumed; that this proceeding is rendered more objectionable by the regulations for these licenses having been issued without the assent of the Governor in Council, to whose ultimate decision they ought, according to law, to have been subjected; and that the Government have been guilty of a gross contempt of Parliament, in attempting to effect so serious a change in our land system, on the eve of its assembling, without seeking its sanction or authority; proceedings of which this House feels bound to declare its disapprobation,  
And upon the amendment, That all the words after the word "That" be omitted, with a view to insert instead thereof the words "this House is of opinion the Occupation Licenses announced by the President of the Board of Land and Works in the

*Gazette* of the 28th of August, ought to be withheld, and that a Bill should be forthwith introduced to amend the Land Sales Act, so as to bring the land law, as far as possible, into accord with the requirements of the country and the wishes of the great body of the people—and upon the further question, That the words proposed to be omitted stand part of the question—having been read—

Debate resumed.

Exception having been taken to certain words used by Mr. Humffray in the debate, Mr. Service moved, That such words be taken down by the Clerk.

Question—put and resolved in the affirmative.

Mr. Humffray denying the correctness of the words reported to the Clerk by Mr. Service,

Debate again resumed.

Capt. Mac Mahon moved, That the further debate be now adjourned.

Question—That the further debate be now adjourned—put.

Assembly divided.

Ayes, 50.

Mr. Anderson,	Mr. Levey,
Mr. Aspinall,	Mr. Loader,
Mr. Berry,	Mr. Macadam,
Mr. K. E. Brodribb,	Mr. Manifold,
Mr. W. A. Brodribb,	Mr. McDonald,
Mr. Brooke,	Mr. McLellan,
Mr. Cathie,	Mr. Mac Mahon,
Mr. H. S. Chapman,	Mr. Mollison,
Mr. Cohen,	Mr. Nicholson,
Mr. Costello,	Mr. Orkney,
Mr. Cummins,	Mr. O'Grady,
Mr. B. G. Davies,	Mr. O'Shanassy,
Mr. J. Davies,	Mr. Pyke,
Mr. Denovan,	Mr. Riddell,
Mr. Don,	Mr. Service,
Mr. Gavan Duffy,	Mr. J. T. Smith,
Mr. Flint,	Mr. W. C. Smith,
Mr. Gillies,	Mr. Snodgrass,
Mr. Heales,	Mr. Sullivan,
Dr. Hedley,	Mr. Tucker,
Mr. Hood,	Mr. Wilson,
Mr. Houston,	Mr. Weeks.
Mr. Ireland,	
Mr. Johnston,	<i>Tellers.</i>
Mr. Kirk,	Mr. Humffray,
Mr. Lalor,	Mr. Levi.

Noes, 17.

Mr. Casey,	Mr. Ramsay,
Mr. J. Chapman,	Mr. Reid,
Mr. Edwards,	Mr. Richardson,
Mr. Foott,	Mr. L. L. Smith,
Mr. Francis,	Mr. Wright.
Mr. Gray,	
Mr. Lambert,	<i>Tellers.</i>
Mr. McCann,	Mr. Woods,
Mr. Nixon,	Mr. Bennett.
Mr. O'Connor,	

And so it was resolved in the affirmative.

Question—That the further debate be adjourned until to-morrow—proposed.

Mr. Woods proposed, That the word “to-morrow” be omitted, with a view to insert instead thereof the words “Tuesday next.”

Debate ensued.

Amendment, by leave, withdrawn.

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

Assembly adjourned at twenty minutes to twelve o'clock, until four o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*



## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 10.

FRIDAY, 20<sup>TH</sup> SEPTEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PAPERS.—Mr. Brooke, by command of His Excellency the Governor, presented—  
Crown Lands Sales Act.—Proclamation of a Gold Fields Common, Navarre.  
Crown Lands Sales Act.—Proclamation—Morrison's Diggings Gold Fields Common enlarged.  
Severally ordered to lie on the Table.  
Mr. Humffray presented—  
Crown Lands Sales Act.—Order in Council—Regulations for Mining Leases.  
Ordered to lie on the Table.
3. GOLD EXPORT DUTY ACT AMENDMENT BILL.—Mr. Verdon moved, pursuant to notice given by Mr. Sullivan, That he have leave to bring in a Bill to amend an Act intituled "*An Act for granting Duties of Customs upon Gold exported from Victoria.*"  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Verdon and Mr. Brooke do prepare and bring in the Bill.  
Mr. Verdon then brought up a Bill intituled "*A Bill to amend an Act intituled 'An Act for granting Duties of Customs upon Gold exported from Victoria,'*" 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.
4. INVENTORS' RIGHTS PROTECTION BILL.—Dr. Macadam moved, That this Bill be now read a second time.  
Question—put and resolved in the affirmative.—Bill read a second time.  
Dr. Macadam moved, That this Bill, (being of an urgent nature,) be now committed to a Committee of the whole Assembly.  
Question—put and resolved in the affirmative.  
And on the further motion of Dr. Macadam, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
Mr. Speaker resumed the Chair, and Mr. Lalor reported that the Committee had gone through the Bill and agreed to the same without amendment.  
Mr. Speaker 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 Dr. Macadam, read a third time and *passed*.  
Dr. Macadam moved, That the following be the title of the Bill :—  
"*An Act to protect the Rights of Inventors of Articles at the Exhibition in Victoria of One thousand eight hundred and sixty-one.*"  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.
5. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 24<sup>th</sup> September instant :—  
"*Deserted Children Protection Bill—Second reading,*"  
"*Gold Export Duty Act amendment Bill—Second reading.*"
6. OCCUPATION LICENSES.—The Order of the Day for the resumption of the debate on the question—That the Government, by undertaking to issue the occupation licenses, announced in the *Gazette* of the 28<sup>th</sup> August, have set a dangerous example of lawlessness to the community, the Land Sales Act nowhere authorizing or contemplating the exercise of such an extensive power as they have thereby assumed; that this proceeding is rendered more objectionable by the regulations for these licenses having been issued without the assent of the Governor in Council, to whose ultimate decision they ought, according to law, to have been subjected; and that the Government have been guilty of a gross contempt of Parliament, in attempting to effect so serious a change in our land system, on the eve of its assembling, without seeking its sanction or authority; proceedings of which this House feels bound to declare its disapprobation,

And upon the amendment, That all the words after the word "That" be omitted, with a view to insert instead thereof the words "this House is of opinion the Occupation Licenses announced by the President of the Board of Land and Works in the *Gazette* of the 28th of August, ought to be withheld, and that a Bill should be forthwith introduced to amend the Land Sales Act, so as to bring the land law, as far as possible, into accord with the requirements of the country and the wishes of the great body of the people—and upon the further question, That the words proposed to be omitted stand part of the question—having been read—

Debate resumed.

And the House having continued to sit till after twelve of the clock—

SATURDAY, 21<sup>ST</sup> SEPTEMBER, 1861.

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

Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put.

Assembly divided.

Ayes, 33.		Noes, 37.	
Mr. Bennett.	Mr. McDonald,	Mr. Aspinall,	Mr. Humffray,
Mr. K. E. Brodribb,	Mr. Mac Mahon,	Mr. Berry,	Mr. Lambert,
Mr. W. A. Brodribb,	Mr. Mollison,	Mr. Brooke,	Mr. McCann,
Mr. H. S. Chapman,	Mr. Nicholson,	Mr. Casey,	Mr. McLellan,
Mr. Cohen,	Mr. Orkney,	Mr. Cathie,	Mr. Nixon,
Mr. Costello,	Mr. O'Grady,	Mr. J. Chapman,	Mr. O'Connor,
Mr. Gavan Duffy,	Mr. O'Shanassy,	Mr. Cummins,	Dr. Owens,
Mr. Francis,	Mr. Reid,	Mr. B. G. Davies,	Mr. Ramsay,
Mr. Haines,	Mr. Riddell,	Mr. J. Davies,	Mr. Richardson,
Dr. Hedley,	Mr. Service,	Mr. Denovan,	Mr. J. T. Smith,
Mr. Hood,	Mr. Snodgrass,	Mr. Don,	Mr. W. C. Smith,
Mr. Ireland,	Mr. Tucker,	Mr. Edwards,	Mr. Sullivan,
Mr. Kirk,	Mr. Wilson.	Mr. Flint,	Mr. Verdon,
Mr. Lalor,		Mr. Foott,	Mr. Weeks,
Mr. Levey,	<i>Tellers.</i>	Mr. Frazer,	Mr. Wright.
Mr. Levi,	Mr. Anderson,	Mr. Gillies,	
Mr. Loader,	Mr. Pyke.	Mr. Grant,	<i>Tellers.</i>
Mr. Manifold,		Mr. Gray,	Dr. Macadam,
		Mr. Heales,	Mr. L. L. Smith.
		Mr. Houston,	

And so it passed in the negative.

Mr. Brodribb moved, as a further amendment, that the following words be inserted in the place of the words omitted, viz., "the issue of the agricultural licenses referred to in the *Gazette* of the 28th August be suspended, with the view of a Committee being formed for the purpose of drawing up resolutions as the basis of a liberal and popular Land Bill, to be submitted to Parliament on or before the 16th October next."

Debate ensued.

Question—That the words lastly proposed to be inserted in the place of the words omitted be so inserted—put.

Assembly divided.

Ayes, 28.		Noes, 38.	
Mr. Bennett,	Mr. Manifold,	Mr. Aspinall,	Mr. Lambert,
Mr. K. E. Brodribb,	Mr. McDonald,	Mr. Berry,	Dr. Macadam,
Mr. W. A. Brodribb,	Mr. Mac Mahon,	Mr. Brooke,	Mr. McCann,
Mr. H. S. Chapman,	Mr. Mollison,	Mr. Casey,	Mr. McLellan,
Mr. Costello,	Mr. Nicholson,	Mr. Cathie,	Mr. Nixon,
Mr. Gavan Duffy,	Mr. O'Grady,	Mr. J. Chapman,	Mr. Orkney,
Mr. Francis,	Mr. Pyke,	Mr. Cummins,	Mr. O'Connor,
Mr. Gillespie,	Mr. Reid,	Mr. B. G. Davies,	Dr. Owens,
Mr. Haines,	Mr. Riddell,	Mr. J. Davies,	Mr. Ramsay,
Mr. Hood,	Mr. Tucker,	Mr. Denovan,	Mr. Richardson,
Mr. Ireland,	Mr. Wilson.	Mr. Edwards,	Mr. J. T. Smith,
Mr. Kirk,		Mr. Flint,	Mr. W. C. Smith,
Mr. Lalor,	<i>Tellers.</i>	Mr. Foott,	Mr. Sullivan,
Mr. Levey,	Mr. Snodgrass,	Mr. Frazer,	Mr. Verdon,
Mr. Levi,	Dr. Hedley.	Mr. Gillies,	Mr. Weeks,
		Mr. Grant,	Mr. Wright.
		Mr. Gray,	
		Mr. Heales,	<i>Tellers.</i>
		Mr. Houston,	Mr. Don,
		Mr. Humffray,	Mr. L. L. Smith.

And so it passed in the negative.

Assembly adjourned at twenty-two minutes to five o'clock, until four o'clock on Tuesday next.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 11.

TUESDAY, 24<sup>TH</sup> SEPTEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PAPERS.—Mr. Heales presented, by command of His Excellency the Governor—
  - Aborigines.—First Report of the Central Board appointed to watch over the interests of the Aborigines in the Colony of Victoria.
 Ordered to lie on the Table.
  - Mr. Heales presented—
  - Officials in Parliament Act.—Copy of a Despatch from the Secretary of State, and enclosures, relative to the Officials in Parliament Act.
 Ordered to lie on the Table.
3. PETITIONS.—Mr. Frazer presented a Petition from Joseph Clarke, styling himself Chairman of a public meeting of the inhabitants of Kyneton and neighborhood, praying the House would in nowise interfere with the issue of the Occupation Licenses, according to the regulations referred to in the Petition.
  - Petition read, and ordered to lie on the Table.
  - Mr. Gillies presented a Petition from certain Farmers, Landowners, and other inhabitants of the town and district of Kyneton, praying this House would in nowise interfere with the issue of the Occupation Licenses according to the regulations referred to in the Petition.
  - Ordered to lie on the Table.
4. NORTH MELBOURNE ELECTION.—Mr. Speaker laid before the Assembly a Petition that had been presented to him this day, and which Petition is as follows :—

*To the Honorable Sir Francis Murphy, Knight, Speaker of the Legislative Assembly  
of the Colony of Victoria.*

The Petition of John Sinclair, of North Melbourne, in the Colony of  
Victoria, Esquire,

RESPECTFULLY SHEWETH—

That under and in pursuance of the Act of the Local Legislature of the said Colony of Victoria, known as "The Electoral Act of 1856," an election for the return of two properly qualified persons to serve as Members of the Legislative Assembly of the said Colony, for the electoral district of North Melbourne, took place on the 10th day of August, One thousand eight hundred and sixty-one.

That H. S. Walsh, Esquire, the Returning Officer of the said district, held, superintended, and directed the said election.

That the following persons were the candidates at such election, namely: John Davies, Patrick Costello, Thomas Dickson, John Harbison, James Caple, and James Sim, Esquires, and John Sinclair, your Petitioner.

That the election took place by the electors of the district recording their votes in favor of such two, or one, of the seven candidates as they deemed fit to be so returned.

That the several polling places, or booths, appointed by the said Returning Officer, whereat the electors of the said district might record their votes, were as follows, that is to say, for the—

CARLTON DIVISION—

The Lincoln Inn, A to F.  
Bignell's Hotel, G to N.  
Stratford Arms, O to Z.

UNIVERSITY DIVISION—

Conroy's Royal Hotel, A to L.  
Ford's Artillery Hotel, M to Z.

ROYAL PARK DIVISION—

Bee Hive Hotel, A to L.  
Ayrshire Hotel, M to Z.

HOTHAM DIVISION—

North Star Hotel, Abbotsford street, A to J.  
Black Prince Hotel, K to Z.

That on the thirteenth day of August aforesaid, the Returning Officer, in conformity with the said Act, declared the number of votes recorded in favor of the seven candidates respectively to be as follows :—

For John Davies, 1324 (one thousand three hundred and twenty-four).  
„ Patrick Costello, 910 (nine hundred and ten).  
„ John Sinclair, 868 (eight hundred and sixty-eight).  
„ Thomas Dickson, 851 (eight hundred and fifty-one).  
„ John Harbison, 299 (two hundred and ninety-nine).  
„ James Caple, 28 (twenty-eight).  
„ James Sim, 5 (five).

That thereupon the said officer officially declared that the said John Davies and Patrick Costello were duly returned at such election to serve in the said Assembly as such two Members.

That immediately before the Returning Officer had so declared the state of the poll, your Petitioner handed to him a paper writing, wherein your Petitioner, for the reasons therein set forth, publicly protested against the said Patrick Costello being returned as one of the said two Members, and that the said Patrick Costello was there and then made acquainted with the nature of such protest.

That the Returning Officer endorsed upon the writ, by virtue of which he held such election, the names of the said John Davies and Patrick Costello, as being the names of the two persons returned thereat to serve in the Assembly for the district aforesaid.

That the greatest number of votes at the election were recorded in favor of the said John Davies, and that your Petitioner admits that he, the said John Davies, was duly elected thereat.

That the said Patrick Costello had, according to the declaration of the state of the poll so made by the Returning Officer, a majority of forty-two votes over your Petitioner.

That, notwithstanding such declaration, your Petitioner verily believes that the number of legal votes recorded at the said election in your Petitioner's favor exceeded the number of legal votes recorded thereat in favor of the said Patrick Costello.

That the number of legal votes which would have been recorded at the said election in favor of your Petitioner would have exceeded by a considerable majority the number of such votes recorded thereat in favor of the said Patrick Costello, had it not been for the illegal and corrupt practices hereinafter mentioned which were resorted to at such election by some persons to your Petitioner unknown.

That twenty-one electors of the said district entitled to vote at the said election were not allowed to vote thereat, by reason of certain persons having at such election personated the said electors, and recorded their votes as if they were such electors, before the said electors presented themselves respectively at the polling booths for the purpose of voting.

That each of the said twenty-one electors, had he been allowed to record his vote at the said election, would have voted in favor of your Petitioner, and would not have voted in favor of the said Patrick Costello.

That the names of the said twenty-one electors are hereinafter given, and that the residence, voting qualification, and number upon the electoral roll of the said district, of every of such electors are set opposite to his name; that is to say :—

IN THE CARLTON DIVISION.

No. 1442. Richard Sherlock, 37 Cardigan street, manhood.  
„ 179. James Brown, off Drummond street, manhood.  
„ 256. William Chapman, off Lygon street, manhood.  
„ 1361. Peter Robinson, off Queensberry street, manhood.  
„ 1726. Joseph Wood, Tyrie street, manhood.

- No. 1224. Richard Owers, Cardigan street, manhood.  
 „ 346. Robert Crawford, Ayrshire cottage, Palmerston street, freehold.  
 „ 511. James Fisher, Tyrie street, manhood.  
 „ 1713. John Wise, Madeline street, manhood.  
 „ 334. Thomas Conway, 49 Faraday street „  
 „ 1573. John Thompson, off Cardigan street, manhood.  
 „ 96. Andrew Bethune, off Argyle street, freehold.  
 „ 316. Thomas Coles, 31 Barkly street, freehold.  
 „ 1664. John Ward, off Cardigan street, manhood.  
 „ 166. Adam Brown, off Elgin street, manhood.

IN THE HOTHAM DIVISION.

- No. 483. John Meares, Stawell street, manhood.

IN THE UNIVERSITY DIVISION.

- „ 743. Richard Snow, Berkeley street, manhood.  
 „ 393. John Jackson, off Bouverie street, manhood.  
 „ 339. John Henderson, Noah's Ark Stables, manhood.  
 „ 80. John Brown, 29 Victoria street, manhood.  
 „ 116. William Clark, off Queensberry street, manhood.

That thirty-eight other electors of the said district entitled to vote at the said election, but who did not vote thereat, or intend to vote thereat, were personated at such election by certain persons who recorded their votes thereat as if they were such electors.

That the names of such thirty-eight other electors are hereinafter given, and that the residence, voting qualification, and number upon the electoral roll of the said district of every of such electors are set forth opposite to his name ; that is to say :—

IN THE CARLTON DIVISION.

- No. 438. Patrick Drake, off Cardigan street, manhood.  
 „ 292. Henry Cook, Cardigan street, manhood.  
 „ 900. Thomas Licher, off Cardigan street, manhood.  
 „ 440. Will. Drummond, Acacia Villa, 90 Lygon street, manhood.  
 „ 642. John Griffiths, 8 Robinson terrace, Canning street, manhood.  
 „ 246. Thomas Charters, 37 Cardigan street.  
 „ 310. William Coles, 20 Pelham street, manhood.  
 „ 617. Edw. Gorsuch, corner of Lygon street and Cardigan street, freehold.  
 „ 304. Geo. Cogswell, Victoria street, manhood.  
 „ 436. Joseph Derricote, off Cardigan street, manhood.  
 „ 137. William Blake, Cardigan street. (Not arrived at manhood.)  
 „ 952. Patrick Lynch, Cardigan street, manhood.  
 „ 1296. Patrick Quin, off Drummond street, manhood.  
 „ 1316. Peter Read, Madeline street, manhood.  
 „ 775. Thomas Early, Lygon street, manhood.  
 „ 192. Hugh Burns, Seven Stars Hotel, manhood.  
 „ 449. James Duncan, Cardigan street, freehold.

IN THE HOTHAM DIVISION.

- No. 423. Patrick Kitson, Curzon street, manhood.  
 „ 751. Henry Teesdale, Baillie street, manhood.  
 „ 302. James Gray, 48 Curzon street, manhood.

IN THE UNIVERSITY DIVISION.

- No. 532. John Murray, Noah's Ark Stables, Victoria street, manhood.  
 „ 362. Robert Hood, Bouverie street, manhood.  
 „ 560. William McHardy, Noah's Ark Stables, Victoria street, manhood.  
 „ 545. Robt. McCrae, Liverpool Stables, Leicester street, „  
 „ 601. Robt. Owen, off Ballarat street, manhood.  
 „ 522. John Mullins, Alma street, manhood.  
 „ 540. Hugh McClusky, Noah's Ark Stables, Victoria street.  
 „ 404. Wm. Johns, Berkeley street, manhood.  
 „ 667. Wm. Richardson, Bendigo Stables, Leicester street, manhood.

IN THE ROYAL PARK DIVISION.

- No. 255. Geo. Donald, 91, Victoria street, freehold.  
 „ 510. Geo. Kelly, off Chetwynd street, manhood.  
 „ 973. James Spedding, Victoria street, manhood.  
 „ 255. James Doran, 35 Howard street, manhood.  
 „ 1008. Joseph Sutherland, Villiers street, freehold.  
 „ 489. William Jones, off Cambridge street.  
 „ 149. Owen Carroll, corner of Levinson street, manhood.  
 „ 459. William Hockin, Flemington road.  
 „ 488. John Jones, Howard street.  
 „ 850. John Purcell, Flemington road, manhood.

That your Petitioner does not know for which of the candidates the personators of the said twenty-one electors and thirty-eight electors voted at the said election, and that your Petitioner did not directly or indirectly cause or procure the commission of such act of personation or any of them.

That your Petitioner verily believes that the personators of the said twenty-one electors, and of the thirty-eight electors, recorded the votes given by them under such assumed characters at the said election in favor of the said Patrick Costello, and that none of such personators recorded such, his illegal vote, in favor of your Petitioner.

That your Petitioner has been aggrieved by the said twenty-one electors not having been allowed to record their votes in his favor at the said election, and that your Petitioner has been further aggrieved by the personators of the said twenty-one electors, and thirty-eight electors, having been allowed to record their votes thereat under such assumed characters.

Your Petitioner, therefore, prays that his Petition may be laid before the said Honorable Assembly, and that the said Honorable Assembly may be pleased to refer such Petition to "The Committee of Elections and Qualifications" of its House, in order that such Committee may enquire into and determine all the material allegations therein contained, and make a report touching the same to the said Assembly.

And your Petitioner further prays that the said Honorable Assembly may be pleased, when referring such Petition to the Committee, to direct that the Committee shall in particular take into consideration and determine the points or questions following touching the said election of Patrick Costello, and embody their decisions respecting the same in the said report, that is to say :—

*Firstly.*—How many of the said twenty-one electors, and thirty-eight electors, were personated at the said election.

*Secondly.*—How many votes did the personators of such electors record in favor of the said Patrick Costello, and how many (if any) in favor of your Petitioner.

*Thirdly.*—How many of the said twenty-one electors were prevented from voting at the said election by the acts of personation hereinbefore in that behalf mentioned.

*Fourthly.*—How many votes would those, of the said twenty-one electors who have been prevented from voting by such acts of personation, have been given in favor of the said Patrick Costello, and how many in favor of your Petitioner.

And your Petitioner further prays that the said thirty-eight electors, or so many of them as were not allowed to record their votes at the said election in consequence of such acts of personation as hereinbefore in that behalf mentioned, may be allowed to tender their votes before the said Committee, and that the votes which shall be given by them before such Committee in favor of your Petitioner, or of the said Patrick Costello (if any), shall be taken into account by the said Committee when reckoning the legal votes which have been given in favor of the said Patrick Costello and of your Petitioner respectively, at the said election, and before such Committee.

And your Petitioner further prays that the said Honorable Assembly may be pleased to request the said Committee to determine and report to such Assembly whether, after having maturely considered and enquired into all the matters hereinbefore alleged, the said Patrick Costello was duly elected at the said election, and whether, after having maturely considered and enquired into the matters so alleged, the Committee shall be of opinion that your Petitioner was duly elected thereat, although not returned as such in the said writ by the Returning Officer aforesaid.

And your Petitioner will ever pray.

JOHN SINCLAIR.

Bouverie street, North Melbourne.  
24th September, 1861.

Mr. Don moved, That the above Petition be referred to "The Committee of Elections and Qualifications."

Question—put and resolved in the affirmative.

5. MESSAGES.—The following Messages from His Excellency the Governor received and read :—

*Deserted Children Protection Bill.*

HENRY BARKLY,  
Governor.

*Message No. 1.*

In pursuance of the provisions of the Act 18 and 19 Vict. cap. 55, the Governor recommends that an appropriation be made out of the Consolidated Revenue for the purpose of carrying out a Bill for the Protection of Neglected Children and the Prevention of Crime by Children.

Government Offices,  
Melbourne, 24th September, 1861.

Ordered to be printed and taken into consideration on Friday, 27th September instant.

*Civil Service Bill.*

HENRY BARKLY,  
Governor.

Message No. 2.

In pursuance of the provisions of the Act 18 and 19 Vict. cap. 55, the Governor recommends, that for the carrying out of a Bill to regulate the Civil Service, an Appropriation be made from the Consolidated Revenue, for the payment of salaries, for the endowment of a Civil Service Life Assurance Fund, and also for granting superannuation allowances to retired Civil Servants.

Government Offices,  
Melbourne, 24th September, 1861.

Ordered to be printed and taken into consideration to-morrow.

*County Councils Bill.*

HENRY BARKLY,  
Governor.

Message No. 3.

In pursuance of the provisions of the Act 18 and 19 Vict. c. 55, the Governor recommends that in order to provide for the better carrying out of a Bill for the extension of Local Government in Victoria, and for the subdivision of the country into Counties, an appropriation be made out of the Consolidated Revenue in aid of the Councils to be established under the said Bill.

Government Offices,  
Melbourne, 24th September, 1861.

Ordered to be printed and taken into consideration to-morrow.

6. ADJOURNMENT.—Mr. Heales, by leave of the Assembly, moved, That the House at its rising this day do adjourn until Tuesday, 22nd October next.  
Mr. Gavan Duffy moved, as an amendment, That the words "Tuesday 22nd" be omitted, with a view to insert instead thereof the words "Wednesday 16th."

Debate ensued.

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

Ayes, 36.

Mr. Aspinall,	Mr. Lambert,
Mr. Berry,	Dr. Macadam,
Mr. Brooke,	Mr. McDonald,
Mr. Cathie,	Mr. McLellan,
Mr. J. Chapman,	Mr. Orkney,
Mr. Cohen,	Mr. O'Connor,
Mr. J. Davies,	Dr. Owens,
Mr. Denovan,	Mr. Richardson,
Mr. Don,	Mr. Riddell,
Mr. Edwards,	Mr. Service,
Mr. Flint,	Mr. J. T. Smith,
Mr. Frazer,	Mr. Sullivan,
Mr. Gillespie,	Mr. Verdon,
Mr. Gillies,	Mr. Weeks,
Mr. Grant,	Mr. Wright.
Mr. Gray,	
Mr. Heales,	<i>Tellers.</i>
Mr. Humffray,	Mr. Houston,
Mr. Kyte,	Mr. L. L. Smith.

Noes, 24.

Mr. K. E. Brodribb,	Mr. Manifold,
Mr. W. A. Brodribb,	Mr. Mac Mahon,
Mr. H. S. Chapman,	Mr. Mollison,
Mr. Cummins,	Mr. Nicholson,
Mr. Gavan Duffy,	Mr. O'Grady,
Mr. Francis,	Mr. O'Shanassy,
Mr. Haines,	Mr. Reid,
Dr. Hedley,	Mr. Tucker,
Mr. Hood,	Mr. Wilson.
Mr. Ireland,	
Mr. Kirk,	<i>Tellers.</i>
Mr. Levey,	Mr. Bennett,
Mr. Levi,	Mr. McCann.

And so it was resolved in the affirmative.

Question—That the House, at its rising this day, do adjourn until Tuesday, 22nd October next—put and resolved in the affirmative.

7. MESSAGE FROM THE LEGISLATIVE COUNCIL.—The following Message from the Legislative Council by the Clerk-Assistant of the Council :—

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the Bill intituled "*An Act to protect the Rights of Inventors of Articles at the Exhibition in Victoria of One thousand eight hundred and sixty-one,*" without amendment.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
24th September, 1861.

8. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 22nd October next :—

"*Deserted Children Protection Bill—Second reading.*"  
"*Gold Export Duty Act Amendment Bill—Second reading.*"

9. SCAB ACT AMENDMENT BILL.—Mr. Mollison moved, pursuant to notice, That he have leave to bring in a Bill to repeal the Act intituled “*An Act for preventing the extension of the disease called Scab in Sheep,*” and to substitute other provisions in lieu thereof.
- Question—put and resolved in the affirmative.
- Ordered—That Mr. Mollison and Mr. Haines do prepare and bring in the Bill.
- Mr. Mollison then brought up a Bill, intituled “*A Bill to repeal the Act intituled ‘An Act for preventing the extension of the disease called Scab in Sheep,’ and to substitute other provisions in lieu thereof,*” 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 Thursday, 24th October next.
10. FIREWOOD, SCHNAPPER POINT.—Mr. H. S. Chapman moved, pursuant to notice, for a copy of all correspondence relative to the removal of firewood from the point at Schnapper Point.
- Debate ensued.
- Question—put and negatived.
11. INSOLVENCY LAWS.—Mr. Levi moved, pursuant to *amended* notice, That a Select Committee be appointed to enquire into the administration of Insolvent Estates by the Official Assignees, and generally into the working of the present Insolvent Acts; such Committee to consist of Mr. Service, Mr. Francis, Mr. Gillespie, Mr. Gray, Mr. Edwards, Mr. Loader, Mr. Verdon, Mr. Cohen, Mr. W. C. Smith, Mr. K. E. Brodribb, Mr. Hood, and the Mover; with power to take evidence and to send for persons, papers, and records; three to form a quorum: and that the Committee have leave to sit during the adjournment of the House.
- Debate ensued.
- Question—put and resolved in the affirmative.
- Mr. Levi then moved, pursuant to *contingent* notice, That there be referred to such Committee the evidence taken before a Select Committee of this House during the last Session of Parliament upon the same subject.
- Question—put and resolved in the affirmative.
12. OCCUPATION LICENSES.—Mr. H. S. Chapman moved, pursuant notice, for a list of all memorials or petitions which have been addressed to the Government from the mining districts against the twenty-acre Occupation Licenses, with the number of signatures attached to each.
- Question—put and resolved in the affirmative.
13. POSTPONEMENT OF BUSINESS.—On the motion of Mr. Heales, the Assembly ordered that the several Notices of Motions and Orders of the Day on the paper be postponed until days after the recess corresponding to their present position on the paper.
- Assembly adjourned at four minutes past six o'clock until four o'clock on Tuesday, 22nd October next.

FRAN<sup>S</sup> MURPHY,  
• *Speaker.*



## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 12.

TUESDAY, 22<sup>ND</sup> OCTOBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. ISSUE OF WRITS.—Mr. Speaker announced that since the adjournment of the House he had issued two several writs, one for the election of a Member, to serve for the Electoral District of Maryborough, in the room of Mr. Ireland, who had elected to sit for the Electoral District of Villiers and Heytesbury, and the other for the election of a Member to serve for the Electoral District of North Gipps Land, in the place of John Everard, Esq., disqualified.
3. ELECTION PETITIONS.—Mr. Speaker announced that the several Petitions hereafter set forth had been presented to him as under, viz. :—

On the 28th day of September, 1861.

*To the Honorable Sir Francis Murphy, Knight, Speaker of the Legislative Assembly of the Colony of Victoria.*

The Petition of Robert Frederick Howard, of Sandhurst, in the said Colony, Gentleman,

HUMBLY SHEWETH—

That on the sixteenth day of July, One thousand eight hundred and sixty-one a writ was duly issued by the Governor, directed to the Returning Officer for the Electoral District of Sandhurst, requiring him to proceed to the election of two members to serve for the said district in the Legislative Assembly.

That in accordance with the exigency of such writ, the said returning officer proceeded to the said election, and presided at a meeting duly holden on the fifth day of August, in the year of our Lord One thousand eight hundred and sixty-one, being the day named in the said writ for the nomination of candidates, and at such meeting your petitioner, and also John Henderson, Thomas Carpenter, James Joseph Casey, and William Dixon Campbell Denovan, were duly proposed as candidates, and the show of hands being in favor of your petitioner and the said William Dixon Campbell Denovan, a poll was demanded by the said James Joseph Casey, and that such poll was accordingly taken on the tenth day of August, in the year of our Lord One thousand eight hundred and sixty-one, being the day named in the said writ for the taking of the poll.

That such poll was taken at divers polling places and polling booths, and among others at an inn called the Ship Inn, being the polling place and polling booth for the Spring Creek division of the said electoral district.

That at the said election for the said electoral district divers persons did fraudulently vote more than once.

That at such election divers persons did fraudulently personate persons whose names were on the electoral roll for the said district, and the votes of the said persons so personating were taken by the returning officer and deputy returning officers at such election, under the belief that such persons were the electors whom they so fraudulently personated as aforesaid.

That many of the said electors who had been so personated afterwards came to the respective polling places and polling booths to vote at the said election; and divers of such electors, upon being informed that persons had voted in their names pretending to be such electors, departed without voting; and divers others of the said electors who had been so personated as aforesaid tendered their ballot papers as provided by the forty-ninth section of "The Electoral Act of 1856," but that such votes were not allowed, and divers of such ballot papers were not put into the ballot box, but were sealed up in a

separate parcel as provided by the fiftieth section of the said Act; and your petitioner believes that divers others of such votes, although not taken into consideration or reckoned by the returning officer or deputy returning officers, were improperly placed in one or more of the ballot boxes at the said election.

That the whole of the votes actually taken at the said polling place or polling booth at the said Ship Inn have not been correctly reckoned and taken into consideration at the official declaration of the poll hereinafter referred to.

That the names of a large number of persons residing in and entitled to vote for the electoral district of Mandurang in respect of their residence or other qualification at Kangaroo Flat, in that district, and who were not entitled to vote at the said election for the electoral district of Sandhurst, were improperly placed on the electoral roll for and voted at the election for the said electoral district of Sandhurst, as if Kangaroo Flat had been and was within that district; whereas their names ought to have been placed on the roll for, and they ought to have voted at, the election for the said electoral district of Mandurang.

That on the evening of the said polling day the said returning officer publicly stated, from the balcony of the Town Hall of the town of Sandhurst, that the said William Dixon Campbell Denovan and your petitioner had received the greatest number of votes, the former having received One thousand five hundred and thirty-two votes in his favor, and your petitioner One thousand one hundred and thirty-one votes, and that the said James Joseph Casey had received only One thousand one hundred and twenty-nine votes.

That on the thirteenth day of the said month of August, the said returning officer officially declared the general state of the poll as the same had been made up by him, and then declared that One thousand five hundred and fifty-seven votes had been polled in favor of the said William Dixon Campbell Denovan, One thousand one hundred and fifty-one in favor of the said James Joseph Casey, One thousand one hundred and forty-two in favor of your petitioner, Two hundred and thirty-eight in favor of the said Thomas Carpenter, and Twenty-two in favor of the said John Henderson, and then declared that the said William Dixon Campbell Denovan and James Joseph Casey had been duly elected members of the Legislative Assembly for the said electoral district of Sandhurst; and the said returning officer accordingly endorsed their names on the said writ and returned the same so endorsed to the Governor.

That your petitioner alleges that if all the votes but one of every person who voted more than once, as hereinbefore set out, were to be struck off, it would appear that your petitioner obtained a greater number of votes than the said James Joseph Casey.

That your petitioner alleges that a like result would appear if the votes of those persons who personated electors were to be struck off; and that a like result would also appear if the number of votes actually taken at the said polling place or polling booth at the Ship Inn were to be correctly reckoned and taken into consideration; and that a like result would appear if the votes of those electors of the electoral district of Mandurang, who improperly voted at the said election for the said electoral district of Sandhurst, were to be struck off.

Your petitioner therefore complains that the said election was not duly taken, and that the said return was unduly made, so far as regards the election and return of the said James Joseph Casey.

And the petition of your petitioner further sheweth—

That the said James Joseph Casey was, at the time of his said election, or pretended election, interested in a certain contract entered into on behalf of Her Majesty by Her Majesty's local Government in Victoria, for the insertion for certain reward in that behalf, to be paid by Her Majesty's said local Government, of certain advertisements in a certain newspaper called the *Sandhurst Bee*.

That the said James Joseph Casey, at the time of his said election, was entitled to participate in the profit of a certain contract entered into on behalf of Her Majesty by Her Majesty's said local Government, for the insertion for certain reward in that behalf, to be paid by Her Majesty's said local Government, of certain advertisements in the said newspaper.

That your petitioner alleges that even if he should not be entitled to be declared to have been duly elected a member of the said Legislative Assembly for the said electoral district of Sandhurst, although your petitioner humbly submits that he is so entitled, yet the election, or pretended election, of the said James Joseph Casey was null and void by reason of the premises.

Your petitioner therefore humbly prays—

That you will as soon as conveniently may lay this, his petition, before the Legislative Assembly, and that the same may be referred to the Committee of Elections and Qualifications.

And that such Committee may take the premises into their consideration.

And that there may be a scrutiny into the votes taken for the said Spring Creek division.

And that all the votes save the first vote of every person who voted more than once may be struck off.

And also that the voting papers placed in the ballot box by all persons who personated electors, or any persons whose names appeared on the electoral roll for the said electoral district, may be rejected, and the votes or pretended votes, given by such persons

in the names of such electors or persons whose names appeared on such roll may be struck off.

And that those electors who departed from the polling places or polling booths without voting, in consequence of their being informed that persons had voted in their names, may be allowed to tender their votes before the said Committee, and that any votes so tendered may be received, reckoned, and added to the votes already taken at the said election.

And that the ballot papers so tendered but not allowed, as hereinbefore set forth, and whether sealed up in a separate parcel or placed in any of such ballot-boxes, may be received and may be reckoned and taken into account by the said Committee.

And that the votes of those persons who improperly voted at the said election for the said electoral district of Sandhurst, and who ought instead to have voted at the election for the said electoral district of Mandurang, may be struck off.

And that the whole of the votes actually taken at the said polling place or polling booth at the Ship Inn may be correctly reckoned and may be taken into consideration.

Or that such part or parts of the foregoing prayer of your petitioner as the said Committee may consider him entitled to may be granted.

And that such Committee may determine on the subject matter of this petition, and determine and report to the Legislative Assembly that the said James Joseph Casey was not duly elected a member of the Legislative Assembly for the said electoral district of Sandhurst.

And that the said Committee may further determine and report to the Legislative Assembly that your petitioner was at the said election duly elected a member of the Legislative Assembly for such district, and that the said return may be amended by inserting the name of your petitioner therein instead of the name of the said James Joseph Casey.

Or in case such Committee shall determine that the said James Joseph Casey would, but for his being interested in or entitled to participate in the profits of such contracts as aforesaid, be entitled to be declared to have been duly elected a member of the Legislative Assembly, but that he was at the time of his election, or pretended election, interested in or entitled to participate in the profit of such contracts as aforesaid or either of them, then that the said Committee may determine and report to the Legislative Assembly that he, the said James Joseph Casey, was at the time of his election, or pretended election, disqualified, by reason of his being so interested or entitled to participate, and that his election, or pretended election, was null and void; and that in such case a new writ may be issued for the holding of another election for the said electoral district of Sandhurst.

And your Petitioner will ever pray.

ROBERT FREDERICK HOWARD.

No. 10, Victoria Parade,  
Melbourne, the 24th day of September, A.D. 1861.

On the motion of Mr. Pyke the above Petition was referred to "The Committee of Elections and Qualifications."

On the 28th day of September, 1861.

*To the Honorable Sir Francis Murphy, Knight, Speaker of the Legislative Assembly of Victoria.*

The Humble Petition of Michael Herbert, of McCrae-street, Sandhurst, in the Colony of Victoria, Architect and Surveyor,

RESPECTFULLY SHEWETH—

That on the fifteenth day of July, One thousand eight hundred and sixty-one, a writ was duly issued, directed to the Returning Officer for the Electoral District of Sandhurst, for the election of two members of the Legislative Assembly for such district.

That in accordance with the exigency of such writ, the said returning officer convened a meeting of the electors of the said district for the nomination of candidates, and otherwise proceeded to such election.

That such meeting was duly held on the fifth day of August, One thousand eight hundred and sixty-one, and divers candidates were proposed thereat, and the returning officer having called for a show of hands and declared the persons on whom the election had fallen, a poll was then and there demanded in due form.

That on the thirteenth day of August, One thousand eight hundred and sixty-one, the said returning officer openly declared the state of the poll as made up by him, and that William Dixon Campbell Denovan and James Joseph Casey had been duly elected to serve in the Legislative Assembly for the said district.

That your petitioner is an elector for the said district, and voted at the said election.

That your petitioner is prepared to prove that the said election was not conducted in accordance with the provisions of the Act in force in that behalf.

That at one of the polling places within the said district, *videlicet*, that for the Spring Creek division, the deputy of the returning officer who presided thereat was left

without a sufficient number of ballot papers, in consequence of which the polling was discontinued for a space of half an hour and upwards.

That the number of electors entitled to vote in the Spring Creek division of the said district exceeded six hundred, but there was only one booth or polling place provided in such division.

That the ballot papers taken at the said election were not immediately on the close of poll sealed up and delivered to the returning officer.

That the ballot boxes used at the said election were left with the ballot papers therein in improper custody, and without being sealed or otherwise effectually secured, for a considerable period, *videlicet*, from Saturday night to the following Monday.

That in many cases the names of candidates were struck out of the ballot papers which were used with a pencil only, and the same ought, as your petitioner is advised, to have been struck out with pen and ink, or in such a way that the same could not be restored.

That divers persons voted at the said election by personating other persons.

That divers persons polled at the said election more than once.

That such election was illegally conducted, as your petitioner believes, in divers other respects, the general particulars of which are not yet certainly known to your petitioner, and your petitioner is advised that the said election is, under the circumstances aforesaid, altogether invalid, and that the said William Dixon Campbell Denovan and James Joseph Casey were not duly elected thereat.

Your petitioner therefore humbly prays that this petition may be referred to the Committee of Elections and Qualifications of the Legislative Assembly, and that it may be declared that the said William Dixon Campbell Denovan and James Joseph Casey were not duly elected, and that the said election was wholly void, or that your petitioner may have such other relief as the nature of the case may require.

And your petitioner will ever pray, &c.

MICHAEL HERBERT.

Signed by the said Michael Herbert  
in the presence of

JNO. J. RYMER, Sandhurst.

On the motion of Mr. Heales the above Petition was referred to "The Committee of Elections and Qualifications."

On the 28th day of September, 1861.

*To the Honorable Sir Francis Murphy, Knight, Speaker of the Legislative Assembly of Victoria.*

The Petition of John Orr, of Rutherglen, in the Colony of Victoria,  
Esquire,

RESPECTFULLY SHEWETH—

That His Excellency Sir Henry Barkly, Knight Commander of the Most Honorable Order of the Bath, Governor of Victoria, did, on or about the fifteenth day of July, 1861, issue according to law, under his Hand and the Seal of the Colony, a Writ, directed to Curtis A. Reid, Esq., Returning Officer of the Electoral District of the Murray, requiring him, the said Curtis A. Reid, Esq., to proceed as therein directed according to law, for the purpose of securing the return of a member for the said electoral district to serve in the Legislative Assembly of Victoria.

That in accordance with the exigency of the said writ the said returning officer duly convened a meeting of the electors of the said district for the purpose of nominating candidates and otherwise proceeding to such election.

That such meeting was duly held on the fifth day of August last past, at the Seven Oaks Hotel, Tarravongee, and that there were nominated and proposed as candidates thereat David Reid, Esq., Martin Moylan, Esq., John Pierce Rowe, Esq., Henry Linard, Esq., and your Petitioner.

That after a show of hands had been called for by the returning officer, and after the person upon whom the election had thereby fallen had been by him declared, a poll was then and there demanded in due form according to law by or on behalf of certain other candidates, and such poll was taken on the day specified in the said writ.

That the election took place by the electors of the district recording their votes in favor of such one of the said candidates as they deemed fit to be so returned.

That the polling places or booths appointed by the said returning officer whereat the said electors might record their votes were as follows, that is to say:—

FOR THE LONGWOOD DIVISION—

The Longwood Hotel, Longwood.

FOR THE SEVEN CREEKS DIVISION—

Oakshot's Duckponds Hotel, near Faithful Creek, confines of Euroa.

FOR THE BENALLA DIVISION—

One mile from Benalla, Melbourne road, confines of Benalla.

FOR THE MANSFIELD DIVISION—

Township of Mansfield.

The Creek Diggings, Gaffney's Creek.

FOR THE OMEO DIVISION—

The Court House, Livingstone.

FOR THE SNOWY CREEK DIVISION.—

Lafontaine's Racecourse Hotel, Granite Flat.

FOR THE MITTA MITTA DIVISION—

Mitchell's Station, Little River.

FOR THE WAHGUNYAH DIVISION—

Main and Baldock's Hotel, Wahgunyah.

Star Hotel, Rutherglen.

FOR THE TARRAWINGEE DIVISION—

Farmer's Arms Hotel, Longbridge, confines of Wangaratta.

That on or about the twenty-fourth day of August, 1861, the said returning officer openly declared that the general state of the poll at the close of the polling, as made up by him, was as follows; that is to say:—

*Votes polled.*

For David Reid	...	...	...	393
„ your Petitioner	...	...	...	383
„ Martin Moylan	...	...	...	282

That accordingly the said returning officer publicly declared that the said David Reid was duly elected as a member to serve in the Legislative Assembly for the electoral district of the Murray.

That the said returning officer thereupon endorsed upon the writ the name of the said David Reid as being the name of the person returned at such election to serve in the said Assembly for such district.

That the said David Reid had, according to the declaration of the state of the poll so made by the returning officer, a majority of ten votes over your petitioner.

That, notwithstanding such declaration, your petitioner submits that the said David Reid was not, but that your petitioner was, the duly elected member at such election for the district aforesaid, for the following reasons:—

*First.*—That the said returning officer, in casting up the total returns for such electoral district, altogether omitted to take into account the returns of the votes, amounting to a large number, polled at the said election for the Longwood division of the said electoral district.

*Secondly.*—That had the said returning officer taken into account the returns for the said Longwood division of the said electoral district, your petitioner would have had a majority of eight votes over the said David Reid, and ought to have been declared the duly elected member and returned as such member for such electoral district.

*Thirdly.*—That the said returning officer alleged as his reason for not taking into account the votes polled at the said Longwood division, that the electors thereat used pencils and not pens to erase the names of the candidates for whom they did not intend to vote.

*Fourthly.*—That pencils as well as pens and ink were provided and supplied to the voters at the polling place for such division, and that the deputy returning officer for the said Longwood division of the electoral district duly returned to the said returning officer the said votes as polled by the electors for such division at the said election, and which the said returning officer so refused to take into account as aforesaid.

*Fifthly.*—That the said returning officer had no legal right to refuse such ballot papers after they had been so returned by his deputy as aforesaid.

*Sixthly.*—That the reason so alleged by the said returning officer for such omission as aforesaid was insufficient and invalid in law, and that your petitioner has been aggrieved by the conduct of the said returning officer in thus refusing to take into account the said votes of the said electors of the said Longwood division.

Your petitioner thereupon respectfully prays—

*First.*—That you will, as soon as conveniently may be, lay this petition before the Legislative Assembly.

*Second.*—That the Legislative Assembly will be pleased to forthwith refer such petition to “The Committee of Elections and Qualifications.”

*Third.*—That when such reference has been made such committee will determine and report to the Assembly that the said votes so polled in the said Longwood division ought to have been taken into account in the said election, and that the votes polled in favor of your petitioner and of the said David Reid for such division at the said election may and shall be taken into account by the said committee, and that the said David Reid was not duly elected, and that your petitioner was duly elected, as a member to serve in the Legislative Assembly for the said electoral district of the Murray.

*Fourth.*—That thereupon your petitioner may be sworn as a member of the said Assembly, and may take his seat therein accordingly.

*Fifth.*—That your petitioner may have such further and other relief as the nature of the case requires.

And your petitioner will ever pray.

JOHN ORR,

Candidate for the Electoral District of the Murray.

Rutherglen, September 26th, 1861.

On the motion of Mr. Verdon the above Petition was referred to "The Committee of Elections and Qualifications."

On the 4th day of October, 1861.

*To the Honorable Sir Francis Murphy, Knight, Speaker of the Legislative Assembly of Victoria,*

The Petition of John Lewis, of Campbellfield, in the County of Bourke, in the Colony of Victoria, Laborer,

RESPECTFULLY SHEWETH—

1. That on the fifteenth day of July, in the year of our Lord One thousand eight hundred and sixty-one, His Excellency the Governor of the Colony of Victoria, did, in due form of law issue under his hand and the seal of the said colony, a Writ directed to Andrew Macarthur, Esquire, the Returning Officer for the Electoral District of East Bourke, requiring him to proceed as therein directed according to law, for the purpose of procuring the return of two members for the said district to serve in the Legislative Assembly of Victoria, and which said writ was made returnable on the twenty-sixth day of August, in the year of our Lord One thousand eight hundred and sixty-one.

2. That in accordance with the exigency of the said writ, the said returning officer did on the fifth day of the said month of August, preside at a meeting of the electors of the said district, duly holden at Campbellfield, in the said district, for the purpose of nominating candidates, and otherwise proceeding in the said election, when there were nominated and proposed as candidates James Mackintosh, Esquire, Robert Bennett, Esquire, George Kirk, Esquire, and John Macgregor, Esquire.

3. That a show of hands was then duly called for by the said returning officer, when he declared the election to have fallen upon the said James Mackintosh and the said John Macgregor, whereupon a poll was demanded by the said George Kirk.

4. That in accordance with the exigency of the said writ, the polling at the said election was taken on the nineteenth day of the said month of August at the following places in the said district, namely, Wallan-wallan, Whittlesea, Donnybrook, Yan Yean, Broadmeadows, Campbellfield, Epping, Junction of the Roads, Preston, and Heidelberg.

5. That your petitioner was a registered elector of the said district, and had a right to vote, and did vote at the said election.

6. That on the twenty-third day of the said month of August the said returning officer did, at the said place of nomination, openly declare the general state of the said poll at the close of the polling as the same was made up by him and did then and there state the votes polled at the said election to have been given as follows, viz., Seven hundred and twelve (712) for the said Robert Bennett, Six hundred and seventy-three (673) for the said George Kirk, Six hundred and sixty-seven (667) for the said James Mackintosh, Five hundred (500) for the said John Macgregor.

7. That thereupon the said Robert Bennett and George Kirk were, by the said returning officer, declared to have had a majority of votes at the said election, and to have been duly elected, and were returned as members duly elected to serve in this present Parliament for the said district of East Bourke.

8. That your petitioner has good reasons to believe that the votes polled at the said election were not correctly reckoned and made up by the said returning officer and the deputy returning officers, either at the close of the said poll or before the declaration of the result thereof as aforesaid, and that from the said returning officer having, as your petitioner believes, only reckoned the votes polled in the division of Campbellfield aforesaid where he presided, he must have necessarily relied upon the statements furnished to him by the several deputy returning officers of the votes polled in the other divisions of the said district; and your petitioner feels assured that if the votes polled at the said election were correctly reckoned and made up, it would be found that the actual majority of such votes was in favor of the said James Mackintosh over the said George Kirk, and the votes given for the said James Mackintosh and the votes given for the said George Kirk at the said election ought now to be correctly and truly reckoned and made up from all and every the ballot papers used at the said election, so far as such votes respectively appear by the said ballot papers to have been given in due form of law.

9. That the majority of votes declared by the said returning officer in favor of the said George Kirk was only an apparent and colorable majority, inasmuch as there were accepted and recorded on the poll in favor of the said George Kirk, the votes of divers persons whose names were not registered on the Electoral Roll of the said district, or who were not legally entitled and had no legal right to vote at the said election, and that the real majority of good and legal votes polled at the said election was in favor of the said James Mackintosh over the said George Kirk.

10. That many persons were admitted to vote, and gave their votes at the said election for the said George Kirk, under the influence of bribery, corruption, and other undue influences, by or on the part of the said George Kirk, his agents, committee-men, and partizans, or some or one of them, and the votes of such persons ought now to be struck off the said poll.

11. That at the said election there were counted on the said poll, in favor of the said George Kirk, divers voters who did not, in point of fact, vote for him, but who were personated and fraudulently represented by other persons who had themselves no

title so to vote, but who so fraudulently tendered their votes and voted at the said election, and that such votes ought to be struck off the said poll.

12. That the votes of divers persons were tendered for the said James Mackintosh at the said election, and rejected by the said returning officer and his deputies, which ought to have been received and added to the poll for the said James Mackintosh.

13. That at the said election divers electors who were desirous of voting for the said James Mackintosh, but being unable to read, and having signified the same to certain of the deputy returning officers, were prevented from voting for the said James Mackintosh by such deputy returning officers striking out from the ballot papers the name of the said James Mackintosh instead of, as designated by such electors, the name of the said George Kirk, and such votes ought now to be received for the said James Mackintosh, and deducted from the number of votes polled for the said George Kirk and added to the number of votes polled for the said James Mackintosh at the said election.

14. That at the said election divers electors were prevented from voting for the said James Mackintosh, by reason of such electors having been personated and fraudulently represented by other persons, who so fraudulently tendered their votes as the votes of such electors at the said election, and that the votes of the said electors, so fraudulently prevented from voting, ought now to be received and taken into account on reckoning the votes polled for the said James Mackintosh at the said election.

15. That at the said election divers electors were prevented from voting by fraud, force, menace, and other undue influences, by and on the part of the said George Kirk and his agents, committeemen and partizans, or some of them, and such electors ought now to be allowed to tender their votes, and such votes should be received accordingly, and on reckoning the votes polled for the said James Mackintosh the votes so received should be taken into account.

16. That by the ways and means aforesaid the said George Kirk obtained an apparent majority over the said James Mackintosh, whereas in truth and in fact the said James Mackintosh had a majority of legal votes over the said George Kirk, and was duly elected a member to serve in the present Parliament for the said district, and ought to have been returned as such member.

17. That before, during, and after the said election the said George Kirk did, directly and indirectly, by himself, and by divers other persons on his behalf give and lend and agree to give and lend, and did offer, promise, and procure, and promise and endeavor to procure money and other valuable considerations to and for divers electors and divers persons on behalf of divers electors, and to and for divers other persons in order to induce divers electors to vote or refrain from voting, and did knowingly such acts as aforesaid on account of divers electors having voted or refrained from voting at the said election.

18. That before, during, and after the said election the said George Kirk did, directly and indirectly by himself and by others on his behalf, advance and pay and cause to be advanced and paid money to and to the use of divers other persons with the intent that such money, or some part thereof, should be expended in bribery at the said election, and did knowingly pay or cause to be paid money to divers persons in discharge of repayment of money wholly or in part expended in bribery at the said election.

19. That at the said election the said George Kirk did corruptly by himself, and by and with divers persons, and by and with other ways and means on behalf of the said George Kirk, directly and indirectly give and provide and cause to be given and provided and was accessory to the giving and providing, and did pay and allow divers persons to pay on his behalf wholly or in part expenses for meat, drink, entertainment, and provisions to and for divers persons in order to forward the election of the said George Kirk, and for being elected and for the purpose of corruptly influencing such persons and divers other persons to give or refrain from giving their votes at the said election, and on account of divers persons having voted or refrained from voting or being about to vote or refrain from voting at the said election.

20. That by reason of the said corrupt and illegal practices mentioned in the three last preceding paragraphs the said George Kirk was and is wholly incapable of being elected or sitting as member for the said district during this present Parliament, and the said election and return of the said George Kirk were and are wholly null and void.

Your petitioner therefore respectfully prays :—

1. That you will be pleased as soon as conveniently may be, to lay this petition before the Legislative Assembly.

2. That the said Assembly will be pleased to refer the same to "The Committee of Elections and Qualifications," either forthwith or as soon as the said committee has been duly appointed and confirmed.

3. That upon such reference being made the said committee will determine and report to the said Assembly.

1. Upon reckoning and making up the said ballot papers used at the said election how many votes appear by such ballot papers to have been given in due form of law for the said James Mackintosh and for the said George Kirk respectively, at the said election, and whether the majority of such votes was not in favor of the said James Mackintosh over the said George Kirk.

2. How many persons who voted at the said election for the said George Kirk had no right to vote thereat from their names not being upon the electoral roll of the said district or otherwise.
3. How many persons gave their votes for the said George Kirk under the influences of bribery, corruption, or other undue influence, by or on the part of the said George Kirk, his agents, committeemen, or partizans, or any of them.
4. How many votes were given, at the said election for the said George Kirk, by persons who personated other persons who had a right to vote at the said election.
5. How many votes of electors unable to read, and intending to vote for the said James Mackintosh were recorded on behalf of the said George Kirk from certain of the deputy returning officers having struck out from the ballot-papers the name of the said James Mackintosh, instead of, as designated by such electors, the name of the said George Kirk; and whether any and how many of such votes may have been received by the said committee for the said James Mackintosh, and deducted from the votes polled for the said George Kirk, and added to the votes polled for the said James Mackintosh at the said election.
6. How many electors were prevented from voting, at the said election, for the said James Mackintosh, from their having been personated, or from their votes having been improperly rejected by the said returning officer, or his deputies, or by fraud, force, menace, or any undue influence by or on the part of the said George Kirk, or his agents, committeemen and partizans, or any of them; and how many of such electors have tendered their respective votes before the said committee, and whether such votes have been received and taken into account on reckoning the votes polled for the said James Mackintosh at the said election.
7. Whether the said George Kirk did not obtain only an apparent majority of votes over the said James Mackintosh, and whether the said James Mackintosh had not a majority of legal votes over the said George Kirk, and was duly elected a member to serve in the present Parliament, for the said district, and ought to have been returned accordingly as such member.
8. Whether the said George Kirk was not guilty before, during, or after the said election, of bribery and treating within the intent and meaning of the Election Proceedings Regulation Act of One thousand eight hundred and fifty-six, and whether by reason thereof the said George Kirk was and is wholly incapable of being elected or sitting as member for the said district during this present Parliament, and whether the said election and return of the said George Kirk were and are wholly null and void.

4. That upon the said committee determining and reporting to the said Assembly that the said James Mackintosh had a majority of legal votes at the said election over the said George Kirk, and therefore that the said James Mackintosh ought to have been returned as member for the said district at the said election, then that the said return be amended by striking out therefrom the name of the said George Kirk, and substituting instead thereof the name of the said James Mackintosh, and that the said James Mackintosh may be sworn as a member of the said Assembly, and may take his seat accordingly; but, failing this—

5. That upon the said committee determining and reporting to the said Assembly that the said George Kirk has been guilty of bribery and treating within the intent and meaning of the said Act, and that the election and return of the said George Kirk were and are wholly void, then that a writ may issue for the election of a member to represent the said district in Parliament.

6. That your petitioner may have such further and other relief in the premises as the nature of the case requires.

And your petitioner will ever pray, &c.

JOHN LEWIS.

On the motion of Mr. Verdon the above Petition was referred to "The Committee of Elections and Qualifications."

On the 5th day of October, 1861.

*To the Honorable Sir Francis Murphy, Knight, Speaker of the Legislative Assembly of Victoria.*

The Petition of John Moffitt Tomkins, of Wallan-wallan, in the Colony of Victoria, Farmer,

SHEWETH—

1. That at the election last holden according to law to choose two members to serve for the Electoral District of East Bourke, Robert Bennett, Esquire, and George Kirk, Esquire, were returned as such members.

2. That your petitioner had a right to vote at the said election.

3. That a certain petition has been presented to you complaining of such return, and praying among other things that the said George Kirk may be declared not duly



elected, and that one James Mackintosh may be declared duly elected as a member to serve in the Legislative Assembly for the said electoral district.

4. That at the said election for the said electoral district divers persons who had no sufficient qualification to entitle them to vote, did nevertheless vote.

5. That at such election divers persons did fraudulently personate persons whose names were on the electoral roll for the said district, and the votes of the said persons so personating were taken by the returning officer and by the deputy returning officer at such election, under the belief that such persons were the electors whom they so fraudulently personated as aforesaid.

6. That at such election divers persons did fraudulently vote more than once.

7. That many of the said electors who had been so personated afterwards came to the respective polling places and polling booths to vote at the said election, and divers of such electors upon being informed that persons had voted in their names pretending to be such electors, departed without voting, and that divers others of the said electors who had been so personated as aforesaid tendered their ballot papers, but that such votes were not allowed.

8. That at the said election divers persons voted who did not record their votes in the manner required by law.

9. That in divers respects the particulars of which are not yet certainly known to your petitioner, the said election was illegally conducted.

10. That your petitioner alleges that if all the votes except the first vote of every person who voted more than once as hereinbefore set out were struck off it would appear that the said George Kirk obtained a greater number of votes than the said James Mackintosh.

11. That your petitioner alleges that a like result would appear if the votes of those persons who voted without a sufficient qualification, or of those persons whose votes were not duly recorded, or of those persons who personated electors, were to be struck off, and that a like result would also appear if the votes of those electors who departed from the polling places and polling booths without voting, or whose votes were tendered and not allowed were taken into account and reckoned.

12. That your petitioner alleges that even if the said George Kirk be declared not duly elected, although your petitioner humbly submits that he is entitled to be so declared, the said James Mackintosh is not entitled to be declared duly elected to serve as a member in the Legislative Assembly for the said electoral district.

Your petitioner therefore humbly prays—

1. That you will, as soon as conveniently may be, lay this his petition before the Legislative Assembly, and that the same may be referred to "The Committee of Elections and Qualifications."

2. That the said committee will take the premises into its consideration and will make a scrutiny into the votes taken at the said election for the said district.

3. That all the votes, save the first vote, of every person who voted thereat more than once, and every vote of every person who had not at the time of such election retained a sufficient qualification, and of every person whose vote is not recorded in the manner required by law be struck off.

4. That the voting papers placed in the ballot box by all persons who personated any persons whose names appear on the electoral roll for the said electoral district may be rejected, and the votes or pretended votes given by every such mentioned person, in the names of such other persons, as aforesaid, may be struck off.

5. That the electors who departed from the polling places or polling booths without voting, in consequence of their being informed that persons had voted in their names, may be allowed to tender their votes before the said committee, and that any vote so tendered may be received, reckoned, and added to the votes already taken at the said election.

6. That the ballot papers tendered but not allowed as hereinbefore set forth may be in like manner received, reckoned, and taken into account by the said committee.

7. That the said committee will determine and report to the said Legislative Assembly that the said George Kirk was duly elected at the said election as a member to serve in such Assembly.

8. That in case the said committee determine and report that the said George Kirk was not duly elected, the committee will determine and report not that the said James Mackintosh is duly elected but that the said last election for the said district was void, and that in such case a new writ may be issued for the holding of a new election for the said district.

9. That your petitioner may have such other and further relief as the nature of the case requires.

And your petitioner will ever pray.

J. M. TOMKINS.

Melbourne, 5th October, 1861.

On the motion of Mr. Verdon the above Petition was referred to "The Committee of Elections and Qualifications."

On the 5th day of October, 1861.

*To the Honorable Sir Francis Murphy, Knight, Speaker of the Legislative Assembly of Victoria.*

The Petition of Michael Fitzgerald, of Lothian street, Melbourne, in the Colony of Victoria, Householder,

SHEWETH—

1. That at the election last holden according to law to choose two members to serve in the Legislative Assembly for the electoral district of North Melbourne, John Davies, Esq., and Patrick Costello, Esq., were returned as such members.

2. That your petitioner had a right to vote at the said election.

3. That a certain petition has been presented to you complaining of such return, and praying, among other things, that the said Patrick Costello may be declared not duly elected, and that one John Sinclair may be declared to be duly elected to serve as a member of the Legislative Assembly for the said electoral district.

4. That at the said election for the said electoral district divers persons, who had no sufficient qualification to entitle them to vote, did nevertheless vote.

5. That at such election divers persons voted who did not record their votes in the manner required by law.

6. That at such election divers persons did fraudulently vote more than once.

7. That at such election divers persons did fraudulently personate persons whose names were on the electoral roll for the said district, and the votes of the persons so personating were taken by the returning officer and by the deputy returning officers at such election, under the belief that such persons were the electors whom they so fraudulently personated as aforesaid.

8. That many of the said electors who had been so personated afterwards came to the respective polling places and polling booths to vote at the said election, and divers of such electors, upon being informed that persons had voted in their names pretending to be such electors, departed without voting; and that divers others of the said electors who had been so personated as aforesaid tendered their ballot papers, but that such votes were not allowed.

9. That in divers respects, the particulars of which are not yet certainly known to your petitioner, the said election was illegally conducted.

10. That your petitioner alleges that if all the votes, except the first vote of every person who voted more than once, or every vote of every person who voted without a sufficient qualification, or every vote of every person whose vote was not recorded according to law, or every vote of every person who personated an elector were struck off, it would appear that the said Patrick Costello obtained a greater number of votes than the said John Sinclair.

11. That your petitioner alleges that a like result would also appear if the votes of those electors who departed from the polling places or polling booths, or whose votes were tendered and not allowed were taken into account and reckoned.

12. That your petitioner alleges that even if the said Patrick Costello be declared to be not duly elected, although your petitioner humbly submits that he is so entitled, the said John Sinclair is not entitled to be declared to be duly elected to serve as a member in the Legislative Assembly for the said electoral district.

Your petitioner therefore humbly prays—

1. That you will, as soon as conveniently may be, lay this his petition before the Legislative Assembly, and that the same may be referred to "The Committee of Elections and Qualifications."

2. That the said committee will take the premises into its consideration, and will make a scrutiny into the votes taken at the said election for the said electoral district.

3. That all the votes except the first vote of every person who has voted thereat more than once, and every vote of every person who had not at the time of such election retained a sufficient qualification, and of every person whose vote is not recorded in the manner required by law, be struck off.

4. That the voting papers placed in the ballot book by all persons who personated any persons whose names appeared on the electoral roll for the said electoral district may be rejected, and the votes or pretended votes given by such first-mentioned persons in the names of such other persons as aforesaid may be struck off.

5. That the electors who departed from the polling places or polling booths without voting, in consequence of their being informed that persons had voted in their names, may be allowed to tender their votes before the said committee, and that any votes so tendered may be received, reckoned, and added to the votes already taken at the said election.

6. That the ballot papers tendered but not allowed, as hereinbefore set forth, may be in like manner received, reckoned, and taken into account by the said committee.

7. That the said committee will determine and report to the Legislative Assembly that the said Patrick Costello is duly elected at the said election to serve as a member in the said Assembly.

8. That in case the said committee determine that the said Patrick Costello was not duly elected, the committee will determine and report, not that the said John

Sinclair was duly elected, but that the said election was void, and that in such case a new writ may be issued for the holding a new election for the said district.

9. That your petitioner may have such other and further relief as the nature of the case requires.

And your petitioner will ever pray, &c.

MICHAEL FITZGERALD.

Melbourne, 5th October, 1861.

On the motion of Mr. Verdon the above Petition was referred to "The Committee of Elections and Qualifications."

On the 5th day of October, 1861.

*To the Honorable Sir Francis Murphy, Knight, Speaker of the Legislative Assembly of Victoria.*

The Petition of Alfred Chenery, of Delatite Mansfield, in the Colony of Victoria, Esquire,

SHEWETH—

1. That at the election last holden according to law to choose a member to serve in the Legislative Assembly for the electoral district of the Murray, David Reid, Esquire, was returned as such member.

2. That your petitioner had a right to vote at the said election.

3. That a petition has been presented to you by one John Orr, of Rutherglen, in the Colony of Victoria, Esquire, bearing date 26 September, 1861, complaining of such return, and praying, among other things, that the said David Reid may be declared not duly elected, and that he the said John Orr may be declared duly elected as a member to serve in the said Legislative Assembly for the said electoral district.

4. That at the said election for the said electoral district divers persons who had no sufficient qualification to entitle them to vote did nevertheless vote.

5. That at such election divers persons did fraudulently vote more than once.

6. That at such election divers persons did fraudulently personate persons whose names were on the electoral roll for the said district, and the votes of the said persons so personating were taken by the returning officer and by the deputy returning officers at such election under the belief that such persons were the electors whom they so fraudulently personated as aforesaid.

7. That many of the said electors who had been so personated afterwards came to the respective polling place and polling booth to vote at the said election, and divers of such electors upon being informed that persons had voted in their names pretending to be such electors, departed without voting, and that divers others of the said electors who had been so personated as aforesaid, tendered their ballot papers according to law, but that such votes were not allowed.

8. That in divers respects, the particulars of which are not yet certainly known to your petitioner, the said election was illegally conducted, and divers votes were received thereat which ought not to have been received.

9. That your petitioner alleges that if all the votes, excepted the first vote of every person who voted more than once, as hereinbefore set out, were to be struck off, it would appear that even if, according to the prayer of the petition of the said John Orr, the votes polled at the Longwood division of the said electoral district were taken into account, although your petitioner humbly submits that the said votes ought not to be taken into account, the said David Reid nevertheless obtained a greater number of votes than the said John Orr.

10. That your petitioner alleges that a like result would appear if the votes of those persons who personated electors were to be struck off, and that a like result would appear if the votes of those persons who voted not having a sufficient qualification were to be struck off, and that a like result would also appear if the votes of those electors who departed from the polling place and polling booth without voting, or whose votes were tendered and not allowed, were taken into account and reckoned.

11. That your petitioner alleges that even if the said David Reid should not be declared to be duly elected, although your petitioner humbly submits that he is entitled to be declared, the said John Orr is not entitled to be declared duly elected for the said district.

Your petitioner therefore humbly prays—

1. That you will, as soon as conveniently may be, lay this his petition before the Legislative Assembly, and that the same may be referred to "The Committee of Elections and Qualifications."

2. That the said committee will take the premises into its consideration, and will make a scrutiny into the votes taken at the said election for the said district.

3. That all the votes save the first vote of every person who voted more than once, and all the votes of all persons found not to retain a sufficient qualification may be struck off.

4. That the voting papers placed in the ballot box by all persons who personated any persons whose names appeared on the electoral roll for the said electoral district may be rejected, and the votes or pretended votes given by such first mentioned persons in the names of such other persons as aforesaid may be struck off.

5. That those electors who departed from the polling place or polling in booth without voting in consequence of their being informed that persons had voted in their names may be allowed to tender their votes before the said committee, and that any votes so tendered may be received, reckoned and added to the votes already taken at the said election.

6. That the ballot papers tendered but not allowed as hereinbefore set forth may be in like manner received, reckoned and taken into account by the said committee.

7. That the said committee will determine and report to the Legislative Assembly that the said David Reid was duly elected at the said election as a member to serve in such Assembly.

8. That in case the said committee determine and report that the said David Reid was not duly elected the committee will determine and report not that the said John Orr is duly elected but that the said last election for the said district was void, and that in such case a new writ may be issued for the holding of a new election for the said electoral district of the Murray.

9. That your petitioner may have such other and further relief as the nature of the case requires.

And your petitioner will ever pray.

ALFRED CHENERY.

Melbourne, 5th October, 1861.

On the motion of Mr. Verdon the above Petition was referred to "The Committee of Elections and Qualifications."

4. WITHDRAWALS OF PETITIONS.—Mr. Speaker laid upon the Table of the Assembly a letter which he had received, and which he read, and is as follows:—

55 Bourke street west,  
Melbourne, 15th October, 1861.

In the matter of the Petition of Michael Fitzgerald, relative to the North Melbourne election; and in the matter of the Petition of John Moffitt Tomkins, relative to the East Bourke election.

SIR,

I have the honor to give you notice, that as agent and attorney for the above named Petitioners, I hereby withdraw the petitions lodged by me with you on behalf of my said clients. I beg further to call your attention to the fact that neither of the said petitions has been presented to the Legislative Assembly.

I have the honor to be,

Sir,

Your obedient humble Servant,

(Signed)

THO. C. NOLAN.

5. TARANAKI RELIEF FUND.—Mr. Speaker laid upon the Table of this House a letter dated 22nd August, 1861, which he had received from the Hon. D. Monro, Speaker of the House of Representatives of New Zealand, conveying the thanks of that House for the grant of One thousand pounds towards the Taranaki Relief Fund.

6. PAPERS.—Mr. Verdon presented—

Savings Banks Statements and Returns for the year ending 30th June, 1861.  
Ordered to be printed.

Mr. Heales presented, by command of His Excellency the Governor—

Board of Agriculture.—Second Annual Report presented by the Council to the Board of Agriculture.

Ordered to lie on the Table.

Mr. Humffray presented, by command of His Excellency the Governor—

Gold Fields Act.—Order in Council altering the Mining District of Castlemaine.

Gold Fields Act.—Order in Council.—Regulations for Mining Leases of Auriferous Land.

Severally ordered to lie on the Table.

7. PETITION.—Mr. O'Shanassy presented a petition from Michael Flinn, late of West Moranding, in the parish of Goldie, praying 200 acres of land referred to in the petition might be surveyed, and that he might be permitted to become the purchaser thereof.

Petition read, and ordered to lie on the Table.

8. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Third Report from the Committee.

Ordered to lie on the Table, and to be printed.

9. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor, received and read:—

*Estimates, 1862.*

*Message No. 4.*

HENRY BARKLY,  
Governor.

The Governor, with reference to that portion of His speech to Parliament wherein he stated that the preparation of the Estimates of Revenue and Expenditure for the year 1862 would, for reasons therein stated, be delayed, now informs the Legislative Assembly that he has directed their preparation, and that they shall immediately be transmitted to the Legislative Assembly.

Government Offices,  
Melbourne, October, 1861.

Ordered to lie on the Table, and to be printed.

10. GOLD FIELDS RESERVOIRS.—Mr. Humffray moved, pursuant to notice, That this House will, to-morrow, resolve itself into a Committee of the whole to consider the following resolutions:—

- (1.) That it is expedient to make regulations authorizing the sale of water from the Gold Fields Reservoirs.
- (2.) That a Bill be brought in for the purpose.

Question—put and resolved in the affirmative.

11. INDUSTRIAL AND REFORMATORY SCHOOLS.—Mr. Heales moved, pursuant to notice, That this House will, on Friday next, resolve itself into a Committee of the whole for the purpose of considering the following resolutions:—

- (1.) That it is expedient to provide for the care and custody of neglected and convicted children, and to prevent the commission of crime by young persons, and for the attainment of these objects to establish Industrial and Reformatory Schools.
- (2.) That a Bill be brought in for these purposes.

Question—put and resolved in the affirmative.

12. CIVIL SERVICE BILL.—The Order of the Day for the consideration of His Excellency the Governor's Message, No. 2, having been read, on the motion of Mr. Heales the Message was read by the Clerk.

Mr. Heales then moved, That this House will, to-morrow, resolve itself into a Committee of the whole to consider the following resolutions:—

- (1.) That it is desirable to regulate the Civil Service of Victoria, and to grant superannuation allowances to retired Civil Servants.
- (2.) That a Bill be brought in for this purpose.

Question—put and resolved in the affirmative.

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

“*County Councils Bill—Message of His Excellency the Governor to be taken into consideration,*” until Wednesday, 30th October instant.

“*Deserted Children Protection Bill—Second reading,*” until Tuesday, 29th October instant, and

“*Gold Export Duty Act Amendment Bill—Second reading,*” until Wednesday, 30th October instant.

14. MEMBER SWORN.—W. H. Gatty Jones, Esq., took the oath and his seat as Member for the Electoral District of Evelyn.

15. OFFICIALS IN PARLIAMENT ACT AMENDMENT AND REPEAL BILL.—Mr. James Chapman moved, pursuant to amended notice, That he have leave to bring in a Bill to repeal the Act 25 Vict. No. 128, intituled, “*An Act to amend the Act intituled ‘An Act to limit the number of persons holding offices under the Crown who may sit and vote in the Legislative Council and Legislative Assembly of Victoria.’*”

Debate ensued.

Question put.

Assembly divided.

Ayes, 35.

Mr. Aspinall,	Mr. Kyte,
Mr. Bennett,	Mr. Lambert,
Mr. Berry,	Mr. McLellan,
Mr. K. E. Brodribb,	Mr. Mac Mahon,
Mr. Brooke,	Mr. Nixon,
Mr. Cathie,	Mr. Orkney,
Mr. H. S. Chapman,	Mr. O'Shanassy,
Mr. J. Chapman,	Mr. Pyke,
Mr. Cohen,	Mr. Richardson,
Mr. Cummins,	Mr. J. T. Smith,
Mr. J. Davies,	Mr. L. L. Smith,
Mr. Denovan,	Mr. Sullivan,
Mr. Don,	Mr. Weeks,
Mr. Edwards,	Mr. Wright.
Mr. Flint,	
Mr. Foott,	<i>Tellers.</i>
Mr. Gray,	Mr. Humfray,
Mr. Heales,	Mr. Grant.
Mr. Houston,	

Noes, 9.

Mr. Gavan Duffy,	Mr. Tucker.
Mr. Hood,	
Mr. Johnston,	<i>Tellers.</i>
Mr. Levi,	Mr. Service,
Mr. Manifold,	Mr. Francis.
Mr. Nicholson,	

And so it was resolved in the affirmative.

Ordered—That Mr. James Chapman and Mr. McLellan do prepare and bring in the Bill. Mr. McLellan then brought up a Bill, intituled, "*A Bill to repeal the Act 25 Vict. No. 128 intituled 'An Act to amend the Act intituled An Act to limit the number of persons holding offices under the Crown who may sit and vote in the Legislative Council and 'Legislative Assembly of Victoria,'*" 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, 29th October instant.

Assembly adjourned at nine minutes to seven o'clock until four o'clock to-morrow.

FRAN<sup>S</sup> MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 13.

WEDNESDAY, 23RD OCTOBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PAPERS.—Mr. Heales presented, by command of His Excellency the Governor—  
Criminal Statistics.—Returns of the number of the Persons taken into Custody by the Victorian Police Force, during the year 1859, showing Offence, Total Number, Sex, Age, Country, Religion, Education, Occupation, and how disposed of.  
Ordered to lie on the Table.  
Mr. Brooke, by command of His Excellency the Governor—  
Crown Lands alienated—Return of all Lands offered for sale and lease, and alienated from the Crown within the Colony of Victoria, under the Act 24 Victoria No. 117, from the 1st of April to the 30th June, 1861, specifying that offered for sale by auction, that proclaimed for selection and lease, that withdrawn from sale, that for which no offer was made, that forfeited, that sold at auction, that sold by selection and limited auction, that leased, and that alienated under pre-emptive right.  
Ordered to lie on the Table.  
Mr. Aspinall presented—  
Divorce and Matrimonial Causes Act.—Fees of Court in proceedings under.  
Ordered to lie on the Table.
3. PRINTING REPORT.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Fourth Report from this Committee.  
Ordered to lie on the Table, and to be printed.
4. PETITION.—Dr. Owens presented a petition from C. J. Perry, praying the House to take steps as might seem good to cause the Anti-Collision Dial and Shipwreck Preventer to be classed with those Auxiliaries to safety required by law to be used on board ship, and specially as an accompaniment to the lights for which the instrument was particularly devised.  
Petition read and ordered to lie on the Table.
5. SUPPLY.—The Order of the Day for the consideration of His Excellency the Governor's Message, No. 4, having been read, Mr. Verdon moved, That a Supply be granted to Her Majesty.  
Question—That this House will, to-morrow, resolve itself into a Committee to consider that question—put and resolved in the affirmative.
6. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of Mr. Humffray, the Assembly ordered that the consideration of the following Order of the Day be postponed until after the consideration of the Third Order of the Day :—  
“*Gold Fields Reservoirs—Resolutions to be considered in Committee.*”
7. CIVIL SERVICE.—The Order of the Day for the consideration, in Committee of the whole Assembly, of the question—  
(1.) That it is desirable to regulate the Civil Service of Victoria, and to grant superannuation allowances to retired Civil Servants :  
(2.) That a Bill be brought in for this purpose :  
having been read—On the motion of Mr. Heales, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration thereof.  
Mr. Speaker resumed the Chair, and Mr. Lalor reported that the Committee had come to certain resolutions.  
Ordered—That the report be received to-morrow.

8. GOLD FIELDS RESERVOIRS.—The Order of the Day for the consideration in Committee of the whole Assembly of the question—

(1.) That it is expedient to make regulations authorizing the sale of water from the Gold Fields Reservoirs:

(2.) That a Bill be brought in for the purpose:

having been read—On the motion of Mr. Humffray, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration thereof.

Mr. Speaker resumed the Chair, and Mr. Lalor reported that the Committee had come to certain resolutions.

Ordered—That the report be received to-morrow.

9. MRS. CLARA SEEKAMP.—Mr. Frazer moved, pursuant to notice, That in accordance with the recommendation of the Select Committee, which sat last Parliament, this House will, to-morrow, resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Governor, requesting that the sum of £500 be placed upon the Estimates for 1862, for the purpose of compensating Mrs. Clara Seekamp.

Question—put and resolved in the affirmative.

Assembly adjourned at fourteen minutes past five o'clock until four o'clock to-morrow.

FRAN<sup>S</sup> MURPHY,  
*Speaker.*



VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 14.

THURSDAY, 24TH OCTOBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. RETURN TO WRIT.—Mr. Speaker 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 Electoral District of Maryborough, by which it appeared that George Samuel Evans had been duly elected in pursuance thereof.
3. PAPERS.—Mr. Brooke presented, by command of His Excellency the Governor—  
    Crown Lands Sales Act—Proclamation of Town Common, Belmont.  
    ”                          Proclamation of Bairnsdale Town Common altered.  
    ”                          Proclamation of Farmers’ Commons, Glengloy, Ondit,  
                                  Yambuk and Bootahpool.  
    ”                          Proclamation prohibiting the depasturing of sheep on  
                                  Farmers’ Commons.  
    Severally ordered to lie on the Table.
4. OVENS GOLD FIELDS WATER COMPANY.—Mr. Speaker announced that a subpoena had been served upon the Clerk of the Assembly this day, requiring him to attend the Supreme Court on Tuesday, 29th October instant, then and there to produce the Standing Orders of the Assembly relative to Private Bills, the Subscription Contract, Plans, Drawings, Specifications, Books of Reference, Estimates, and all other Documents deposited in pursuance of the said Standing Orders in the matter of the application for an Act of Incorporation for the Ovens Gold Fields Water Company, 22nd August, 1860 ; together with the Report from the Select Committee on the said Bill, together with the Proceedings and Minutes of Evidence taken thereon ; in a cause pending between Charles Robert Swyer and Joseph Fielding Higgins, Plaintiffs, and The Ovens Gold Fields Water Company, Defendants.  
    Mr. Wilson Gray moved, by leave of the Assembly, that the Clerk have permission to attend the Supreme Court, and produce the several documents mentioned in such subpoena.  
    Question—put and resolved in the affirmative.
5. ELECTIONS.—Dr. Owens moved, pursuant to *amended* notice, That a Select Committee be appointed to enquire into the present mode of conducting the elections of members of Parliament, and the system of registration of voters ; such Committee to consist of Mr. Grant, Mr. Gillies, Mr. Gillespie, Mr. Verdon, Mr. Cohen, Mr. Mollison, Mr. Frazer, Mr. Denovan, Mr. McLellan, and Dr. Owens ; five to form a quorum.  
    Debate ensued.  
    Six members of the Assembly having required that the Committee be appointed by ballot—  
    Question—That a Select Committee be appointed to enquire into the present mode of conducting the elections of members of Parliament, and the system of registration of voters ; five to form a quorum—put and resolved in the affirmative.  
    The Assembly then proceeded to the ballot, and Mr. Speaker appointed Mr. Levi and Dr. Owens to be scrutineers.  
    The scrutineers, with the Clerk of the Assembly, having reported that the following members, viz., Mr. Grant, Mr. Verdon, Dr. Owens, Mr. Brooke, Mr. Heales, Mr. Berry, Mr. Sullivan, Mr. Denovan, Mr. Frazer, and Mr. Humfray, had the greatest number of votes, Mr. Speaker declared such members to be the Committee.
6. FISHERIES ACTS.—Mr. L. L. Smith moved, pursuant to *amended* notice, That a Select Committee be appointed to enquire into the administration of the different Fisheries Acts, with power to take evidence ; such Committee to consist of Mr. Mollison, Mr. Nicholson, Mr. Lalor, Mr. Richardson, Mr. Foott, Mr. Nixon, Mr. Brooke, and the Mover ; three to form a quorum.  
    Debate ensued.  
    Question—put and resolved in the affirmative.

7. PUBLIC COMPANIES BILL.—Mr. Loader moved, pursuant to notice, That he have leave to bring in a Bill for the better regulation and management of Public Companies, and to limit the liability of shareholders in companies registered under the same.

Question—put and resolved in the affirmative.

Ordered—That Mr. Loader and Mr. Cohen do prepare and bring in the Bill.

Mr. Loader then brought up a Bill, intituled, "*A Bill for the better regulation and management of Public Companies, and to limit the liability of shareholders in companies registered under the same,*" and moved that it be now read a first time.

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

8. ROAD ENGINEER, WESTERN DISTRICT.—Mr. McLellan moved, pursuant to *amended* notice, That a Select Committee be appointed to enquire into the truth of certain charges made against Edward Turner, Esq., Road Engineer for the Western District, and to enquire into the past and present mode of carrying on the works, and the manner in which they have been executed, on the public roads of the Colony generally; such Committee to consist of the following members:—Mr. Gillies, Mr. Flint, Mr. Bennett, Mr. Don, Mr. Tucker, Mr. J. Davies, Mr. Brooke, Mr. Gillespie, and the Mover; with power to call for persons and papers; three to form a quorum.

Debate ensued.

Question—put and resolved in the affirmative.

9. YARRA BEND LUNATIC ASYLUM.—Mr. Don moved, pursuant to *amended* notice, That a Select Committee be appointed to enquire into the management of the Yarra Bend Lunatic Asylum and the treatment of the lunatics in the Melbourne Gaols; such Committee to consist of Mr. Bennett, Mr. O'Shanassy, Mr. W. A. Brodribb, Dr. Hedley, Mr. Heales, Mr. McLellan, Mr. Flint, Mr. Berry, Mr. Weeks, and the Mover; with power to call for persons and papers; three to form a quorum; and that the evidence taken before Committees of the Assembly, and ordered to be printed last Session, be referred to the said Committee.

Mr. Mollison moved, That this debate be now adjourned.

Debate ensued

Question—That this debate be now adjourned—put.

Assembly divided.

Ayes, 16.

Mr. Bennett,	Mr. Mollison,
Mr. Cohen,	Mr. Orkney,
Mr. Cummins,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Mr. Hood,	Mr. Wilson.
Mr. Lalor,	
Mr. Levi,	<i>Tellers.</i>
Mr. Loader,	Mr. Francis,
Mr. McDonald,	Mr. Gillespie.

Noes, 24.

Mr. Aspinall,	Mr. Humffray,
Mr. Berry,	Mr. McLellan,
Mr. Brooke,	Mr. Nixon,
Mr. Denovan,	Mr. Richardson,
Mr. Edwards,	Mr. Sullivan,
Mr. Flint,	Mr. Tucker,
Mr. Foott,	Mr. Verdon,
Mr. Frazer,	Mr. Weeks,
Mr. Gillies,	Mr. Wright.
Mr. Grant,	
Mr. Gray,	<i>Tellers.</i>
Mr. Heales,	Mr. Don,
Mr. Houston,	Dr. Macadam.

And so it passed in the negative.

Question—That a Select Committee be appointed to enquire into the management of the Yarra Bend Lunatic Asylum and the treatment of the lunatics in the Melbourne Gaols; such Committee to consist of Mr. Bennett, Mr. O'Shanassy, Mr. W. A. Brodribb, Dr. Hedley, Mr. Heales, Mr. McLellan, Mr. Flint, Mr. Berry, Mr. Weeks, and the Mover; with power to call for persons and papers; three to form a quorum; and that the evidence taken before Committees of the Assembly, and ordered to be printed last Session, be referred to the said Committee—put and resolved in the affirmative.

10. PILOT SERVICE.—Mr. Lalor moved, pursuant to *amended* notice, That certain evidence produced before the Pilot Service Committee last Session be laid upon the Table of the House and printed.

Question—put and resolved in the affirmative.

11. TOLLS.—Mr. Bennett moved, pursuant to notice, That, in the opinion of this House, the Proclamation of the Governor in Council of date 26th April, 1861, fixing a new scale of tolls on the Government roads to be charged and collected on and after the 1st January, 1862, is impolitic and oppressive to the industrious classes, and that the scale of tolls set forth in the said Proclamation in respect to carts, drays, waggons, wains, or other such vehicles, up to 4½ inch tire, constructed to carry goods, viz. :—

If drawn by one horse or other animal ... 1s. 3d.

If drawn by two horses or other animals ... 1s. 10½d.

should be reduced to the amounts of the scale for gigs, chaises, coaches, chariots or such other carriages constructed to carry passengers as per the same Proclamation, viz. :—

If drawn by one horse or other animal ... 0s. 6d.

If drawn by two horses or other animals ... 1s. 0d.

Mr. Heales moved, That this debate be now adjourned.

Question—That this debate be now adjourned until Thursday, 7th November next—put and resolved in the affirmative.

12. **MEDICAL PRACTITIONERS BILL.**—Dr. Macadam moved, pursuant to notice, That he have leave to bring in a Bill to amend the laws relating to the registration of legally qualified Medical Practitioners.  
 Question—put and resolved in the affirmative.  
 Ordered—That Dr. Macadam and Mr. Aspinall do prepare and bring in the Bill.  
 Dr. Macadam then brought up a Bill, intituled “*A Bill to amend the laws relating to the registration of legally qualified Medical Practitioners,*” 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 Thursday, 31st October instant.
13. **BARRISTERS’ ADMISSION BILL.**—Mr. Gray moved, pursuant to notice, That he have leave to bring in a Bill to remove disabilities at present affecting certain classes of persons desiring to enrol themselves as law students, with a view to being admitted as barristers-at-law.  
 Question—put and resolved in the affirmative.  
 Ordered—That Mr. Gray and Mr. Edwards do prepare and bring in the Bill.  
 Mr. Gray then brought up a Bill, intituled “*A Bill to remove disabilities at present affecting certain classes of persons desiring to enrol themselves as Law Students, with a view to being admitted as barristers-at-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 Thursday, 31st October instant.
14. **SCAB ACT AMENDMENT BILL.**—Mr. Mollison moved, That this Bill be now read a second time.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 Mr. Mollison moved, That this Bill be now committed to a Committee of the whole Assembly.  
 Question—put and resolved in the affirmative.  
 And on the further motion of Mr. Mollison, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
 Mr. Speaker resumed the Chair; and Mr. Lalor 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 this House will, on Friday, 1st November next, again resolve itself into the said Committee.
15. **SUPPLY.**—The Order of the Day being read for the House to resolve itself into a Committee to consider the motion made yesterday, That a Supply be granted to Her Majesty, On the motion of Mr. Verdon it was ordered that His Excellency’s Message be referred to the Committee; and  
 On the further motion of Mr. Verdon Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole, to consider the motion, That a Supply be granted to Her Majesty.  
 Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to a resolution.  
 Ordered—That the report be received to-morrow.
16. **CIVIL SERVICE BILL.**—Mr. Lalor reported from a Committee of the whole certain resolutions, which were read and agreed to, and are as follow :—  
 23rd October.  
 Resolved—  
 (1.) That it is desirable to regulate the Civil Service of Victoria, and to grant superannuation allowances to retired Civil Servants.  
 (2.) That a Bill be brought in for this purpose.
17. **GOLD FIELDS RESERVOIRS.**—Mr. Lalor reported from a Committee of the whole certain resolutions, which were read and agreed to, and are as follow :—  
 23rd October.  
 Resolved—  
 (1.) That it is expedient to make regulations authorizing the sale of water from the Gold Fields Reservoirs.  
 (2.) That a Bill be brought in for the purpose.
18. **MRS. CLARA SEEKAMP.**—The Order of the Day for the consideration in Committee of the whole Assembly of the question, That in accordance with the recommendation of the Select Committee, which sat last Parliament, this House will, to-morrow, resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, requesting that the sum of £500 be placed upon the Estimates for 1862, for the purpose of compensating Mrs. Clara Seekamp, having been read—On the motion of Mr. Frazer, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration thereof.  
 Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to a certain resolution.  
 Ordered—That the report be received to-morrow.

Assembly adjourned at six minutes to eleven o’clock until four o’clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 15.

FRIDAY, 25TH OCTOBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.

2. **KENNEY v. CHAPMAN.**—Mr. Speaker announced that the Clerk of the Assembly had this day, been served with a subpoena, issued from the Supreme Court of the Colony, requiring him to attend the sittings of the said court, in Melbourne, on Tuesday next, then and there to produce the Roll containing the names of the Members of the Legislative Assembly elected at the last General Election, and signed by the Defendant; also, the Writ endorsed with the Return of the Defendant as one of the Members for the constituency of Castlemaine, and all records showing when the Defendant was sworn in as such Member, and when he took his seat as such Member in the Legislative Assembly; also, a printed copy of the Votes and Proceedings of the Legislative Assembly for August 30th, 1861, and to give evidence in a certain cause pending in the said court, between Robert Arthur Kenney, Plaintiff, and James Chapman, Defendant, in an action on the part of the Plaintiff.

Mr. Levey moved, by leave of the Assembly, That the Clerk of the Assembly have leave to attend the Supreme Court and produce the documents mentioned in the above subpoena.

Question—put and resolved in the affirmative.

3. **SUPPLY.**—Mr. Lalor reported from a Committee of the whole a certain resolution, which was read and agreed to, and is as follows:—

*24th October.*

*Resolved*—That a Supply be granted to Her Majesty.

Mr. Verdon moved, That this House will on Tuesday next resolve itself into a Committee of the whole, to consider of the Supply granted to Her Majesty.

Question—put and resolved in the affirmative.

4. **GOLD FIELDS MANAGEMENT BILL.**—Mr. Humffray moved, pursuant to notice, That he have leave to bring in a Bill to provide for the better management of the Gold Fields.

Question—put and resolved in the affirmative.

Ordered—That Mr. Humffray and Mr. Houston do prepare and bring in the Bill.

Mr. Humffray then brought up a Bill, intituled, "*A Bill to provide for the better management of the Gold Fields,*" 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 Friday, 1st day of November next.

5. **CIVIL SERVICE BILL.**—Mr. Heales brought up a Bill, intituled, "*A Bill to regulate the Civil Service of Victoria,*" 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 Wednesday, 30th October instant.

6. **INDUSTRIAL AND REFORMATORY SCHOOLS BILL.**—The Order of the Day for the consideration in Committee of the whole Assembly of the question—

(1.) That it is expedient to provide for the care and custody of neglected and convicted children, and to prevent the commission of crime by young persons, and for the attainment of these objects to establish Industrial and Reformatory Schools.

(2.) That a Bill be brought in for these purposes.

having been read—On the motion of Mr. Heales, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration thereof.

Mr. Speaker resumed the Chair; Mr. Lalor reported that the Committee had come to certain resolutions.

Ordered—That the said Report be received on Tuesday next.

7. MRS. CLARA SEEKAMP.—Mr. Lalor reported from a Committee of the whole a certain resolution, which was read, and is as follows:—

*24th October.*

*Resolved*—That an Address be presented to His Excellency the Governor, requesting that the sum of £500 be placed upon the Estimates for 1862, for the purpose of compensating Mrs. Clara Seekamp.

Mr. Lalor moved, That the word "Supplementary" be inserted before the word "Estimates."

Question—That the word proposed to be inserted be so inserted—put and resolved in the affirmative.

Mr. Lalor moved—That the figure "2" after the figure "6" be omitted, and the figure "1" inserted instead thereof.

Question—That the figure proposed to be omitted stand part of the question—put and negatived.

Question—That the figure proposed to be inserted in the place of the figure omitted be so inserted—put and resolved in the affirmative.

Question—That the Assembly agree to the said resolution as so amended—put and resolved in the affirmative.

Assembly adjourned at quarter past five o'clock until four o'clock on Tuesday next.

FRAN<sup>S</sup> MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 16.

TUESDAY, 29<sup>TH</sup> OCTOBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. NEW MEMBER.—G. S. Evans, Esq., LL.D., was introduced and sworn, and took his seat as Member for the Electoral District of Maryborough.
3. PETITION.—Mr. Lambert presented a Petition from Edward Hill, of Clifton-street, Richmond, praying the House would take his case as set forth in the Petition into consideration, and grant him a Committee to enquire into what evidence has been taken in the Petitioner's case; and also to decide upon the Petitioner's claim on the Government.  
Ordered to lie on the Table.

4. MESSAGE FROM THE LEGISLATIVE COUNCIL.—The following Message from the Legislative Council by the Clerk Assistant of the Council :—

MR. SPEAKER,

The Legislative Council request that the Legislative Assembly will give leave to the Honorable John Basson Humffray, a Member of that House, to attend to be examined as a witness and give evidence before the Select Committee of the Legislative Council, appointed in the present Session on the Ballaarat Court of Mines, and the alleged transmission of telegrams to the registrar of that mining district.

(Signed) MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
29th October, 1861.

On the motion of Mr. Aspinall, leave was given to Mr. Humffray to attend as requested by the above Message.

5. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.  
The Speaker resumed the Chair; Mr. Lalor reported progress, and obtained leave to sit again this day.
6. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor received and read :—

ESTIMATES, 1862.

HENRY BARKLY,

*Governor.**Message No. 5.*

The Governor transmits to the Legislative Assembly, Estimates of Expenditure for 1862, and recommends an appropriation of the Consolidated Revenue accordingly.

Government Offices,  
Melbourne, October, 1861.

Ordered to be printed, together with the accompanying Estimates, and taken into consideration this day.

7. SUPPLY.—The House, according to Order, again resolved itself into the Committee of Supply. Mr. Speaker resumed the Chair ; and Mr. Lalor reported that the Committee had come to a certain resolution.

Ordered—That the said report be received to-morrow.

Mr. Lalor also acquainted the House that he was directed to move that he have leave to sit again.

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

8. INDUSTRIAL AND REFORMATORY SCHOOLS.—Mr. Lalor reported from a Committee of the whole certain resolutions, which were read and agreed to, and are as follow :—

*Resolved—*

(1.) That it is expedient to provide for the care and custody of neglected and convicted children, and to prevent the commission of crime by young persons, and for the attainment of those objects to establish Industrial and Reformatory Schools.

(2.) That a Bill be brought in for these purposes.

9. DISCHARGE OF ORDER OF THE DAY.—The following Order of the Day was read and discharged :—

*“ Deserted Children Protection Bill—Second reading.”*

10. POSTPONEMENT OF ORDER OF THE DAY.—The Assembly ordered that the consideration of the following Order of the Day be postponed until Tuesday, 5th November next :—

*“ Officials in Parliament Act Amendment Act Repeal Bill—Second reading.”*

Assembly adjourned at twenty-five minutes to six o'clock until four o'clock to-morrow.

FRAN<sup>s</sup> MURPHY,  
*Speaker.*

## VICTORIA.

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VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

No. 17.

WEDNESDAY, 30TH OCTOBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. RETURN TO WRIT.—Mr. Speaker 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 Electoral District of North Gipps Land, by which it appeared that George Mackay, LL.D., had been duly elected in pursuance thereof.
3. OVENS GOLD FIELDS WATER COMPANY.—Mr. Speaker announced that a subpoena had been served upon the Clerk of Assembly, this day, requiring him to attend the Supreme Court at its present sittings, then and there to produce the several undermentioned documents—The Standing Orders of the Legislative Assembly of the Colony of Victoria in relation to Private Bills, and the Subscription Contract, Plans, Drawings, Specifications, Books of Reference and Estimates, and all other documents deposited in pursuance of the said Standing Orders in the matter of the application for an Act of Incorporation for the Ovens Gold Fields Water Company, 22nd August, 1860, including the Report from the Select Committee of the Legislative Assembly upon the said Bill, together with all Proceedings and Minutes of Evidence taken thereon, and to give evidence—in a cause pending between William Clarke the younger, Germain Nicholson, Andrew Paton, Frederick Brown, John Carson, and Andrew Littlewood, plaintiffs; and Charles Robert Swyer and Joseph Fielding Higgins, defendants, on the part of the defendants.  
Mr. Wilson Gray moved, by leave of the Assembly, That the Clerk have permission to attend the Supreme Court, and produce the several documents mentioned in such subpoena.  
Question—put and resolved in the affirmative.
4. PRINTING COMMITTEE.—Mr. Levey, on behalf of Mr. Speaker, Chairman, brought up the Fifth Report from this Committee.  
Ordered to lie on the Table and to be printed.
5. PETITION.—Mr. Pyke presented a Petition from certain Miners and others residing in the district of Fryer's Creek, praying that the Assembly would require certain evidence taken before the Inspecting Warden, relating to the "Ferron's Reef Mining Company," to be laid upon the Table of this House.  
Petition read and ordered to lie on the Table.
6. MR. PATRICK COSTELLO.—Mr. Service, by leave of the Assembly, moved, That Mr. Patrick Costello, Member for North Melbourne, do attend this House in his place on Friday next.  
Debate ensued.  
Question—put and resolved in the affirmative.
7. SUPPLY—ESTIMATES FOR 1862.—Mr. Lalor reported from the Committee of Supply a certain resolution, which was read and agreed to, and is as follows:—  
29th October.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the charges for the year 1862 for the services hereunder specified, being—

I.—CHIEF SECRETARY.

SALARIES AND WAGES.

DIVISION No. 1.

LEGISLATIVE COUNCIL.

	£	s.	d.	£	s.	d.
President or Acting President ... ..	1,000	0	0			
Chairman of Committees ... ..	400	0	0			
				1,400	0	0



8. **WAYS AND MEANS.**—Mr. Verdon moved, pursuant to notice, That Mr. Speaker do now leave the Chair, and the Assembly resolve itself into the Committee of Ways and Means.

Question—put and resolved in the affirmative.

Whereupon Mr. Speaker left the Chair, and the Assembly resolved itself into the said Committee.

Mr. Speaker resumed the Chair. Mr. Lalor reported that the Committee had come to a certain Resolution.

Ordered—That the said Resolution be received to-morrow.

Mr. Lalor reported that he was directed to move that he have leave to sit again.

Mr. Verdon moved, That the Committee have leave to sit again on Tuesday next.

Mr. Snodgrass moved, That the word "Tuesday" be omitted, with a view to insert instead thereof the word "Friday."

Question—That the word proposed to be omitted stand part of the question—put and resolved in the affirmative.

Question—That this House will, on Tuesday next, resolve itself into the said Committee—put and resolved in the affirmative.

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

"Supply—To be further considered in Committee," until Tuesday, 5th November next; and

"County Councils Bill—Message of His Excellency the Governor to be taken into consideration,"

"Gold Export Duty Act Amendment Bill—Second reading," and

"Civil Service Bill—Second reading," until Wednesday, 6th November next.

10. **SCAB AND PLEURO-PNEUMONIA ACTS.**—Mr. Snodgrass moved, pursuant to notice, That a Select Committee be appointed to enquire into the working of the existing Scab and Pleuro-pneumonia Acts; the said Committee to consist of Mr. Reid, Mr. Frazer, Mr. Wilson, Mr. Flint, and the Mover; with power to take evidence and call for papers; three to form a quorum.

Debate ensued.

Mr. Heales moved, That the further debate be adjourned until Wednesday next.

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

11. **DIVORCE ACT AMENDMENT BILL.**—Mr. Snodgrass moved, pursuant to notice, That he have leave to introduce a Bill to amend an Act intituled An Act to amend the Law relating to Divorce and Matrimonial Causes in Victoria.

Debate ensued.

Question—put.

Assembly divided.

Ayes, 37.

Mr. Anderson,	Mr. Loader,
Mr. Aspinall.	Dr. Macadam,
Mr. Bennett,	Mr. Manifold,
Mr. Berry,	Mr. McDonald,
Mr. K. E. Brodribb,	Mr. Nicholson,
Mr. W. A. Brodribb,	Mr. Orkney,
Mr. Brooke,	Mr. O'Connor,
Mr. J. Chapman,	Mr. Reid,
Mr. Cohen,	Mr. Richardson,
Mr. Flint,	Mr. Service,
Mr. Foott,	Mr. J. T. Smith,
Mr. Frazer,	Mr. Tucker,
Mr. Gray,	Mr. Wilson,
Dr. Hedley,	Mr. Woods,
Mr. Hood,	Mr. Wright.
Mr. Houston,	
Mr. Humfray,	
Mr. Johnston,	<i>Tellers.</i>
Mr. Jones,	Mr. Snodgrass,
Mr. Kirk,	Mr. Pyke.

Noes, 19.

Mr. Cathie,	Mr. Lalor,
Mr. H. S. Chapman,	Mr. Lambert,
Mr. Cummins,	Mr. Levey,
Mr. B. G. Davies,	Mr. O'Shanassy,
Mr. J. Davies,	Mr. Ramsay.
Mr. Denovan,	Mr. W. C. Smith,
Mr. Don,	
Dr. Evans,	
Mr. Francis,	<i>Tellers.</i>
Mr. Haines,	Mr. Weeks,
Mr. Heales,	Mr. McLellan.

And so it was resolved in the affirmative.

Ordered—That Mr. Snodgrass and Mr. W. A. Brodribb do prepare and bring in the Bill.

Mr. Snodgrass then brought up a Bill, intituled "*A Bill to amend An Act intituled An Act to amend the Law relating to Divorce and Matrimonial Causes in Victoria,*" 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 Thursday, 7th November next.

12. GAME PRESERVATION BILL.—Mr. Snodgrass moved, pursuant to notice, That he have leave to bring in a Bill to provide for the preservation of imported game, and during the breeding season of native game.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That Mr. Snodgrass and Mr. Jones do prepare and bring in the Bill.

Mr. Snodgrass then brought up a Bill, intituled "*A Bill to provide for the preservation of Imported Game and during the breeding season of Native Game,*" and moved that it be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time and ordered to be printed, and read a second time Thursday, 7th November next.

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

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 18.

THURSDAY, 31st OCTOBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PAPERS.—Mr. Heales presented—  
Death of H.R.H. the Duchess of Kent.—Copy of a despatch from the Secretary of State, acknowledging receipt of a despatch forwarding certain Addresses on the occasion of the death of H.R.H. the Duchess of Kent.  
Ordered to lie on the Table.  
Mr. Brooke presented—  
Glenlyon District Road Board.—Reply to question put by Mr. Tucker, 19th September last, for all correspondence that had taken place between the Glenlyon District Road Board and the Honorable the President of the Board of Land and Works relative to the extension of that district.  
Ordered to lie on the Table.
3. PETITION.—Mr. McLellan presented a Petition from George Barclay Hines and John Barnes, praying this House to take the case as set forth in the Petition into favorable consideration, and to afford the Petitioners such relief under the circumstances in which they are placed as to this House might seem fit.  
Petition read and ordered to lie on the Table.
4. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—CASTLEMAINE ELECTION.—  
Mr. Mollison, Chairman, brought up from this Committee certain resolutions, which were read and are as follow :—  
That James Chapman, Esq., being an uncertificated insolvent at the time of his election for the Electoral District of Castlemaine, in August last, was not duly elected a Member for such Electoral District.  
That Alexander John Smith, Esq., was duly elected, and ought to have been returned a Member to this Parliament for the Electoral District of Castlemaine.  
Committee Room,  
31st October, 1861.  
Ordered to be printed, together with the Proceedings of the Committee and Minutes of Evidence.
5. ROYAL MINT.—Mr. Pyke moved, pursuant to notice—  
(1.) That the establishment in Victoria of a Branch of the Royal Mint would be beneficial to the mining community and advantageous to the State.  
(2.) That inasmuch as the Treasury Minute of 5th November, 1860, states that “there are no grounds upon which Her Majesty’s Government could refuse compliance with an application for the establishment of a Mint at Melbourne, subject to the same limitations as the Mint at Sydney,” this House is of opinion that it is desirable to conform to such limitations, and renew the application formerly made to the Imperial Government.  
Debate ensued.  
Mr. Mollison moved as an amendment, That the word “State” be omitted from the first of the proposed resolutions with a view to insert instead thereof the word “Colony.”  
Debate continued.  
Question—That the word proposed to be omitted stand part of the question—put and resolved in the affirmative.  
Question—(1.) That the establishment in Victoria of a Branch of the Royal Mint would be beneficial to the mining community and advantageous to the State.  
(2.) That inasmuch as the Treasury Minute of 5th November, 1860, states that “there are no grounds upon which Her Majesty’s Government could refuse compliance with an application for the establishment of a Mint at Melbourne, subject to the same limitations as the Mint at Sydney,” this House is of opinion that it is desirable to conform to such limitations, and renew the application formerly made to the Imperial Government—put and resolved in the affirmative.

Mr. Pyke moved, pursuant to *contingent* notice, That a Select Committee be appointed to prepare an Address to Her Most Gracious Majesty, in accordance with the foregoing resolutions ; such Committee to consist of Mr. Levi, Dr. Evans, Dr. Owens, Mr. Anderson, Mr. Humffray, Mr. Lambert, Mr. Loader, Mr. W. C. Smith, and the Mover ; three to form a quorum.

Question—put and resolved in the affirmative.

6. A. THOMSON, ESQ.—Mr. Snodgrass moved, pursuant to notice, That a Select Committee be appointed to report upon the most suitable manner for marking the sense of this House of the value and length of service of Alexander Thomson, Esq., so many years a representative Member of the Parliaments of Victoria and New South Wales ; such Committee to consist of Mr. McCann, Mr. Brooke, Mr. McDonald, Dr. Owens, and the Mover ; with power to take evidence ; three to form a quorum.

Question—put and resolved in the affirmative.

7. PHILLIP ISLAND.—Mr. L. L. Smith moved, pursuant to *amended* notice, That in the opinion of this House Phillip Island should be forthwith surveyed for the purpose of settlement. Debate ensued.

Mr. Fraser moved, as an amendment, That the word “forthwith” be omitted, and the following words be added after the word “settlement,” viz., “as soon as a Land Bill is passed by the Legislature abolishing the system of sale by auction and allowing the people to take possession of the land at the upset price.”

Debate continued.

Question—That the word proposed to be omitted stand part of the question—put and negatived.

Question—That the words proposed to be added be so added—put.

Assembly divided.

Ayes, 30.

Mr. Bennett,	Mr. Manifold,
Mr. K. E. Brodribb,	Mr. McDonald,
Mr. Cohen,	Mr. Mac Mahon,
Mr. Cummins,	Mr. Mollison,
Mr. Gavan Duffy,	Mr. Orkney,
Mr. Francis,	Mr. O'Grady,
Mr. Frazer,	Mr. O'Shanassy,
Mr. Gillespie,	Mr. Riddell,
Dr. Hedley,	Mr. W. C. Smith,
Mr. Hood,	Mr. Snodgrass,
Mr. Ireland,	Mr. Tucker,
Mr. Johnston,	Mr. Wilson.
Mr. Kyte,	
Mr. Kirk,	<i>Tellers.</i>
Mr. Lalor,	Mr. Levi,
Mr. Levey,	Mr. McCann.

Noes, 25.

Mr. Berry,	Mr. Nixon,
Mr. Brooke,	Mr. O'Connor,
Mr. Cathie,	Mr. Ramsay,
Mr. B. G. Davies,	Mr. Richardson,
Mr. J. Davies,	Mr. J. T. Smith,
Mr. Denovan,	Mr. Sullivan,
Mr. Don,	Mr. Wright.
Mr. Flint,	
Mr. Foott,	<i>Tellers.</i>
Mr. Grant,	Mr. L. L. Smith,
Mr. Gray,	Dr. Macadam.
Mr. Heales,	
Mr. Houston,	
Mr. Humffray,	
Mr. Lambert,	
Mr. McLellan,	

And so it was resolved in the affirmative.

Question—That in the opinion of this House Phillip Island should be surveyed for the purpose of settlement as soon as a Land Bill is passed by the Legislature abolishing the system of sale by auction and allowing the people to take possession of the land at the upset price—put.

Assembly divided.

Ayes, 29.

Mr. Bennett,	Mr. McDonald,
Mr. K. E. Brodribb,	Mr. Mac Mahon,
Mr. Cohen,	Mr. Mollison,
Mr. Cummins,	Mr. Orkney,
Mr. Gavan Duffy,	Mr. O'Grady,
Mr. Francis,	Mr. O'Shanassy,
Mr. Frazer,	Mr. Riddell,
Mr. Gillespie,	Mr. W. C. Smith,
Dr. Hedley,	Mr. Snodgrass,
Mr. Hood,	Mr. Tucker,
Mr. Ireland,	Mr. Wilson.
Mr. Johnston,	
Mr. Kirk,	<i>Tellers.</i>
Mr. Kyte,	Mr. Levi,
Mr. Levey,	Mr. McCann.
Mr. Manifold,	

Noes, 26.

Mr. Berry,	Mr. Lalor,
Mr. Brooke,	Mr. Lambert,
Mr. Cathie,	Mr. McLellan,
Mr. B. G. Davies,	Mr. Nixon,
Mr. J. Davies,	Mr. O'Connor,
Mr. Denovan,	Mr. Ramsay,
Mr. Don,	Mr. Richardson,
Mr. Flint,	Mr. J. T. Smith,
Mr. Foott,	Mr. Sullivan,
Mr. Grant,	Mr. Wright.
Mr. Gray,	
Mr. Heales,	<i>Tellers.</i>
Mr. Houston,	Mr. L. L. Smith,
Mr. Humffray,	Dr. Macadam.

And so it was resolved in the affirmative.

7. PUNISHMENT OF DEATH ABOLITION BILL.—Mr. L. L. Smith moved, pursuant to notice, That he have leave to bring in a Bill to abolish Capital Punishment.

Debate ensued.

Motion, by leave, withdrawn.

8. **IMPOUNDING PREVENTION BILL.**—Mr. Pyke moved, pursuant to notice, That he have leave to bring in a Bill to prevent the impounding of Horses or Cattle from unfenced alienated Lands.  
 Question—put and resolved in the affirmative.  
 Ordered—That Mr. Pyke and Mr. Johnston do prepare and bring in the Bill.  
 Mr. Pyke then brought up a Bill, intituled “*A Bill to prevent the impounding of Horses or Cattle from unfenced alienated Lands,*” 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 Thursday, 14th November next.
9. **LICENSED VICTUALLERS ACTS.**—Mr. Edwards moved, pursuant to notice, That this House will, on Thursday next, resolve itself into a Committee of the whole, to consider the following resolutions :—  
 (1.) That it is expedient to consolidate and amend the law relating to Licensed Victuallers. and to the sale of fermented and spirituous liquors.  
 (2.) That a Bill be brought in for the purpose.  
 Question—put and resolved in the affirmative.
10. **VOTE FOR ROAD BOARDS.**—Mr. McCann moved, pursuant to notice, That any portion of the Vote passed for the purpose of subsidising Road Boards during this year which may remain unexpended on the 20th of December next, be divided among the various Road Boards of the Colony in proportion to their assessment for the year 1860.  
 Debate ensued.  
 Mr. Lalor moved, as an amendment, That the following words be added, viz., and also that any savings effected on the vote for Roads and Bridges for 1861 be handed over to local authorities, according to the terms of the Appropriation Act.  
 Debate continued.  
 Question—That the words proposed to be added be so added—put and resolved in the affirmative.  
 Question—That any portion of the Vote passed for the purpose of subsidising Road Boards during this year which may remain unexpended on the 20th of December next, be divided among the various Road Boards of the Colony in proportion to their assessment for the year 1860 ; and also, that any savings effected on the vote for Roads and Bridges for 1861 be handed over to local authorities according to the terms of the Appropriation Act—put and resolved in the affirmative.
11. **RAILWAY LOAN—CORRESPONDENCE.**—Mr. Mollison moved, pursuant to notice, That copies of a correspondence between the Honorable the Chief Secretary and the Chairman of the Local Committee of the Associate Banks contracting for the Railway Loan, taking place in the month of September last, be laid on the Table of the House.  
 Question—put and resolved in the affirmative.
12. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—  
 “*Medical Practitioners Bill*”—Second reading, until Thursday, 7th November next ; and  
 “*Barristers Admission Bill*”—Second reading, until to-morrow.
13. **WAYS AND MEANS.**—Mr. Lalor reported from the Committee of Ways and Means a certain resolution, which was read and agreed to, and is as follows :—  
 Resolved—That the Commissioner of Trade and Customs be authorised to take measures during the discussion of the financial propositions of the Government for the protection of the items of revenue already dutiable, including sheepwash tobacco.
- Assembly adjourned at twelve minutes past ten o'clock until four o'clock to-morrow.

FRAN<sup>s</sup> MURPHY,  
*Speaker.*

## VICTORIA.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 19.

FRIDAY, 1ST NOVEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PAPERS.—Mr. Aspinall presented—  
Capital Convictions—Reply to question put by Mr. L. L. Smith, 23rd October last, for a Return of all Convicts sentenced for capital offences during the last seven years, the crimes for which they were indicted, the number upon whom sentence of death has been passed, the number whose sentences have been remitted, and the length of penal servitude to which each individual has been sentenced.  
Ordered to lie on the Table.  
Mr. Verdon presented, by command of His Excellency the Governor—  
Public Accounts—Regulation respecting.  
Ordered to lie on the Table.
3. MR. PATRICK COSTELLO.—Mr. Aspinall laid upon the Table a Return of Prisoners tried and convicted at the Criminal Session of the Supreme Court of the Colony of Victoria, held at Ballaarat from the 17th day of October to 21st October, 1861, inclusive.
4. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—  
“*Gold Fields Management Bill—Second reading,*” until Wednesday, 6th November instant.  
“*Scab Act Amendment Bill—To be further considered in Committee,*” until after the consideration of the second Order for to-day.
5. MR. PATRICK COSTELLO.—The Order of the Day for the attendance in his place of Patrick Costello, Esq., member of the Legislative Assembly for the electoral district of North Melbourne, having been read,  
Mr. Speaker enquired if Mr. Costello was in his place, and Mr. Costello having appeared, Mr. Service moved, That so much of the return this day laid upon the Table by Mr. Aspinall, as relates to the conviction of Mr. Costello, be now read.  
Question—put and resolved in the affirmative.  
And the same was read by the Clerk, and is as follows :—

Name of Prisoner.	Offence.	Day of Trial.	Verdict.	Condition.	Date of Sentence.	Sentence.
Patrick Costello Louis Frankell Francis O’Ryan Timothy Murray	Conspiring to commit a misdemeanor	21st Oct.	Guilty, all	Not known, all.	21st Oct.	Each defendant to enter into a recognizance himself in £200 and two sureties in £100 each to appear to receive the judgment of the Court on the last day of Hilary Term next ensuing.

(Signed)

WILLIAM F. STAWELL,  
Judge.WILLIAM A. MOORE,  
Associate.

*Mr. Speaker.*—The Honorable Member has heard the record of conviction now read by the Clerk. If the Honorable Member has any statement to make with reference to that, or any other subject bearing upon it, now is the time for him to do so.

*Mr. Costello.*—Mr. Speaker, I respectfully deny the right of this House to interfere with my seat until the matter has been finally decided by the Supreme Court. I decline to make any statement whatever now, but when the proper time comes I shall be prepared to make a statement, which I have no doubt will satisfy the Members of this House.

*Mr. Speaker.*—If the Honorable Member has no other observations to make, the proper course for the Honorable Member is to withdraw.

Mr. Costello having withdrawn,  
Mr. Service moved, That Patrick Costello, Esq., a Member of this House, having been tried at Ballarat, in the month of October last, and found guilty of conspiring to procure the personation of voters at an election for a Member of this House, is unworthy and unfit to continue a Member of this House, and ought to be and hereby is expelled therefrom.

Debate ensued.

Question—put and resolved in the affirmative.

6. ROAD ENGINEER, WESTERN DISTRICT.—Mr. Service moved, pursuant to *amended* notice, That the names of Dr. Evans and Mr. Gavan Duffy be added to the Committee appointed to enquire into the case of the Road Engineer, Western District.

Question—put and resolved on the affirmative.

7. SCAB ACT AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

Mr. Speaker resumed the Chair, and Mr. Lalor 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 House will, on Thursday, 7th November instant, again resolve itself into the said Committee.

8. BARRISTERS' ADMISSION BILL.—Mr. Gray moved, That this Bill be now read a second time. Debate ensued.

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

Mr. Gray moved, That this Bill be now committed to a Committee of the whole Assembly.

Question—put and resolved in the affirmative.

And on the further motion of Mr. Gray, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair ; and Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Assembly ordered the Bill to be read a third time Thursday, 7th November instant.

Assembly adjourned at twenty-one minutes to twelve o'clock until four o'clock on Tuesday next.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 20.

TUESDAY, 5TH NOVEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. MEMBERS SWORN.—A. J. Smith, Esq., took the Oath and his Seat as Member for the Electoral District of Castlemaine; and George Mackay, Esq., LL.D., was introduced and took the Oath and his Seat as Member for the Electoral District of North Gipps Land.
3. PETITIONS.—Mr. Nicholson presented a Memorial from the Melbourne Chamber of Commerce, praying that their views as set forth in the Memorial might be taken into consideration, and that the House would refuse to consent to the proposed alterations and additions to the Tariff as well as to the imposition of Wharfage Rates for General Revenue and additional burdens on shipping.

Petition read, and ordered to lie on the Table.

Mr. McLellan presented a Petition from Samuel Gordon, of Mount Rowan, Mining Engineer, &c., praying the Assembly to appoint a Committee of enquiry to take the statements in the Petition into consideration, and to afford the Petitioner such further or other redress as the House might deem meet.

Petition read, and ordered to lie on the Table.

Dr. Mackay presented a Petition from certain landholders, settlers, farmers, tradesmen, mechanics, laborers, &c., &c., of the district of North Gipps Land, praying that the statements set forth in the Petition be taken into consideration, and that such steps might be taken as this House might consider necessary for the accomplishment of the object of the Petition.

Ordered to lie on the Table.

Dr. Evans presented a Petition from the Melbourne and Hobson's Bay Railway Company, under the seal of the said Corporation, and from some of the Directors and Shareholders of the same Company, praying the House would not sanction the imposition of Wharfage Rates payable on goods landed at private wharves, or wharves the property of Joint Stock Companies, nor of any such additional duties on goods as would necessarily have the effect of Wharfage Rates.

Ordered to lie on the Table.

4. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—Mr. Mollison, from the Committee of Elections and Qualifications, brought up the following Report:—

*North Melbourne Election.*

Mr. Mollison, from the Committee of Elections and Qualifications, has the honor to report:—

That a letter signed John Sinclair, addressed to the Honorable the Speaker of the Legislative Assembly, was handed in to the Committee by the Clerk of the Assembly, and which letter was read and is as follows:—

Bouverie-street, 5th November, 1861.

To the Honorable the Speaker of the Legislative Assembly of Victoria.

SIR,

In consequence of the expulsion of Mr. Patrick Costello from the Legislative Assembly by the vote of the House on the 1st instant, I do not intend to proceed any further in my Petition against his return, and I do now withdraw the said Petition, that a Writ may be issued for a new election for North Melbourne.

I have the honor to be, Sir,

Your most obedient servant,

(Signed) JOHN SINCLAIR.

That upon such withdrawal the Committee ascertained the costs payable by the Petitioner, the said John Sinclair, to Mr. Patrick Costello, in opposing the prayer of the said Petition, to be the sum of £25.

Ordered to lie on the Table, and, together with the Proceedings of the Committee, to be printed.



5. ISSUE OF WRIT.—Mr. Service moved, That Mr. Speaker do issue a Writ for the election of a Member to serve for the Electoral District of North Melbourne, in the place of Patrick Costello, Esq., expelled.

Question—put and resolved in the affirmative.

6. EXPLORING EXPEDITION.—Mr. O'Shanassy moved, by leave of the Assembly, That this House having heard with profound regret the melancholy intelligence of the death of the Leader and his Companion (R. O'Hara Burke and J. W. Wills) of the Victorian Exploration Expedition, under circumstances painful but heroic, after accomplishing successfully the great object in view—crossing the Continent of Australia for the first time—records its deep sense of their labors, and expresses its earnest desire that every mark of respect should be shown to their memory by a public funeral when their remains reach Melbourne, and by the erection of a suitable Monument commemorative of an achievement so well calculated to promote the great cause of Science and Civilization.

Question—put and resolved in the affirmative.

7. WAYS AND MEANS.—The Order of the Day, That the Assembly resolve itself into the Committee of Ways and Means, having been read—

Mr. Verdon moved, "That" Mr. Speaker do now leave the Chair and the Assembly resolve itself into the Committee of Ways and Means.

Mr. O'Shanassy moved, as an amendment, That all the words after the word "That" be omitted, with a view to insert instead thereof the words "this House having maturely considered the Estimate of Income for the year 1862, submitted by the Government, is of opinion it is unreliable and unsatisfactory; it is further of opinion that the inconsistent policy upon which such Estimate is founded gives no assurance of raising the country from its present depressed condition, and this House, therefore, declines to enter upon its consideration."

Mr. Graham Berry moved, That this debate be now adjourned.

Question—That this debate be now adjourned—put and negatived.

Debate continued.

And the House having continued to sit till after twelve of the clock—

WEDNESDAY, 6TH NOVEMBER, 1861.

Mr. Levi moved, That this debate be now adjourned.

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

8. POSTPONEMENT OF ORDER OF THE DAY.—The Assembly ordered that the consideration of the following Order of the Day be postponed until Tuesday, 12th November instant :—

*"Supply—To be further considered in Committee."*

9. DISCHARGE OF ORDER OF THE DAY.—The Assembly ordered that the following Order of the Day be read and discharged :—

*"Officials in Parliament Act Amendment Act Repeal Bill—Second reading."*

Assembly adjourned at twenty-eight minutes past twelve o'clock until four o'clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 21.

WEDNESDAY, 6TH NOVEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITION.—Mr. McCann presented a Petition from certain Farmers and Residents of Darriwill, in the county of Grant, in public meeting assembled, praying the House would withhold its consent from the scheme of Tariff revision proposed by the Government.  
Petition read, and ordered to lie on the Table.
3. WAYS AND MEANS.—The Order of the Day for the consideration of the question “That” Mr. Speaker do now leave the Chair and the Assembly resolve itself into the Committee of Ways and Means; and upon the amendment, That all the words after the word “That” be omitted, with a view to insert instead thereof the words “this House having maturely considered the Estimate of Income for the year 1862, submitted by the Government, is of opinion it is unreliable and unsatisfactory; it is further of opinion that the inconsistent policy upon which such Estimate is founded gives no assurance of raising the country from its present depressed condition, and this House, therefore, declines to enter upon its consideration,” having been read—  
Debate resumed.

And the House having continued to sit till after twelve of the clock—

THURSDAY, 7TH NOVEMBER, 1861.

- Mr. McCann moved, That the further debate be now adjourned.  
Debate ensued,  
Question—That this debate be now adjourned until this day—put and resolved in the affirmative.
4. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until Friday, 8th November instant :—
    - “*County Councils Bill—Message of His Excellency the Governor to be taken into consideration,*”
    - “*Gold Export Duty Act Amendment Bill—Second reading,*”
    - “*Civil Service Bill—Second reading,*”
    - “*Gold Fields Management Bill—Second reading,*”
    - “*Scab and Pleuro-pneumonia Acts—Motion for Committee—Resumption of Debate.*”
- Assembly adjourned at fourteen minutes past twelve o'clock until four o'clock p.m. this day.

FRAN<sup>S</sup> MURPHY,  
Speaker.

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 22.

THURSDAY, 7TH NOVEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.

2. PETITIONS.—Mr. Anderson presented a Memorial from Charles Young, the chairman, and members of the Lauriston and Mount Edgecombe District Road Board, praying the House would cause full enquiry and investigation to be made as to why the boundaries of the municipality of Malmsbury have been proclaimed without the undertaking of the Honorable the Chief Secretary, as set forth in the Petition, having been first carried out, and further to cause any further steps to be taken as should appear necessary by this House to relieve the memorialists.

Memorial read and ordered to lie on the Table.

Mr. Nixon presented a Petition from the landowners, householders, and the inhabitants generally of Queenscliff, praying the House to make such alterations in the Port and Harbor Regulations as should abolish the restrictions that at present exist, and that it should be lawful for any man or boat to go alongside vessels after the health officer has given a clean bill of health.

Petition read and ordered to lie on the Table.

Mr. Loader presented a Petition from the Melbourne and Suburban Railway Company, under the seal of the said Corporation, praying that the Petitioners might have leave to bring in a Bill to enable the Melbourne and Suburban Railway Company to sell their undertaking and property, and for other purposes; and to dispense with the Standing Orders numbered IV. and VII., and to allow such Bill to pass.

Ordered to lie on the Table.

3. PAPERS.—Mr. Heales presented, by command of His Excellency the Governor—

Queensland Government.—Copy despatch from the Secretary of State, transmitting copy of "*An Act to remove doubts respecting the authority of the Legislature of Queensland and to annex certain Territories to the Colony of South Australia, and for other purposes.*"

Ordered to lie on the Table.

Mr. Brooke presented—

Residence and Cultivation Licenses.—Reply to question put by Mr. K. E. Brodribb, 10th September last, for a Return showing—

- (1.) The names and occupations of all persons who, up to the present time, have applied for agricultural licenses under the regulations of the 23rd May last.
- (2.) The number and dates of the licenses issued; the names of the licensees, their occupations, and the quantity and situation of the land described in each license.
- (3.) The amount of the fees received for such licenses.
- (4.) The quantity of land at each Gold Field actually occupied by each licensee, with the name of each occupant, and the nature and description of the improvements effected by each licensee.
- (5.) The number of applicants who were in illegal occupation of Crown lands previous to the 23rd May last.
- (6.) The number of licensees who have paid the second instalment of their fees.

Ordered to lie on the Table.

Dr. Macadam presented—

Postal Contracts, 1862.—Copies of Correspondence respecting the Tenders for certain Inland Mail Services of Messrs. William Rutledge and William Brown, and declarations concerning the same.

Ordered to lie on the Table, and to be printed.

Mr. Edwards moved, That the above papers be read.

Question—put and negatived.

4. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor, received and read :—

*Supplementary Estimates, 1861.*

*Message No. 7.*

HENRY BARKLY,  
*Governor.*

The Governor transmits to the Legislative Assembly Supplementary Estimates of Expenditure for the year 1861, and recommends an appropriation of the Consolidated Revenue accordingly.

Government Offices,  
Melbourne, 6th November, 1861.

Ordered to be printed, together with the accompanying Estimates, and referred to the Committee of Supply.

5. REFRESHMENT ROOMS COMMITTEE.—Mr. Snodgrass brought up a Report from the Select (Joint) Committee on Refreshment Rooms. \*

Ordered to lie on the Table, and to be printed.

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

“*Tolls—Motion respecting—Resumption of Debate,*” until Thursday, 14th November instant.

“*Divorce Act Amendment Bill—Second reading,*” and

“*Game Preservation Bill—Second reading,*” until Thursday, 21st November instant; and

“*Medical Practitioners' Bill—Second reading,*”

“*Scab Act Amendment Bill—To be further considered in Committee,*”

“*Barristers' Admission Bill—Third reading,*” until Thursday, 14th November instant.

7. LICENSED VICTUALLERS ACTS.—The Order of the Day for the consideration in Committee of the whole Assembly of the following resolutions, viz. :—

(1.) That it is expedient to consolidate and amend the law relating to Licensed Victuallers, and to the Sale of fermented and spirituous Liquors.

(2.) That a Bill be brought in for the purpose—

having been read—On the motion of Mr. Edwards, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of the above resolutions.

Mr. Speaker resumed the Chair; Mr. Lalor reported that the Committee had agreed to the following resolutions, viz. :—

(1.) That it is expedient to consolidate and amend the law relating to Licensed Victuallers, and to the Sale of fermented and spirituous Liquors.

(2.) That a Bill be brought in for that purpose.

And on the motion of Mr. Edwards the Assembly agreed to the above resolutions.

Mr. Edwards then brought up a Bill, intituled, “*A Bill to consolidate and amend the Laws relating to the Licensing of Public Houses, and to regulate the Sale of Fermented and Spirituous Liquors in the Colony of Victoria,*” 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 Thursday, 21st November instant.

8. WAYS AND MEANS.—The Order of the Day for the consideration of the question “That Mr. Speaker do now leave the Chair and the Assembly resolve itself into the Committee of Ways and Means; and upon the amendment, That all the words after the word “That” be omitted, with a view to insert instead thereof the words “this House having maturely considered the Estimate of Income for the year 1862, submitted by the Government, is of opinion it is unreliable and unsatisfactory; it is further of opinion that the inconsistent policy upon which such Estimate is founded gives no assurance of raising the country from its present depressed condition, and this House, therefore, declines to enter upon its consideration,” having been read—

Debate resumed.

Mr. Cummins moved, That this debate be now adjourned.

Debate ensued.

And the House having continued to sit till after twelve of the clock—

FRIDAY, 8TH NOVEMBER, 1861.

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

Assembly adjourned at twenty-eight minutes past twelve o'clock until four o'clock p.m. this day.

FRAN<sup>s</sup> MURPHY,  
*Speaker.*

VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 23.

FRIDAY, 8TH NOVEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PAPERS.—Mr. Heales presented—
 

Malmsbury Municipality.—Reply to question put by Mr. Anderson, 7th November instant, for a copy of the petition from certain inhabitants of Malmsbury, praying for the erection of that township into a municipality, together with the map or explanatory note accompanying same, and also a copy of the counter-petition from certain inhabitants within the limits of the proposed municipality, with the map and other papers accompanying same.

Ordered to lie on the Table.

Mr. Heales presented, by command of His Excellency the Governor—

Registration of Parliamentary Electors.—Account of all payments made under the authority of 30th sect. of Act 22 Vict. No. 81.

Ordered to lie on the Table.
3. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Sixth Report from this Committee.
 

Ordered to lie on the Table and to be printed.
4. PETITION.—Mr. Bennett presented a Petition from the Mayor, Aldermen, Councillors, and Citizens of the city of Melbourne, under the Corporate Seal of the said city, and from the Mayor, Aldermen, Councillors, and Burgesses of the town of Geelong, under the Seal of that Corporation, praying the House to grant leave for the introduction of a Bill for the amendment of the Acts relating to the Corporation of the city of Melbourne and of the town of Geelong, and intituled “A Bill to further alter and amend the Laws relating to the Corporations of the city of Melbourne and of the town of Geelong respectively, and to extend and apply other existing Acts thereto,” and be pleased to pass the said Bill.
 

Ordered to lie on the Table.
5. WAYS AND MEANS.—The Order of the Day for the consideration of the question, That Mr. Speaker do now leave the Chair and the Assembly resolve itself into the Committee of Ways and Means; and upon the amendment, That all the words after the word “That” be omitted, with a view to insert instead thereof the words “this House having maturely considered the Estimate of Income for the year 1862, submitted by the Government, is of opinion it is unreliable and unsatisfactory; it is further of opinion that the inconsistent policy upon which such Estimate is founded gives no assurance of raising the country from its present depressed condition, and this House, therefore, declines to enter upon its consideration,” having been read—
 

Debate resumed.

And the House having continued to sit till after twelve of the clock—

SATURDAY, 9TH NOVEMBER, 1861.

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

Ayes, 34.		Noes, 40.	
Mr. Aspinall,	Mr. Lambert,	Mr. Bennett,	Dr. Mackay,
Mr. Berry,	Mr. McLellan,	Mr. K. E. Brodribb,	Mr. Manifold,
Mr. Brooke,	Mr. Nixon,	Mr. W. A. Brodribb,	Mr. McCann,
Mr. Cathie,	Mr. O'Connor,	Mr. H. S. Chapman,	Mr. McDonald,
Mr. B. G. Davies,	Dr. Owens,	Mr. Cohen,	Mr. Mac Mahon,
Mr. J. Davies,	Mr. Ramsay,	Mr. Cummins,	Mr. Mollison,
Mr. Denovan,	Mr. Richardson,	Mr. Gavan Duffy,	Mr. Nicholson,
Mr. Don,	Mr. J. T. Smith,	Dr. Evans,	Mr. Orkney,
Mr. Edwards,	Mr. L. L. Smith,	Mr. Francis,	Mr. O'Grady,
Mr. Flint,	Mr. Sullivan,	Mr. Gillespie,	Mr. O'Shanassy,
Mr. Foott,	Mr. Verdon,	Mr. Haines,	Mr. Reid,
Mr. Frazer,	Mr. Weeks,	Dr. Hedley,	Mr. Riddell,
Mr. Gillies,	Mr. Woods,	Mr. Hood,	Mr. Service,
Mr. Grant,	Mr. Wright.	Mr. Ireland,	Mr. A. J. Smith,
Mr. Gray,		Mr. Johnston,	Mr. Snodgrass,
Mr. Heales,	<i>Tellers.</i>	Mr. Jones,	Mr. Tucker,
Mr. Houston,	Mr. Humffray,	Mr. Kirk,	Mr. Wilson.
Mr. Kyte,	Dr. Macadam.	Mr. Lalor,	
		Mr. Levey,	<i>Tellers.</i>
		Mr. Levi,	Mr. Pyke,
		Mr. Loader,	Mr. Anderson.

And so it passed in the negative.

Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put and resolved in the affirmative.

Question—That this House having maturely considered the Estimate of Income for the year 1862, submitted by the Government, is of opinion it is unreliable and unsatisfactory; it is further of opinion that the inconsistent policy upon which such Estimate is founded gives no assurance of raising the country from its present depressed condition, and this House therefore declines to enter upon its consideration—put.

Assembly divided.

Ayes, 40.		Noes, 34.	
Mr. Bennett,	Dr. Mackay,	Mr. Aspinall,	Mr. Lambert,
Mr. K. E. Brodribb,	Mr. Manifold,	Mr. Berry,	Mr. McLellan,
Mr. W. A. Brodribb,	Mr. McCann,	Mr. Brooke,	Mr. Nixon,
Mr. H. S. Chapman,	Mr. McDonald,	Mr. Cathie,	Mr. O'Connor,
Mr. Cohen,	Mr. Mac Mahon,	Mr. B. G. Davies,	Dr. Owens,
Mr. Cummins,	Mr. Mollison,	Mr. J. Davies,	Mr. Ramsay,
Mr. Gavan Duffy,	Mr. Nicholson,	Mr. Denovan,	Mr. Richardson,
Dr. Evans,	Mr. Orkney,	Mr. Don,	Mr. J. T. Smith,
Mr. Francis,	Mr. O'Grady,	Mr. Edwards,	Mr. L. L. Smith,
Mr. Gillespie,	Mr. O'Shanassy,	Mr. Flint,	Mr. Sullivan,
Mr. Haines,	Mr. Reid,	Mr. Foott,	Mr. Verdon,
Dr. Hedley,	Mr. Riddell,	Mr. Frazer,	Mr. Weeks,
Mr. Hood,	Mr. Service,	Mr. Gillies,	Mr. Woods,
Mr. Ireland,	Mr. A. J. Smith,	Mr. Grant,	Mr. Wright.
Mr. Johnston,	Mr. Snodgrass,	Mr. Gray,	
Mr. Jones,	Mr. Tucker,	Mr. Heales,	<i>Tellers.</i>
Mr. Kirk,	Mr. Wilson.	Mr. Houston,	Mr. Humffray,
Mr. Lalor,		Mr. Kyte,	Dr. Macadam.
Mr. Levey,	<i>Tellers.</i>		
Mr. Levi,	Mr. Pyke,		
Mr. Loader,	Mr. Anderson.		

And so it was resolved in the affirmative.

6. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 12th November instant :—
- “ County Councils Bill—Message of His Excellency the Governor to be taken into consideration,”
  - “ Gold Export Duty Act Amendment Bill—Second reading,”
  - “ Civil Service Bill—Second reading,”
  - “ Gold Fields Management Bill—Second reading,” and
  - “ Scab and Pleuro-pneumonia Acts—Motion for Committee—Resumption of Debate.”

Assembly adjourned at twenty-six minutes past one o'clock until four o'clock on Tuesday next.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 24.

TUESDAY, 12TH NOVEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. ADJOURNMENT.—Mr. Heales moved, That this House do at its rising this day adjourn until to-morrow.  
Question—put and resolved in the affirmative.  
Question—That this House do now adjourn—put.  
Assembly divided.

Ayes, 28.

Mr. Aspinall,	Dr. Macadam,
Mr. Berry,	Mr. McLellan,
Mr. Brooke,	Mr. O'Connor,
Mr. B. G. Davies,	Dr. Owens,
Mr. J. Davies,	Mr. Ramsay,
Mr. Denovan,	Mr. Richardson,
Mr. Don,	Mr. L. L. Smith,
Mr. Flint,	Mr. Sullivan,
Mr. Frazer,	Mr. Verdon,
Mr. Gillies,	Mr. Weeks,
Mr. Grant,	Mr. Wright.
Mr. Gray,	
Mr. Heales,	<i>Tellers.</i>
Mr. Houston,	Mr. Humfray,
Mr. Kyte,	Mr. Edwards,

Noes, 32.

Mr. Bennett,	Dr. Mackay,
Mr. K. E. Brodribb,	Mr. McCann,
Mr. H. S. Chapman,	Mr. McDonald,
Mr. Cohen,	Mr. Mac Mahon,
Mr. Cummins,	Mr. Mollison,
Mr. Gavan Duffy,	Mr. Nicholson,
Mr. Francis,	Mr. Orkney,
Mr. Haines,	Mr. O'Grady,
Dr. Hedley,	Mr. O'Shanassy,
Mr. Hood,	Mr. Reid,
Mr. Ireland,	Mr. Service,
Mr. Johnston,	Mr. A. J. Smith,
Mr. Jones,	Mr. Wilson.
Mr. Lalor,	
Mr. Levey,	<i>Tellers.</i>
Mr. Levi,	Mr. Anderson.
Mr. Loader,	Mr. Kirk.

And so it passed in the negative.

3. MESSAGE FROM THE LEGISLATIVE COUNCIL.—The following Message from the Legislative Council by the Clerk Assistant of the Council :—

Mr. SPEAKER,

The Legislative Council transmit to the Legislative Assembly a Bill intituled "*An Act for Weights and Measures;*"  
also a Bill intituled "*An Act for the better administration of the Law by Justices of the Peace and for other purposes in connection therewith;*"  
with which they desire the concurrence of the Legislative Assembly.

(Signed)

MATTHEW HERVEY,  
*Acting President.*Legislative Council Chamber,  
November, 1861.

4. WEIGHTS AND MEASURES BILL.—Mr. Mollison then moved, That the Bill intituled "*An Act for Weights and Measures*" 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 November instant.

5. JUSTICES LAW ADMINISTRATION BILL.—Mr. Mollison then moved, That the Bill intituled  
*“An Act for the better administration of the Law by Justices of the Peace and for other  
 purposes in connection therewith,”* 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 November instant.
6. PAPERS.—Mr. Heales presented :—  
 Railway Debentures.—Copy Correspondence with the Committee of the Contracting  
 Banks.  
 Ordered to lie on the Table.  
 Mr. Sullivan presented :—  
 Immigration.—Returns showing the relationship of the persons sent for from the  
 United Kingdom by persons resident in Victoria under the Immigration  
 Regulations of 15th April, 1861, from the 23rd April to 26th July, 1861,  
 and under the regulations of 30th July, 1861, from 1st August to  
 7th November, 1861; also the relationship of the persons sent for under  
 the first mentioned regulations who have arrived in Victoria.  
 Ordered to lie on the Table.
7. PRINTING REPORT.—Mr. McLellan on behalf of Mr. Speaker, Chairman, brought up the  
 Seventh Report from this Committee.  
 Ordered to be printed.
8. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of  
 the following Orders of the Day be postponed until to-morrow :—  
*“Supply—To be further considered in Committee,”*  
*“County Councils Bill—Message of His Excellency the Governor to be taken into  
 consideration,”*  
*“Gold Export Duty Act Amendment Bill—Second reading,”*  
*“Civil Service Bill—Second reading,”*  
*“Gold Fields Management Bill—Second reading,”* and  
*“Scab and Pleuro-pneumonia Acts—Motion for Committee—Resumption of  
 Debate.”*
9. MELBOURNE AND SUBURBAN RAILWAY SALE BILL.—Mr. Loader moved, pursuant to notice,  
 That the necessary Standing Orders be suspended, for the purpose of asking leave to  
 introduce a Bill to enable the Melbourne and Suburban Railway Company to sell  
 their undertaking and property, and for other purposes.  
 Question—put and resolved in the affirmative.  
 Mr. Loader then moved, That he have leave to bring in a Bill to enable the Melbourne and  
 Suburban Railway Company to sell their undertaking and property and for other  
 purposes.  
 Question—put and resolved in the affirmative.  
 Ordered—That Mr. Loader and Capt. Mac Mahon do prepare and bring in the Bill.  
 Mr. Loader then brought up a Bill, intituled *“A Bill to enable the Melbourne and Suburban  
 Railway Company to sell their undertaking and property 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.
- Assembly adjourned at five o'clock until four o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*



## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 25.

WEDNESDAY, 13<sup>TH</sup> NOVEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITION.—Mr. Frazer presented a Petition from certain Inhabitants, Ratepayers of the Township of Clunes, in the County of Talbot, praying this House would cause such means to be adopted as would ensure the opening of railway communication between Ballarat and Melbourne, at the end of the current year, and thus give impetus to trade, increased facilities for travelling, and relief to the general revenue.  
Ordered to lie on the Table.
3. INSOLVENCY COMMITTEE.—Mr. Levi moved, by leave of the Assembly, That this Committee have leave to sit during any adjournment of the Assembly.  
Question—put and resolved in the affirmative.
4. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.  
Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to certain resolutions.  
Ordered—That the said report be received to-morrow.  
Mr. Lalor also acquainted the House that he was directed to move that he have leave to sit again.  
Resolved—That this House will, on Wednesday, 20th November instant, again resolve itself into the said Committee.
5. PAPERS.—Mr. Verdon presented, by command of His Excellency the Governor—  
Bank Liabilities and Assets.—General Abstract of sworn Returns of the average Liabilities and Assets of the several Banks in Victoria, for the quarter ending the 30th September, 1861.  
Ordered to lie on the Table.  
Dr. Macadam presented—  
Mail Contracts.—Copy correspondence respecting the Tenders of Messrs. Rutledge and Brown, for conveyance of Mails, 1862.  
Ordered to be printed.
6. MELBOURNE AND SUBURBAN RAILWAY SALE BILL.—Mr. Loader moved, by leave of the Assembly, That the several Standing Orders relating to Private Bills, necessary to allow this Bill to be read a second time and to be referred to a Select Committee this day, be suspended.  
Question—put and resolved in the affirmative.  
Mr. Loader then moved, That this Bill be now read a second time.  
Question—put and resolved in the affirmative.—Bill read a second time.  
Mr. Loader moved, pursuant to *amended contingent* notice, That the Bill be referred to a Select Committee, to consist of Mr. Francis, Mr. K. E. Brodribb, Mr. Mollison, Mr. McDonald, Mr. Pyke, Mr. Gillies, Mr. Lambert, Mr. Orkney, and the Mover; three to form a quorum; and that the Committee have leave to sit during any adjournment of the House.  
Question—put and resolved in the affirmative.
7. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under:—  
“*County Councils Bill—Message of His Excellency the Governor to be taken into consideration,*”  
“*Gold Export Duty Act Amendment Bill—Second reading,*”  
“*Civil Service Bill—Second reading,*” and  
“*Gold Fields Management Bill—Second reading,*” until Wednesday, 20th November instant; and  
“*Scab and Pleuro-pneumonia Acts—Motion for Committee—resumption of debate,*” until to-morrow.

8. ADJOURNMENT.—Mr. Nicholson moved, That the House, at its rising this day, do adjourn until Tuesday, 17th December next.

Debate ensued.

Mr. Berry moved, That the word "seventeenth" be omitted, with a view to insert instead thereof the word "tenth."

Debate continued.

Question—That the word proposed to be omitted stand part of the question—put and resolved in the affirmative.

Question—That this House, at its rising this day, do adjourn until Tuesday, 17th December next—put and resolved in the affirmative.

Assembly adjourned at twenty-six minutes to nine o'clock until four o'clock on Tuesday, 17th December next.

FRAN<sup>S</sup> MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 26.

TUESDAY, 17<sup>TH</sup> DECEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. ISSUE OF WRITS.—Mr. Speaker announced that since the last meeting of the Assembly he had issued Writs for the Election of Members to serve for the several Electoral Districts hereafter set forth, viz. :—
 

Kilmore, in the place of	...	...	J. O'Shanassy, Esq.
Villiers and Heytesbury, in the place of	...	...	R. D. Ireland, Esq.
Portland, in the place of	...	...	W. C. Haines, Esq.
Villiers and Heytesbury, in the place of	...	...	Ch. Gavan Duffy, Esq.
Emerald Hill, in the place of	...	...	R. S. Anderson, Esq.
St. Kilda, in the place of	...	...	J. S. Johnston, Esq.

who had severally accepted places of profit under the Crown.
3. RESIGNATION OF SEAT.—Mr. Speaker also announced that he had received from Thos. Manifold, Esq., the resignation of his seat in the Assembly, and that in consequence he had issued a Writ for the election of a member to serve in the Assembly for the said Electoral District of Warrnambool.
4. RETURNS TO WRITS.—Mr. Speaker also announced that he had received Returns to the undermentioned Writs, from which it appeared that the following gentlemen had been returned as Members to serve in the Assembly for the several Electoral Districts set opposite their respective names, viz. :—
 

John Sinclair, Esq., for the electoral district of	North Melbourne.
The Hon. J. O'Shanassy	... Kilmore.
The Hon. Richard Davies Ireland	... Villiers and Heytesbury.
The Hon. W. C. Haines	... Portland.
The Hon. Charles Gavan Duffy	... Villiers and Heytesbury.
The Hon. Robert Stirling Anderson	... Emerald Hill.
The Hon. James Stewart Johnston	... St. Kilda.
The Hon. John Dennistoun Wood	... Warrnambool.
5. MEMBERS SWORN.—The Hon. R. D. Ireland, the Hon. John O'Shanassy, the Hon. Robert Stirling Anderson, the Hon. James Stewart Johnston, the Hon. Charles Gavan Duffy, the Hon. John Dennistoun Wood, and John Sinclair, Esq., were then severally introduced, and took the oath and their seats as Members of the Assembly for the Electoral District set opposite their respective names.
6. PAPERS.—Mr. Speaker announced that there had been handed to the Clerk of the Assembly by the Audit Commissioners, to be laid on the Table of the Assembly—
 

Audit Act—

  - (1.) Statement prepared by the Honorable the Treasurer of the Receipts and Payments of the Public Account for the year 1860, accompanied by the Report of the Audit Commissioners thereon.
  - (2.) Copies of the several Orders in Council under which items in the "Supplies" voted for that year have been augmented from the unexpended surplus of other items in the same subdivision.

Mr. O'Shanassy, by command of His Excellency the Governor, presented—

Gold Fields Act.—Order in Council—Maryborough Polling Places altered.

Statistics—of the Colony for the year 1860.

Severally ordered to lie on the Table.

Mr. O'Shanassy presented—

Carlton Presbyterian School.—Reply to question put by Mr. Service, 5th November last, for the Correspondence with the Government on the subject of the Carlton Presbyterian School.

Mr. Superintendent Winch.—Reply to question put by Mr. Gillies, 31st October, 1861, for the papers in the case of Mr. Superintendent Winch, relative to defalcations or irregularities at the Richmond Police Depôt; also the evidence and report of the Commission of Enquiry, together with the decision of the Government thereon.

Severally ordered to lie on the Table.

Mr. Gavan Duffy presented, by command of His Excellency the Governor:—

Crown Lands Sales Act.

Gold Fields' Commons.—Proclamation for district between Maryborough and Amherst—Sago Hill, and Campbell's Gully.

Farmers' Common, South Hamilton.

Farmers' Common, Creswick, abolished.

Farmers' Common, Bung Bong, enlarged.

Farmers' Common, Amherst.

Farmers' Commons, South Barnawatha and South Wooragee.

Town Common, Wyndham—altered.

Town Common, Ararat.

Town Common, Carisbrook.

Town Common, Clunes.

Town Common, Kilmore.

Town Common, Winchelsea.

Town Common, Cranbourne, altered.

Severally ordered to lie on the Table.

7. PETITIONS.—Mr. W. C. Smith presented a Petition from certain inhabitants of Ballaarat and the Western District, praying the House would cause such means to be adopted as would ensure the opening of railway communication between Ballaarat and Melbourne at the commencement of the new year.

Petition read, and ordered to lie on the Table.

Mr. Richardson presented a Petition from the Mayor, Aldermen, Councillors, and Burgesses of the Town of Geelong, under the corporate seal of the municipality, praying the House would cause such means to be adopted as would ensure the opening of the Geelong and Ballaarat line of railway at the earliest possible period.

Ordered to lie on the Table.

Mr. J. T. Smith presented a Petition from James Young, styling himself President and Chairman of certain Farmers and others, members of the Bacchus Marsh and Pentland Hills Agricultural Society, in public meeting assembled, praying the House speedily to pass a Land Bill embodying certain principles set forth in the Petition.

Ordered to lie on the Table.

Mr. McLellan presented a Petition from Samuel Gordon, of Mount Rowan, near Ballaarat praying the Assembly to take the statements set forth in the Petition into consideration.

Ordered to lie on the Table.

Mr. Lalor presented a Petition from the Chairman and Councillors of the South Barwon Municipality, under the seal of the municipality, praying the House would cause such means to be adopted as would ensure the completion and opening for traffic of the Geelong and Ballaarat line of railway as speedily as possible.

Ordered to lie on the Table.

Mr. Wright presented a Petition from certain Farmers, Dairy-men, and others, owning cattle in the neighborhood of Beechworth, Stanley, Chiltern, and Rutherglen, in the Ovens District, praying the House would effect such amendments in the law as would remedy, the grievances set forth in the Petition.

Ordered to lie on the Table.

Mr. Pyke presented a Petition from Daniel Wallace, styling himself Chairman of the Municipality of Castlemaine, praying the House would cause such alterations to be made in the Weights and Measures Bill as would place with the Municipal Council the appointment of inspector in their respective districts.

Ordered to lie on the Table.

Mr. Bennett presented a Petition from the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne, under the corporate seal of the said city, and from the Mayor, Aldermen, Councillors, and Burgesses of the Town of Geelong, under the seal of the municipality, praying the House would suspend the fourth and seventh Standing Orders of this House relating to Private Bills, and grant leave to the petitioners to introduce a Bill intituled "*A Bill to further alter and amend the Laws relating to the Corporation of the City of Melbourne and of the Town of Geelong respectively and to extend and apply other existing Acts thereto.*"

Ordered to lie on the Table.

8. **PRINTING COMMITTEE.**—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Eighth Report from this Committee.

Ordered to lie on the Table and to be printed.

9. **NORTH MELBOURNE ELECTION.**—Mr. Speaker having announced that a subpoena had been served on the Clerk of the Assembly requiring him to attend and give evidence before the Supreme Court, and also to produce certain documents set forth in the subpoena—Mr. Ireland, by leave of the Assembly, moved, That permission be granted to the Clerk of the Assembly to attend the present sittings of the Supreme Court, at Melbourne, to give evidence on the part of the Queen touching a certain information to be preferred against Patrick Canary, in a case of personation; and to produce to the Court the Writ for holding the last election for North Melbourne; the book in which electors signed their names for the University Division; appointment and declaration of George Lewis, as Deputy Returning Officer for said division; appointment and declaration of Thomas Johnston, as Scrutineer; and the Electoral Rolls used by the said Returning Officer and his Deputy.

Question—put and resolved in the affirmative.

10. **SUPPLY—SUPPLEMENTARY ESTIMATES FOR 1861.**—Mr. Lalor reported from the Committee of Supply certain resolutions, which were read and agreed to, and are as follow:—

13th November.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the Supplementary charges for the year 1861 for the several services hereunder specified, being:—

## I.—CHIEF SECRETARY.

	£	s.	d.	£	s.	d.
<b>DIVISION No. 1 a.</b>						
<b>LEGISLATIVE COUNCIL.</b>						
The President at £1,000, from 1st January to 28th February ... ..	166	13	4	166	13	4
<b>DIVISION No. 9.</b>						
<b>STEAM SLOOP "VICTORIA."</b>						
Assistant Engineer, from 1st July to 31st December, at £250 ... ..	125	0	0			
Pay of Engineer and Trimmers, from 23rd July, 1860, to 31st May, 1861 ... ..	592	7	7	717	7	7
<b>DIVISION No. 10.</b>						
<b>MEDICAL.</b>						
<b>Subdivision No. 1.</b>						
<b>CHIEF MEDICAL OFFICER.</b>						
<i>Sanatory Station.</i>						
Clerk ... ..	10	0	0	10	0	0
<b>DIVISION No. 17.</b>						
<b>AUDIT OFFICE.</b>						
Messenger ... ..	20	0	0	20	0	0
<b>DIVISION No. 19.</b>						
<b>DEPARTMENTAL CONTINGENCIES.</b>						
<b>Subdivision No. 6.</b>						
<b>GENERAL POLICE.</b>						
Travelling Expenses.—To defray the expense of forwarding a body of Police to Woodend to keep the peace during threatened riots on the Railway Works ... ..	400	0	0			
<b>Subdivision No. 10.</b>						
<b>STEAM SLOOP "Victoria."</b>						
Fuel ... ..	400	0	0			
Cabin Stores ... ..	150	0	0			
Incidental Expenses ... ..	7	9	6			
Repairs and Stores ... ..	1,440	0	0			
	1,997	9	6			

I.—CHIEF SECRETARY—*continued.*

	£	s.	d.	£	s.	d.
Subdivision No. 11.						
CHIEF MEDICAL OFFICER.						
Medical Attendance on Prisoners, Government Immigrants and others, and for the Examination of Lunatics ... ..	180	0	0			
Subdivision No. 13.						
PUBLIC LIBRARY.						
For completion of the Catalogue ... ..	660	0	0			
Subdivision No. 18.						
AUDIT OFFICE.						
Extra Clerical Assistance ... ..	60	0	0			
Subdivision No. 19.						
ABORIGINES.						
Contingent Expenses—Stores, Food, Clothing, &c.	1,000	0	0			
Total, Division No. 19 ... ..	...			4,297	9	6
DIVISION No. 13.						
EDUCATION.						
Subdivision No. 3.						
GRANTS TO SCHOOLS.						
Deaf and Dumb School ... ..	200	0	0			
Roman Catholic Schools ... ..	268	13	5			
Presbyterian Schools ... ..	745	16	4			
				1,214	9	9
DIVISION No. 20.						
ELECTORAL ... ..	12,600	0	0	12,600	0	0
DIVISION No. 22.						
GRANTS.						
No. 7. Exploration of Australia ... ..	2,000	0	0	2,000	0	0
DIVISION No. 23.						
MISCELLANEOUS.						
Subdivisions— <i>Inalterable.</i>						
No. 1. Maintenance of Deserted Children and Destitute Persons ... ..	2,300	0	0			
No. 4. Stationery for the use of the Pleuro- Pneumonia Commissioners ... ..	100	0	0			
				2,400	0	0
Total, CHIEF SECRETARY ... ..	...			23,426	0	2

## II.—ATTORNEY GENERAL.

	£	s.	d.	£	s.	d.
DIVISION No. 34.						
DEPARTMENTAL CONTINGENCIES.						
Subdivision No. 1.						
THEIR HONORS THE JUDGES.						
Travelling Expenses ... ..	80	0	0			
Total, ATTORNEY GENERAL ... ..	...			80	0	0

**III.—TREASURER.**

DIVISION No. 40.		DEPARTMENTAL CONTINGENCIES.		£ s. d.		£ s. d.	
Subdivision No. 1.				TREASURY.			
	Travelling Expenses	...	...	60	0	0	
	Gold Boxes, &c.	...	...	31	12	6	
						91	12 6
DIVISION No. 46.		CHARITABLE INSTITUTIONS.					
Subdivision— <i>Inalterable</i> .							
	The Female Refuge (maintenance)	...	...	500	0	0	
						500	0 0
DIVISION No. 48.		MISCELLANEOUS.					
Subdivisions— <i>Inalterable</i> .							
	No. 31. Compensation to Mésrs. Elliott and others, jury men empannelled to enquire into the death of A. F. W. C. McDougall	...	...	62	3	0	
	No. 32. Amount of over-payments made by Mr. A. Castle, late Clerk of the Peace at Portland, to four Aborigines who attended as witnesses at the General Sessions	...	...	6	4	0	
	No. 33. Compensation to Mr. Grant, a Road Contractor in the Year 1858, who was mulcted in the amount	...	...	629	0	0	
	No. 34. Incidental Expenditure of the Defence Commission	...	...	50	0	0	
	No. 35. Compensation to R. W. Musgrove, for injuries sustained whilst on guard at Footscray	...	...	10	0	0	
	No. 36. Amount stolen from Court House, Dandenong	...	...	8	7	10	
	No. 37. Compensation for injuries to Sergeant-Major Bowser's horse	...	...	10	0	0	
	No. 38. Damages in action, Mason <i>v.</i> the Queen	...	...	280	0	0	
	No. 39. Amount of verdicts in the actions Davidson <i>v.</i> the Queen	...	...	380	0	0	
Total, Division No. 48.				...	...	1,435	14 10
Total, TREASURER				...	...	2,027	7 4

**IV.—COMMISSIONER OF CROWN LANDS AND SURVEY.**

DIVISION No. 50.		SURVEY, SALE, AND MANAGEMENT OF CROWN LANDS.		£ s. d.		£ s. d.	
Subdivision No. 1.							
	Wages of Laborers	...	...	8,000	0	0	8,000 0 0
DIVISION No. 52.		DEPARTMENTAL CONTINGENCIES.					
Subdivision No. 1.							
	Expenses connected with the issue of Occupation Licenses	...	...	500	0	0	500 0 0
DIVISION No. 55.		ROADS, WORKS, AND BRIDGES.					
Subdivision No. 1— <i>Inalterable</i> .							
	Lygon Street—Filling holes, construction of culverts, and to effect other improvements, in lieu of an equal amount unexpended out of the vote of £600 for filling up holes in Lygon street	...	...	290	12	6	290 12 6
Total, COMMISSIONER OF CROWN LANDS AND SURVEY				...	...	8,790	12 6

## VI.—COMMISSIONER OF MINES.

DIVISION No. 65.		£		s.		d.	
DEPARTMENTAL CONTINGENCIES.							
Subdivision No. 1.							
COMMISSIONER OF MINES.							
Purchase of certain scientific Manuscripts of practical value, relating to gold found in the Colony ; also, Cost of obtaining Photographic Views of Gold Mines ... ..							
		80	0	0			
Total, COMMISSIONER OF MINES		...	...	...	80	0	0

## VII.—COMMISSIONER OF TRADE AND CUSTOMS.

DIVISION No. 75.		£		s.		d.	
DEPARTMENTAL CONTINGENCIES.							
Subdivision No. 5.							
DISTILLERIES.							
Travelling Expenses		...	...	...	150	0	0
Total, COMMISSIONER OF TRADE AND CUSTOMS		...	...	...	150	0	0
TOTAL, SUPPLEMENTARY ESTIMATES, 1861		...	£	34,554	.0	0	

11. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under:—
- “*Supply—To be further considered in Committee,*” until Tuesday, 14th January next;
  - “*Impounding Prevention Bill—Second reading,*” and
  - “*Tolls—Motion respecting—Resumption of Debate,*” until Friday, 17th January next;
  - “*Medical Practitioners Bill—Second reading,*” until Thursday, 23rd January next;
  - “*Scab Act Amendment Bill—To be further considered in Committee,*” until Tuesday, 14th January next;
  - “*Barristers’ Admission Bill—Third reading,*”
  - “*Divorce Act Amendment Bill—Second reading,*”
  - “*Game Preservation Bill—Second reading,*” and
  - “*Licensed Victuallers Acts Amendment Bill—Second reading,*” until Thursday, 19th December instant;
  - “*Justices Law Administration Bill—Second reading,*” and
  - “*Weights and Measures Bill—Second reading,*” until Tuesday, 14th January next.
12. **DISCHARGE OF ORDERS OF THE DAY.**—The following Orders of the Day were read and discharged:—
- “*County Councils Bill—Message of His Excellency the Governor to be taken into consideration,*”
  - “*Gold Export Duty Act Amendment Bill—Second reading,*”
  - “*Civil Service Bill—Second reading,*”
  - “*Gold Fields Management Bill—Second reading,*” and
  - “*Scab and Pleuro-pneumonia Acts—Motion for Committee—Resumption of Debate.*”
13. **LUNATIC ASYLUM COMMITTEE.**—Mr. Mollison moved, pursuant to notice, That the names of Mr. J. S. Johnston and Mr. Gillespie be added to the Select Committee on the Lunatic Asylum.  
Question—put and resolved in the affirmative.
14. **ALIENS BILL.**—Mr. Levey moved, pursuant to notice, for leave to bring in a Bill to alter the laws relating to the admission of Aliens, and for other purposes.  
Motion by leave withdrawn.
- Assembly adjourned at seventeen minutes past five o’clock until four o’clock to-morrow.

FRAN<sup>S</sup> MURPHY,  
*Speaker.*



## VICTORIA.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 27.

WEDNESDAY, 18TH DECEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—Pursuant to "*The Electoral Act of 1856*" Mr. Speaker laid upon the Table of this House the following Warrant appointing Mr. Ireland to be a Member of "The Committee of Elections and Qualifications:"—
 

" VICTORIA.

"Pursuant to the provisions of '*The Electoral Act of 1856*,' I do hereby appoint—

Richard Davies Ireland, Esquire,

to be a Member of a Committee to be called '*The Committee of Elections and Qualifications*.'

"Given under my hand this eighteenth day of December, 1861.

(Signed)                      "FRANS. MURPHY,  
"Speaker."
3. PETITIONS.—Mr. Cohen presented a Petition from the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne, under the Seal of the said City, praying the House to take the statements contained in the Petition into consideration, and to order in such manner as to this House should seem best calculated to relieve the inhabitants of the city of Melbourne and its suburbs from the annoyance and danger to which they are exposed by the absence of underground sewerage.
 

Ordered to lie on the Table.

Mr. Cohen presented a Petition from the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne, under the Seal of the said City, praying the House to amend the Weights and Measures Bill, in such manner as to confer upon the petitioners, and not upon the Justices in Petty Sessions assembled, the power of appointing Inspectors of Weights and Measures, and their districts, within the corporate limits of the City of Melbourne.

Ordered to lie on the Table.
4. STATUTES CONSTRUCTION BILL.—Mr. Wood moved, pursuant to notice, That he have leave to bring in a Bill to remove Doubts as to the construction of certain Statutes and as to the validity of certain acts purporting to be performed under them, and for other purposes.
 

Question—put and resolved in the affirmative.

Ordered—That Mr. Wood and Mr. O'Shanassy do prepare and bring in the Bill.

Mr. Wood then brought up a Bill, intituled, "*A Bill to remove Doubts as to the construction of certain Statutes and as to the validity of certain acts purporting to be performed under them 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 Friday, 20th December instant.
5. SALE AND OCCUPATION OF CROWN LANDS BILL.—Mr. Gavan Duffy moved, pursuant to notice, That he have leave to bring in a Bill to consolidate and amend the Laws relating to the Sale and Occupation of Crown Lands.
 

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That Mr. Gavan Duffy, Mr. Wood, and Mr. Ireland do prepare and bring in the Bill.

Mr. Gavan Duffy then brought up a Bill, intituled, "*A Bill to consolidate and amend the Laws relating to the Sale and Occupation of Crown Lands,*" and moved that it be now read a first time.

Debate ensued.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Wednesday, 15th January next.

6. ADJOURNMENT.—Mr. O'Shanassy moved, pursuant to notice, That the House, at its rising on Friday next, do adjourn until Tuesday, the 14th day of January next.  
Question—put and resolved in the affirmative.

7. PRESBYTERIAN CHURCH.—Mr. Gillies moved, pursuant to *amended* notice, That a Select Committee be appointed to enquire into and report upon the claims and rights of the Presbyterian Church of Victoria and the Free Church of Victoria respectively to certain interests in the Scotch College and other properties, with power to call for persons and papers; and that pending the report of the Committee the Government refrain from issuing any deed of grant of the land and properties in question; such Committee to consist of Mr. Lalor, Mr. Francis, Mr. Mollison, Mr. Heales, Mr. Wright, and Mr. Gillies; three to form a quorum.

Mr. McLellan moved the previous question.

Debate ensued.

Motion for the previous question by leave withdrawn.

Debate continued.

Question—That a Select Committee be appointed to enquire into and report upon the claims and rights of the Presbyterian Church of Victoria and the Free Church of Victoria respectively to certain interests in the Scotch College and other properties, with power to call for persons and papers; and that pending the report of the Committee the Government refrain from issuing any deed of grant of the land and properties in question; such Committee to consist of Mr. Lalor, Mr. Francis, Mr. Mollison, Mr. Heales, Mr. Wright, and Mr. Gillies; three to form a quorum—put.

Assembly divided.

Ayes, 19.

Mr. Berry,	Mr. O'Connor,
Mr. W. A. Brodribb,	Mr. O'Grady,
Mr. J. Davies,	Mr. Richardson,
Mr. Gavan Duffy,	Mr. Service,
Mr. Frazer,	Mr. Weeks,
Mr. Gray,	Mr. Wright.
Mr. Heales,	
Mr. Hood,	
Mr. Lalor,	
Mr. McCann,	
Mr. Nixon,	

*Tellers.*

Mr. Gillies,  
Mr. W. C. Smith.

Noes, 25.

Mr. Bennett,	Mr. McLellan,
Mr. Brooke,	Mr. Orkney,
Mr. H. S. Chapman,	Mr. O'Shanassy,
Mr. Cohen,	Mr. Ramsay,
Mr. Denovan,	Mr. Reid,
Mr. Edwards,	Mr. L. L. Smith,
Mr. Foott,	Mr. Snodgrass,
Mr. Francis,	Mr. Tucker,
Mr. Houston,	Mr. Wood.
Mr. Johnston,	
Mr. Lambert,	
Dr. Macadam,	
Mr. Mac Mahon,	
Mr. McDonald,	

*Tellers.*

Mr. Anderson,  
Mr. Gillespie.

And so it passed in the negative.

8. INSPECTOR OF POUNDS.—Mr. Snodgrass moved, pursuant to notice, That this House will, to-morrow, resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying that he will place a sum upon the Estimates for 1862 to provide for the appointment of an Officer to inspect and supervise the Pounds of Victoria.

Question—put and resolved in the affirmative.

9. PAPERS.—Mr. O'Shanassy, by command of His Excellency the Governor, presented—  
Mail Service.—Correspondence relative to the Mail Service between the United Kingdom and Australia.

Contract for Carriage of Mails.—Copy of new Contract for Conveyance of Mails between Point de Galle and Australia.

Severally ordered to lie on the Table.

Mr. O'Shanassy also presented—

Prize Essays.—A copy of the Victorian Government Prize Essays—1860.

Ordered to lie on the Table.

Assembly adjourned at twenty-two minutes to twelve o'clock until four o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

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VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 28.

THURSDAY, 19TH DECEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—Mr. Speaker's warrant, appointing R. D. Ireland, Esq., to be a Member of this Committee, was again laid upon the Table of the Assembly.
3. PETITION.—Mr. Speaker announced there had this day been deposited with the Clerk of the Assembly a Petition from John Barter Bennett, Matthew William Taylor, of Melbourne, in the Colony of Victoria, solicitors, and Edward Sandford, of Melbourne aforesaid, solicitor, praying that the Melbourne and Suburban Railway Sale Bill might not be allowed to pass into a law as it now stands, and that they might be heard by themselves, their counsel, agents, and witnesses, against the preamble and the several clauses of the said Bill, and that they might have such further and other relief in the premises as to the House should seem meet.  
Ordered to lie on the Table.
4. ELECTORAL REGISTRATION COMMITTEE.—Dr. Owens moved, by leave of the Assembly, That he have leave to present a Progress Report from this Committee.  
Question—put and resolved in the affirmative.  
Dr. Owens then brought up a Progress Report from the Committee.  
Ordered to be printed and taken into consideration to-morrow.
5. PAPERS.—Mr. Gavan Duffy presented, by command of His Excellency the Governor—  
Crown Lands Sales Act—  
Farmers' Common, Proclamation for—Mepunga.  
Gold Fields Common, Sandhurst—Proclamation enlarging.  
Severally ordered to lie on the Table.
6. PENSIONS BILL.—Mr. Levi moved, pursuant to notice, That he have leave to bring in a Bill relating to payment of Pensions to Responsible Ministers of the Crown.  
Debate ensued.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Levi and Mr. Service do prepare and bring in the Bill.  
Mr. Levi then brought up a Bill, intituled, "*A Bill relating to Payment of Pensions to Responsible Ministers of the Crown,*" 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 Thursday, 23rd January next.
7. PENSIONS.—Mr. Heales moved, pursuant to notice, That an Address be presented to His Excellency the Governor, representing that great difference of opinion exists with reference to the conditions under which retiring Responsible Ministers ought to be entitled to Pensions under the Constitution Act, "and" praying that His Excellency will be pleased, prior to the adoption of any regulations for granting such pensions, to submit a draft of the same for the approval of this House.  
Debate ensued.  
Mr. Francis moved, as an amendment, That all the words after the word "and" in the fourth line, be omitted, with a view to insert instead thereof the words, "informing His Excellency that a Bill has been introduced for the purpose of amending the Constitution Act in this respect."  
Debate ensued.  
Question—That the words proposed to be omitted stand part of the question—put and negatived.  
Mr. Service then moved, That the following words, viz., "and praying His Excellency not to sanction any regulations for the assignment of Pensions under the 51st clause of the Constitution Act, till Parliament has had an opportunity of expressing its views on the subject," be added to the above proposed amendment.  
Debate continued.  
Question—That the words proposed to be added be so added—put.

Assembly divided.

Ayes, 25.		Noes, 29.	
Mr. Berry,	Dr. Owens,	Mr. Anderson,	Mr. Nicholson,
Mr. Brooke,	Mr. Ramsay,	Mr. Bennett,	Mr. O'Connor,
Mr. J. Davies,	Mr. Richardson,	Mr. K. E. Brobribb,	Mr. O'Grady,
Mr. Denovan,	Mr. Service,	Mr. W. A. Brodribb,	Mr. O'Shanassy,
Mr. Edwards,	Mr. Sinclair,	Mr. H. S. Chapman,	Mr. Reid,
Mr. Foott,	Mr. L. L. Smith,	Mr. Cohen,	Mr. Riddell,
Mr. Gillies,	Mr. Sullivan,	Mr. Cummins,	Mr. J. T. Smith,
Mr. Grant,	Mr. Weeks,	Mr. Gavan Duffy,	Mr. W. C. Smith,
Mr. Gray,	Mr. Wright.	Mr. Francis,	Mr. Snodgrass,
Mr. Kyte,		Dr. Hedley,	Mr. Tucker,
Mr. Levi,		Mr. Hood,	Mr. Wood.
Mr. McLellan,	<i>Tellers.</i>	Mr. Ireland,	
Mr. Nixon,	Mr. Heales,	Mr. Johnston,	<i>Tellers.</i>
Mr. Orkney,	Mr. McCann.	Mr. Lalor,	Mr. Levey,
		Mr. McDonald,	Mr. Gillespie.
		Mr. Mollison,	

And so it passed in the negative.

Question—That the words proposed to be inserted in the place of the words omitted, be so inserted—put and resolved in the affirmative.

Question—That an Address be presented to His Excellency the Governor, representing that great difference of opinion exists with reference to the conditions under which retiring Responsible Ministers ought to be entitled to Pensions under the Constitution Act, and informing His Excellency that a Bill has been introduced for the purpose of amending the Constitution Act in this respect—put and resolved in the affirmative.

8. COLONIAL WINES.—Mr. Richardson moved, pursuant to notice, That this House will, on Thursday, 16th January next, resolve itself into a Committee of the whole for the purpose of considering the following resolutions:—
- (1.) That it is expedient to give greater facilities for the sale of colonial wines.
  - (2.) That a Bill be brought in for this purpose.

Question—put and resolved in the affirmative.

9. MELBOURNE AND GEELONG CORPORATION ACTS AMENDMENT BILL.—Mr. Bennett moved, pursuant to notice, That the 4th and 7th Standing Orders relating to Private Bills be suspended.

Question—put and resolved in the affirmative.

Mr. Bennett then moved, pursuant to notice, That he have leave to bring in a Bill to further alter and amend the Laws relating to the Corporation of the City of Melbourne and of the Town of Geelong respectively, and to extend and apply other existing Acts thereto.

Question—put and resolved in the affirmative.

Ordered—That Mr. Bennett and Mr. McCann do prepare and bring in the Bill.

Mr. Bennett then brought up a Bill, intituled, "*A Bill to further alter and amend the Laws relating to the Corporations of the City of Melbourne and of the Town of Geelong respectively, and to extend and apply other existing Acts thereto,*" and moved that it be now read a first time.

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

10. EXPERIMENTAL FARM.—Mr. Frazer moved, pursuant to notice, That there be laid on the Table of the House copies of the Correspondence, since 7th October to present date, between the Director of the Experimental Farm and the Honorable the Chief Secretary, with reference to that officer's position as Director; also, Returns showing the number of meetings of the Council and of the Farm Committee of the Board of Agriculture which have been held between the 1st January and 17th September, 1861, inclusive, specifying the average attendance of members at each meeting, and the number which have lapsed during the same period through want of a quorum.

Question—put and resolved in the affirmative.

11. BARRISTERS ADMISSION BILL.—Mr. Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Mr. Gray moved, That this Bill be now read a third time.

Debate ensued.

Mr. Ireland moved, That this debate be now adjourned.

Debate continued.

Question—That this debate be now adjourned—put and negatived.

Debate further continued.

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

Question—That this Bill do now pass—put and resolved in the affirmative.

Mr. Gray moved, That the following be the title of the Bill:—

*“An Act to remove Disabilities at present affecting certain classes of persons  
“desiring to enrol themselves as Law Students with a view to admission as  
“Barristers-at-Law.”*

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.

12. GAME PRESERVATION BILL.—Mr. Snodgrass moved, That this Bill be now read a second time.

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

Mr. Snodgrass moved, That this Bill be committed to a Committee of the whole Assembly.

Question—put and resolved in the affirmative.

Ordered—That this House will, on Thursday, 16th January next, resolve itself into the said Committee.

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

*“Divorce Act Amendment Bill—Second reading.”*

*“Licensed Victuallers Acts Amendment Bill—Second reading.”*

*“Inspector of Pounds—Motion for Address—To be considered in Committee.”*

Assembly adjourned at six minutes to twelve o'clock until four o'clock to-morrow.

FRAN<sup>S</sup> MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 29.

FRIDAY, 20<sup>TH</sup> DECEMBER, 1861.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—Mr. Speaker's Warrant, appointing R. D. Ireland, Esquire, to be a Member of this Committee, was again laid upon the Table of the Assembly.
3. MEMBER SWORN.—The Honorable William Clark Haines was introduced, and took the oath and his seat as Member for the Electoral District of Portland.
4. PAPERS.—Mr. Anderson presented—  
Immigration Returns.—Reply to question put this day by Mr. Loader, for Returns of Passage Warrants issued, and of Warrants still available, exhibiting the classification as before ; also, a Return showing the number and classification of Immigrants who have arrived under the Passage Warrant System.  
Ordered to lie on the Table.  
Mr. Wood presented, by command of His Excellency the Governor—  
County Courts Act.—Order in Council, abridging the interval for holding the County Court at Hamilton.  
Ordered to lie on the Table.  
Mr. O'Shanassy presented—  
Experimental Farm.—Return to an Order of the Assembly, dated 19th December instant, for copies of the Correspondence, since 7th October to present date, between the Director of the Experimental Farm and the Honorable the Chief Secretary, with reference to that officer's position as Director ; also, Returns showing the number of meetings of the Council and of the Farm Committee of the Board of Agriculture which have been held between the 1st January and 17th September, 1861, inclusive, specifying the average attendance of members at each meeting, and the number which have lapsed during the same period through want of a quorum.  
Ordered to lie on the Table.
5. INSOLVENCY COMMITTEE.—Mr. Levi, Chairman, brought up the Report from this Committee. Ordered to lie on the Table, and, together with the Proceedings of the Committee and Minutes of Evidence, to be printed.
6. MELBOURNE AND SUBURBAN RAILWAY SALE BILL.—Mr. Francis, by leave of the Assembly, moved, That leave be given to print the evidence taken before the Select Committee of the Legislative Assembly upon the Melbourne and Suburban Railway Sale Bill.  
Question—put and resolved in the affirmative.
7. PETITION.—Mr. Levi presented a Petition from John Hurst Meredith, styling himself Chairman of a public meeting of the Farmers of Carisbrook and North-Western Province, praying that, in considering the question referred to in the Petition, the Assembly would take into consideration the resolutions adopted by the meeting referred to.  
Ordered to lie on the Table.
8. STATUTES CONSTRUCTION BILL.—Mr. Wood moved, That this Bill be now read a second time.  
Question—put and resolved in the affirmative.—Bill read a second time.  
Mr. Wood moved, That this Bill be now committed to a Committee of the whole Assembly.  
Question—put and resolved in the affirmative.  
And, on the further motion of Mr. Wood, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
Mr. Speaker resumed the Chair ; and Mr. Lalor having reported that the Committee had gone through the Bill, and agreed to the same without amendment, the Assembly ordered the same to be read a third time this day.

9. SCOTCH COLLEGE.—Mr. Gillies moved, pursuant to notice, That in the opinion of this House the Government should not issue the Deed of Grant of the Scotch College until the dispute at present existing with reference to that property is settled between the disputants by arbitration or otherwise.

Debate ensued.

Question—put and negatived.

10. STATUTES CONSTRUCTION BILL.—Mr. Speaker 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 Mr. Wood, read a third time and *passed*.

Mr. Wood moved, That the following be the title of the Bill :—

*“ An Act to remove Doubts as to the construction of certain Statutes and as to the validity of certain acts purporting to be performed under them and for other purposes.”*

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.

11. THISTLES.—Mr. Cummins moved, pursuant to notice, That this House will, on Tuesday, 14th January next, resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Governor, praying that a sum of £25,000 be placed on the Estimates for 1862 for the purpose of eradicating the thistle.

Debate ensued.

Motion by leave withdrawn.

12. REFRESHMENT ROOMS.—Mr. Snodgrass moved, pursuant to notice, That this House will, on Thursday, 16th January next, resolve itself into a Committee of the whole to consider the propriety of agreeing to the recommendations contained in the Progress Report from the Refreshment Rooms Committee.

Question—put and resolved in the affirmative.

13. RAILWAYS.—Mr. W. C. Smith moved, pursuant to *amended* notice, That a Select Committee be appointed for the purpose of enquiring into the cause of the great delay in completing the Victorian Railways, with power to call for persons and papers; such Committee to consist of Mr. McCann, Mr. Denovan, Mr. Gillies, Mr. Grant, Mr. Houston, Mr. Johnston, Mr. Francis, Captain Mac Mahon, Mr. Cummins, Mr. Lalor, Mr. Richardson, and the Mover.

Debate ensued.

Six Members of the Assembly having required that the Committee be appointed by ballot.

Question—That a Select Committee, to consist of twelve Members, be appointed for the purpose of enquiring into the cause of the great delay in completing the Victorian Railways, with power to call for persons and papers; three to form a quorum—put and resolved in the affirmative.

The Assembly then proceeded to the ballot, and Mr. Speaker appointed Mr. Snodgrass and Mr. Weeks to be Scrutineers.

The Scrutineers, with the Clerk of the Assembly, having reported that the following Members—viz., Mr. W. C. Smith, Mr. Johnston, Mr. Denovan, Mr. Francis, Mr. Houston, Mr. Frazer, Mr. Pyke, Mr. Tucker, Dr. Owens, Mr. Cummins, Mr. McCann, and Mr. Lalor—had the greatest number of votes, Mr. Speaker declared such Members to be the Committee.

14. PASTORAL LICENSES.—Mr. Brooke moved, pursuant to notice, That no licenses issue for the pastoral occupation of the territory except on terms and conditions approved by this House.

Debate ensued.

And the House having continued to sit till after twelve of the clock—

SATURDAY, 21st DECEMBER, 1861.

Mr. Heales moved, as an amendment, That all the words after the word “ That ” be omitted, with a view to insert instead thereof the words “ no licenses shall issue for the pastoral occupation of the territory unless containing a clause providing that no such license shall be deemed to prevent such run or any part thereof from being sold, or leased, or proclaimed a common, or occupied by virtue of any miner’s right or license for agricultural, or pastoral, or other purpose, or from being otherwise dealt with under any law or authority now or hereafter in force.”

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put and resolved in the affirmative.

Mr. Service moved, That the following words be added to the above motion, viz., “for any longer term than six months.”

Debate continued.

Question—That the words proposed to be added be so added—put.

Assembly divided.

Ayes, 25.		Noes, 33.	
Mr. Berry,	Mr. Ramsay,	Mr. Anderson,	Dr. Mackay,
Mr. Brooke,	Mr. Richardson,	Mr. Bennett,	Mr. MacMahon,
Mr. J. Davies,	Mr. Service,	Mr. K. E. Brodribb,	Mr. McDonald,
Mr. Denovan,	Mr. Sinclair,	Mr. W. A. Brodribb,	Mr. Mollison,
Mr. Don,	Mr. Sullivan,	Mr. Chapman,	Mr. Nicholson,
Mr. Foott,	Mr. Verdon,	Mr. Cummins,	Mr. Orkney,
Mr. Frazer,	Mr. Weeks,	Mr. Gavan Duffy,	Mr. O'Connor,
Mr. Gillespie,	Mr. Woods,	Mr. Francis,	Mr. O'Grady,
Mr. Gray,	Mr. Wright.	Mr. Haines,	Mr. O'Shanassy,
Mr. Heales,		Mr. Hood,	Mr. Reid,
Mr. Houston,	<i>Tellers.</i>	Mr. Ireland,	Mr. Riddell,
Mr. Lambert,	Mr. Edwards,	Mr. Johnston,	Mr. W. C. Smith,
Mr. McLellan,	Dr. Owens.	Mr. Kirk,	Mr. Snodgrass,
Mr. Nixon,		Mr. Lalor,	Mr. Tucker.
		Mr. Levey,	<i>Tellers.</i>
		Mr. Levi,	Mr. Wood,
		Mr. Loader,	Mr. McCann.

And so it passed in the negative.

Mr. W. C. Smith moved as a further amendment, That the following words be added to the above motion, viz. :—“That the following words shall be inserted in any new pastoral licenses that may be issued for the year 1862—This license will not be renewed until the conditions of its renewal have been submitted to and approved by the Legislature.”

Debate continued.

Amendment by leave withdrawn.

Question—That no licenses issue for the pastoral occupation of the territory except on terms and conditions approved by this House—put.

Assembly divided.

Ayes, 23.		Noes, 34.	
Mr. Berry,	Dr. Owens,	Mr. Anderson,	Dr. Mackay,
Mr. Brooke,	Mr. Ramsay,	Mr. Bennett,	Mr. MacMahon,
Mr. J. Davies,	Mr. Richardson,	Mr. K. E. Brodribb,	Mr. McDonald,
Mr. Denovan,	Mr. Sinclair,	Mr. W. A. Brodribb,	Mr. Mollison,
Mr. Don,	Mr. W. C. Smith.	Mr. Chapman,	Mr. Nicholson,
Mr. Foott,	Mr. Sullivan,	Mr. Cummins,	Mr. Orkney,
Mr. Frazer,	Mr. Weeks,	Mr. Gavan Duffy,	Mr. O'Connor,
Mr. Gray,	Mr. Wright.	Mr. Francis,	Mr. O'Grady,
Mr. Heales,		Mr. Gillespie,	Mr. O'Shanassy,
Mr. Houston,	<i>Tellers.</i>	Mr. Haines,	Mr. Reid,
Mr. Lambert,	Mr. Edwards,	Mr. Hood,	Mr. Riddell,
Mr. McLellan,	Mr. Verdon,	Mr. Ireland,	Mr. Service,
Mr. Nixon,		Mr. Johnston,	Mr. Snodgrass,
		Mr. Kirk,	Mr. Tucker,
		Mr. Lalor,	
		Mr. Levey,	<i>Tellers.</i>
		Mr. Levi,	Mr. Wood,
		Mr. Loader,	Mr. McCann.

And so it passed in the negative.

15. ELECTORAL REGISTRATION COMMITTEE.—The Order of the Day for the consideration of the Progress Report from this Committee having been read, on the motion of Dr. Owens the Report was read by the Clerk.

Dr. Owens then moved, That pending the full investigation of the subject of the Registration of Voters, and until the law be altered, the Government be required to carry the existing law into effect for the year 1862.

Debate ensued.

Question put.



Assembly divided.

	Ayes, 23.	
Mr. Berry,	Dr. Owens,	
Mr. Brooke,	Mr. Richardson,	
Mr. J. Davies,	Mr. Sinclair,	
Mr. Denovan,	Mr. L. L. Smith,	
Mr. Don,	Mr. Sullivan,	
Mr. Foott,	Mr. Weeks,	
Mr. Frazer,	Mr. Woods,	
Mr. Gray,	Mr. Wright.	
Mr. Heales,		
Mr. Houston,		
Mr. McLellan,	<i>Tellers.</i>	
Mr. Nixon,	Mr. Lambert,	
Mr. O'Connor,	Mr. Edwards.	

	Noes, 34.
Mr. Anderson,	Mr. McCann,
Mr. Bennett,	Mr. McDonald,
Mr. K. E. Brodribb,	Mr. Mollison,
Mr. W. A. Brodribb,	Mr. Nicholson,
Mr. Chapman,	Mr. Orkney,
Mr. Cummins,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Mr. Francis,	Mr. Reid,
Mr. Gillespie,	Mr. Riddell,
Mr. Haines,	Mr. Service,
Dr. Hedley,	Mr. W. C. Smith,
Mr. Ireland,	Mr. Snodgrass,
Mr. Johnston,	Mr. Tucker,
Mr. Kirk,	Mr. Wood.
Mr. Lalor,	
Mr. Levi,	<i>Tellers.</i>
Mr. Loader,	Mr. Hood,
Mr. MacMahon,	Mr. Levey.

And so it passed in the negative.

16. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Assembly ordered that the consideration of the following Orders of the Day be postponed until Thursday, 16th January next—

“*Divorce Act Amendment Bill—Second reading.*”

“*Licensed Victuallers Acts Amendment Bill—Second reading.*”

“*Inspector of Pounds—Motion for Address—To be considered in Committee.*”

Assembly adjourned at a quarter to five a.m., until four o'clock on Tuesday, 14th January next.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 30.

TUESDAY, 14TH JANUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. RESIGNATION OF SEAT.—Mr. Speaker announced that, since the adjournment, he had issued a writ for the election of a member to serve for the Electoral District of Maryborough, in the place of G. S. Evans, Esq., who had accepted a place of profit under the Crown, and that from the return he had received to such writ, it appeared that George Samuel Evans, Esquire, had been duly elected in pursuance thereof.
3. PETITION.—Dr. Hedley presented a Petition from certain inhabitants of Gipps Land, praying this House to enact such a Law as might effectually prohibit the introduction of diseased cattle into the District of Gipps Land.  
Ordered to lie on the Table.
4. PAPERS.—Mr. Wood presented—  
Illicit Sale of Spirits.—Reply to question put by Mr. Edwards, 18th December, 1861, for a Return of the number of convictions for the illicit sale of spirits and for illicit distillation during the last twelve months; the amount of fines imposed, and the number of cases in which fines have been remitted or reduced.  
Ordered to lie on the Table.
5. MRS. BROWN: Mr. Nixon moved, pursuant to notice, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, requesting him to place on the Estimates for 1862 a sum of money equal to one year's salary, say £175, for the widow of the late Robert Brown, who lost his life on the 9th November, 1860, in attempting to reach the Swan Spit lightship during a gale of wind, and while in the performance of his duty of lighthouse attendant.  
Debate ensued.  
Mr. Snodgrass moved, That the further debate be now adjourned.  
Question—That the debate be now adjourned—put and negatived.  
Question—That this House will, on Thursday next, resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, requesting him to place on the Estimates for 1862 a sum of money equal to one year's salary, say £175, for the widow of the late Robert Brown, who lost his life on the 9th of November, 1860, in attempting to reach the Swan Spit lightship during a gale of wind, and while in the performance of his duty of lighthouse attendant—put.  
Assembly divided,

Ayes, 25.

Mr. Berry,	Mr. McLellan,
Mr. Cathie,	Mr. Nixon,
Mr. Cummins,	Mr. Orkney,
Mr. Denovan,	Mr. O'Connor,
Mr. Edwards,	Dr. Owens,
Mr. Frazer,	Mr. Ramsey,
Mr. Gillies,	Mr. Richardson,
Mr. Gray,	Mr. Sinclair,
Mr. Heales,	Mr. Sullivan.
Mr. Lalor,	
Mr. Lambert,	
Dr. Macadam,	<i>Tellers.</i>
Dr. Mackay,	Mr. Houston,
Mr. McCann,	Mr. L. L. Smith.

Noes, 18.

Mr. Chapman,	Mr. MacMahon,
Mr. Cohen,	Mr. Nicholson,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Mr. Francis,	Mr. Snodgrass,
Mr. Haines,	Mr. Wilson,
Dr. Hedley,	Mr. Wood.
Mr. Ireland,	
Mr. Johnston,	<i>Tellers.</i>
Mr. Levey,	Mr. Anderson,
Mr. Levi,	Mr. Service.

And so it was resolved in the affirmative.

6. MESSAGE FROM THE LEGISLATIVE COUNCIL.—The following Message from the Legislative Council, by the Clerk Assistant of the Council :—

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the Bill, intituled

*“ An Act to remove doubts as to the construction of certain Statutes and as to the validity of certain acts purporting to be performed under them and for other purposes,”*

without amendment.

(Signed)

MATTHEW HERVEY,  
*Acting President.*

Legislative Council Chambers,  
14th January, 1862.

7. PENSIONS BILL.—Mr. Levi moved, pursuant to notice, That on Thursday, the 23rd January instant, the House be called for the purpose of considering the second reading of the Pensions Bill.

Debate ensued.

Question—put and resolved in the affirmative.

8. EXPERIMENTAL FARM.—Mr. Frazer moved, pursuant to *amended* notice, That a Select Committee be appointed to enquire into the management of the Experimental Farm, previous to and since the date of its being placed under the control of the Board of Agriculture; such Committee to consist of Mr. Haines, Mr. Hood, Mr. Anderson, Mr. Don, Mr. Heales, Mr. Kyte, Mr. Cummins, Mr. Tucker, and the Mover; three to form a quorum: with power to send for persons and papers.

Debate ensued.

9. NEW MEMBER.—George Samuel Evans, Esq., was introduced and sworn, and took his seat as Member for the Electoral District of Maryborough.

10. EXPERIMENTAL FARM.—Debate on the question—That a Select Committee be appointed to enquire into the management of the Experimental Farm, previous to and since the date of its being placed under the control of the Board of Agriculture; such Committee to consist of Mr. Haines, Mr. Hood, Mr. Anderson, Mr. Don, Mr. Heales, Mr. Kyte, Mr. Cummins, Mr. Tucker, and the Mover; three to form a quorum; with power to send for persons and papers—resumed.

Question—put and resolved in the affirmative.

11. GOLD PROSPECTORS.—Mr. McLellan moved, pursuant to notice given by Mr. Flint, That a Select Committee be appointed to enquire into the claims of certain persons claiming to be the original prospectors of the Ararat, Pleasant Creek, Lamplough, and other Gold Fields; such Committee to consist of Mr. Grant, Mr. B. G. Davies, Mr. McLellan, Mr. Woods, Mr. Houston, Mr. Lambert, Mr. Francis, Dr. Evans, Mr. Frazer, Mr. McCann, and the Mover; three to form a quorum; with power to send for persons and papers.

Question—put and resolved in the affirmative.

12. JUSTICES LAW ADMINISTRATION BILL.—Mr. Wood moved now, That this Bill be read a second time.

Debate ensued.

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

Mr. Wood moved, That this Bill be committed to a Committee of the whole Assembly.

Question—put and resolved in the affirmative.

And on a further motion of Mr. Wood, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.

Mr. Speaker resumed the Chair, and Mr. Lalor 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 this House will, on Friday, 24th January instant, again resolve itself into the said Committee.

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

*“ Supply—To be further considered in Committee,”* until Friday, 17th January instant;

*“ Scab Act Amendment Bill—To be further considered in Committee,”* and

*“ Weights and Measures Bill—Second reading,”* until to-morrow.

Assembly adjourned at six minutes to seven o'clock until four o'clock to-morrow.

FRAN<sup>S</sup> MURPHY,  
*Speaker.*

## VICTORIA.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 31.

WEDNESDAY, 15TH JANUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Ninth Report from this Committee.  
Ordered to lie on the Table and to be printed.
3. PETITIONS.—Dr. Owens presented a Petition from the Municipal Council of Sandhurst, under the corporate seal of the municipality, praying that the 20th Section of the Weights and Measures Bill might be so amended as to place in the hands of Municipal Councils the power of appointing the Inspector of Weights and Measures within their several districts.  
Ordered to lie on the Table.  
Mr. Francis presented a Petition from certain inhabitants of the Colony of Victoria, praying the House to take measures for securing the repeal of the Act of Parliament 18 Victoria, No. 36.  
Petition read, and ordered to lie on the Table.  
Mr. Don presented a Petition from the Municipal Council of the Municipal District of East Collingwood, under the Corporate Seal of the Municipality, praying that the petitioners might have leave to bring in a Bill for the improvement of the Municipal District of East Collingwood, in the Colony of Victoria, and that the Assembly would, under the circumstances stated in the petition, suspend the Standing Order relating to private bills, numbered seven, and allow the said Bill to pass.  
Ordered to lie on the Table.
4. MESSAGE FROM THE LEGISLATIVE COUNCIL.—The following Message from the Legislative Council by the Clerk Assistant of the Council:—  
MR. SPEAKER,  
The Legislative Council acquaint the Legislative Assembly that they have adopted the Progress Report of the Joint Committee of both Houses of Parliament appointed to manage the Refreshment Rooms, with which they desire the concurrence of the Legislative Assembly.  
(Signed) MATTHEW HERVEY,  
Legislative Council Chamber, Acting President.  
14th January, 1862.
5. LIBRARY COMMITTEE.—Mr. O'Shanassy moved, pursuant to notice, That Mr. Haines be re-appointed member of the Library Committee of the Assembly.  
Question—put and resolved in the affirmative.
6. STANDING ORDERS COMMITTEE.—Mr. O'Shanassy moved, pursuant to notice, That Mr. Gavan Duffy and Mr. O'Shanassy be re-appointed members of the Select Committee on Standing Orders.  
Question—put and resolved in the affirmative.
7. PARLIAMENT BUILDINGS COMMITTEE.—Mr. O'Shanassy moved, pursuant to notice, That Mr. Gavan Duffy be re-appointed member of the Parliament Buildings Committee of the Assembly.  
Question—put and resolved in the affirmative.
8. LUNATIC ASYLUM COMMITTEE.—Mr. O'Shanassy moved, pursuant to notice, That Mr. Johnston and Mr. O'Shanassy be re-appointed members of the Select Committee on the Lunatic Asylum.  
Question—put and resolved in the affirmative.
9. ROYAL MINT COMMITTEE.—Mr. O'Shanassy moved, pursuant to notice, That Mr. Anderson and Dr. Evans be re-appointed members of the Select Committee on the Royal Mint.  
Question—put and resolved in the affirmative.

10. ROAD ENGINEER—WESTERN DISTRICT.—Mr. O'Shanassy moved, pursuant to notice, That Mr. Gavan Duffy and Dr. Evans be re-appointed members of the Select Committee on the Road Engineer—Western District.  
Question—put and resolved in the affirmative.
11. RAILWAYS.—Mr. O'Shanassy moved, pursuant to notice, That Mr. Johnston be re-appointed member of the Select Committee on Railways.  
Question—put and resolved in the affirmative.
12. WAYS AND MEANS.—Mr. O'Shanassy moved, pursuant to notice given by Mr. Haines, That this House will, on Friday next, resolve itself into the Committee of Ways and Means.  
Question—put and resolved in the affirmative.
13. POSTPONEMENT OF ORDER OF THE DAY.—The Assembly ordered that the consideration of the following Order of the Day be postponed until Friday, 24th January instant :—  
“ *Crown Lands Sale and Occupation Bill—Second reading.*”
14. SCOTCH SOLICITORS AND PROCURATORS BILL.—Mr. Service moved, pursuant to notice, That he have leave to bring in a Bill to extend to Solicitors and Procurators of the Sheriffs Courts of Scotland and their articulated Clerks the right to admission as Attorneys, Solicitors, and Proctors of the Supreme Court of the Colony of Victoria.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Service and Mr. Loader do prepare and bring in the Bill.  
Mr. Service then brought up a Bill intituled “ *A Bill to extend to Solicitors and Procurators of the Sheriffs Courts of Scotland and their articulated Clerks the right to admission as Attorneys, Solicitors, and Proctors of the Supreme Court of the Colony of Victoria,*” 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, Thursday, 23rd January instant.
15. PLEURO-PNEUMONIA IN CATTLE ACT AMENDMENT BILL.—Dr. Hedley moved, pursuant to notice, That he have leave to bring in a Bill to amend an Act intituled “ *An Act for the Prevention of the further spread of the Disease in Cattle called Pleuro-pneumonia.*”  
Question—put and resolved in the affirmative.  
Ordered—That Dr. Hedley and Mr. Mollison do prepare and bring in the Bill.  
Dr. Hedley then brought up a Bill intituled “ *A Bill to amend an Act intituled ‘ An Act for the Prevention of the further spread of the Disease in Cattle called Pleuro-pneumonia,’*” 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, Thursday, 23rd January instant.
16. MELBOURNE AND SUBURBAN RAILWAY SALE BILL.—Mr. Loader moved, pursuant to notice, That the Select Committee on “ *The Melbourne and Suburban Railway Sale Bill*” be revived, and that the revived Committee have leave to print any evidence taken before them.  
Question—put and resolved in the affirmative.
17. SCAB ACT AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.  
Mr. Speaker resumed the Chair; and Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Assembly ordered the same to be taken into consideration Wednesday, 22nd January instant—Bill as amended to be printed.
18. WEIGHTS AND MEASURES BILL.—Mr. Mollison moved, That this Bill be now read a second time.  
Question—put and resolved in the affirmative.—Bill read a second time.  
Mr. Mollison moved, That this Bill be committed to a Committee of the whole Assembly.  
Question—put and resolved in the affirmative.  
And on the further motion of Mr. Mollison, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
Mr. Speaker resumed the Chair; and Mr. Lalor 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 this House will, on Wednesday, 22nd January instant, again resolve itself into the said Committee.

Assembly adjourned at twenty minutes to six o'clock until four o'clock to-morrow.

FRAN<sup>S</sup> MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 32.

THURSDAY, 16TH JANUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor received and read :—

*Civil Service.*

HENRY BARKLY,  
Governor.

*Message No. 7.*

In pursuance of the provisions of the Act 18 and 19 Vict. cap. 55, the Governor recommends an appropriation of the Consolidated Revenue to provide for gratuities and allowances to which Officers of the Civil Service may become entitled by law.

Government Offices,  
Melbourne, 15th January, 1862.

Ordered to lie on the Table and to be printed.

3. PETITIONS.—Mr. Mollison presented a Petition from certain Parents and Guardians of Roman Catholic children, residing at and near Coleraine, praying the House would take the cause of Denominational Education into favorable consideration.

Ordered to lie on the Table.

Mr. Riddell presented a Petition from certain Parents and Guardians of Roman Catholic children, residing at and near the Green Hills School, parish Yangardook, praying the House to take such measures as might be expedient to place the Denominational Board in a position to meet the necessary requirements for primary education in that district.

Ordered to lie on the Table.

4. PAPERS.—Mr. Haines presented, by command of His Excellency the Governor—  
Finance.—Statement of Expenditure, under schedule D. to Act 18 and 19 Vict. cap. 55, during and on account of the year 1860.  
Finance.—Similar Statement of Expenditure during the year 1860 on account of the year 1859.

Severally ordered to lie on the Table.

Mr. Haines presented—

Gold Fields Revenue.—Reply to question put by Mr. Denovan, 20th December last, for a Return of the amount of revenue derived from the Gold Fields, in the shape of License Fees, Gold Export Duty, and Miners' Rights, from October, 1851, to the present date.

Ordered to lie on the Table.

Mr. Gavan Duffy presented, by command of His Excellency the Governor—

Crown Lands Sales Act.—Additional Regulation relating to Graziers' Licenses for Gold Fields Commons.

Proclamation of Farmers' Commons at North Hamilton and Bochara ; and at the Wild Duck Creek, parish of Heathcote.

Proclamation of Farmers' Commons at Merino and Moolort.

Severally ordered to lie on the Table.

5. PREFERABLE LIEN ON CROPS BILL.—Mr. Anderson moved, pursuant to notice, That he have leave to bring in a Bill to provide for granting a preferable lien on growing crops without delivery.

Question—put and resolved in the affirmative.

Ordered—That Mr. Anderson and Mr. Johnston do prepare and bring in the Bill.

Mr. Anderson then brought up a Bill, intituled "*A Bill to provide for granting a preferable lien on growing crops without delivery,*" 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 Thursday, 23rd January instant.

6. **BILLS OF SALE BILL.**—Mr. Anderson moved, pursuant to notice, That he have leave to bring in a Bill to prevent frauds upon creditors by secret bills of sale.  
 Question—put and resolved in the affirmative.  
 Ordered—That Mr. Anderson and Mr. Johnston do prepare and bring in the Bill.  
 Mr. Anderson then brought up a Bill, intituled “*A Bill to prevent frauds upon creditors by secret bills of sale,*” 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 Thursday, 23rd January instant.
7. **PUNISHMENT OF DEATH ABOLITION BILL.**—Mr. L. L. Smith moved, pursuant to notice, That he have leave to bring in a Bill to abolish Capital Punishments.  
 Debate ensued.  
 Question—put and negatived.
8. **MR. GEO. HENNELLE.**—Mr. Chapman moved, pursuant to *amended* notice, That a Select Committee be appointed to enquire into the case of George Hennelle, who was seriously injured by the falling of part of the old Post Office, on the 19th February, 1859; and that the said Committee consist of the following members, Mr. Heales, Mr. Ireland, Mr. Hood, Mr. Don, Mr. K. E. Brodribb, Mr. Kyte, Mr. Wood, Mr. Anderson, and the Mover; three to form a quorum.  
 Question—put and resolved in the affirmative.
9. **GIPPS LAND REVENUE.**—Dr. Mackay moved, pursuant to *amended* notice, That there be laid on the Table of this House a Return of Revenue derived from all sources in Gipps Land for the ten years ending 31st December, 1861, and also the expenditure for public purposes.  
 Question—put and resolved in the affirmative.
10. **ALIENS BILL.**—Mr. Levey moved, pursuant to notice, That he have leave to bring in a Bill to alter the Laws relating to the admission of Aliens, and for other purposes.  
 Question—put and resolved in the affirmative.  
 Ordered—That Mr. Levey and Mr. Chapman do prepare and bring in the Bill.  
 Mr. Levey then brought up a Bill, intituled “*A Bill to alter the Laws relating to the admission of Aliens, 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 Thursday, 23rd January instant.
11. **MELBOURNE AND GEELONG CORPORATION ACTS AMENDMENT BILL.**—Mr. Bennett moved that this Bill be now read a second time.  
 Question—put and resolved in the affirmative.—Bill read a second time.
12. **COLONIAL WINES.**—The Order of the Day for the consideration in Committee of the whole Assembly of the question—  
 (1.) That it is expedient to give greater facilities for the sale of colonial wines :  
 (2.) That a Bill be brought in for this purpose :  
 having been read—On the motion of Mr. Richardson, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration thereof.  
 Mr. Speaker resumed the Chair; and Mr. Lalor having reported that the Committee had agreed to the following resolutions, viz.:—  
 (1.) That it is expedient to give greater facilities for the sale of colonial wines :  
 (2.) That a Bill be brought in for this purpose :  
 the Assembly agreed to the same.
13. **GAME PRESERVATION BILL.**—The Order of the Day for the consideration in Committee of the whole Assembly of this Bill having been read, on the motion of Mr. Snodgrass, Mr. Speaker left the Chair; and the Assembly resolved itself into a Committee of the whole for the consideration thereof.  
 Mr. Speaker resumed the Chair, and Mr. Lalor 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 this House will, on Thursday, 23rd January next, again resolve itself into the said Committee.
14. **REFRESHMENT ROOMS COMMITTEE.**—The Order of the Day for the consideration in Committee of the whole Assembly of the Report from the Select Committee on the Refreshment Rooms having been read—On the motion of Mr. Snodgrass, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration thereof.  
 Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to certain resolutions.  
 Ordered—That the said Report be received to-morrow.
15. **DIVORCE ACT AMENDMENT BILL.**—Mr. Snodgrass moved, That this Bill be now read a second time.  
 Debate ensued.

Question—put.  
 Assembly divided.

Ayes 22.		Noes 4.	<i>Tellers.</i>
Mr. Bennett,	Mr. Nicholson,	Mr. Heales,	Mr. Denovan,
Mr. Cohen,	Mr. Nixon,	Mr. O'Shanassy.	Mr. Gillespie.
Mr. Don,	Mr. O'Connor,		
Mr. Edwards,	Dr. Owens,		
Mr. Foott,	Mr. Richardson,		
Mr. Francis,	Mr. Service,		
Mr. Gray,	Mr. A. J. Smith,		
Mr. Hood,	Mr. Snodgrass.		
Mr. Johnston,			
Dr. Mackay,	<i>Tellers.</i>		
Mr. McCann,	Mr. Anderson,		
Mr. McDonald,	Mr. L. L. Smith.		

And so it was resolved in the affirmative.—Bill read a second time.

Mr. Snodgrass moved, That this Bill be committed to a Committee of the whole Assembly.

Question—put and resolved in the affirmative.

And on the further motion of Mr. Snodgrass—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.

Mr. Speaker resumed the Chair; and Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same with an amendment, the Assembly ordered the same to be taken into consideration Thursday, 23rd January instant.—Bill as amended to be printed.

Notice being taken that a quorum of Members was not present, Mr. Speaker counted the House, and a quorum of Members not being present, Mr. Speaker, at twenty-seven minutes past eleven o'clock, adjourned the House, without question being first put, until four o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*



VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 33.

FRIDAY, 17<sup>TH</sup> JANUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor received and read:—

*Pensions.*HENRY BARKLY,  
*Governor.**Message No. 8.*

The Governor acknowledges the receipt of an Address from the Legislative Assembly representing that great difference of opinion exists with reference to the conditions under which retiring Responsible Ministers ought to be entitled to pensions under the Constitution Act, and acquainting him that a Bill has been introduced for the purpose of amending the Constitution Act in this respect.

Government Offices,  
Melbourne, 14th January, 1862.

Ordered to lie on the Table and to be printed.

3. COLONIAL WINES SALE BILL.—Mr. Richardson brought up a Bill, intituled, "*A Bill to give greater facilities for the sale of Colonial Wines,*" 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 Thursday, 23rd January instant.
4. CIVIL SERVICE.—Mr. O'Shanassy moved, pursuant to notice, That this House will, on Tuesday next, resolve itself into a Committee of the whole, for the purpose of considering the following resolution:—  
That in order to carry out the purposes of a Bill to regulate the Civil Service, an appropriation be made out of the Consolidated Revenue, to provide for gratuities and allowances to which officers of the Civil Service may become entitled by law.  
Question—put and resolved in the affirmative.
5. WAYS AND MEANS.—The Order of the Day for the Committee of Ways and Means having been read,—Mr. Haines moved, That Mr. Speaker do now leave the Chair, and the Committee resolve itself into the Committee of Ways and Means.  
Question—put and resolved in the affirmative.  
Whereupon Mr. Speaker left the Chair, and the Assembly resolved itself into the said Committee.  
Mr. Speaker resumed the Chair; Mr. Lalor reported that the Committee had come to a certain resolution.  
Mr. Lalor also reported that he was directed to move, That he have leave to sit again.  
Resolved—That this House will this day again resolve itself into the said Committee.  
On the motion of Mr. Haines, Mr. Speaker left the Chair, and the Assembly again resolved itself into the said Committee.  
Mr. Speaker resumed the Chair; Mr. Lalor reported that the Committee had made progress, and that he was directed to move, That he have leave to sit again.  
Resolved—That this House will, on Tuesday next, again resolve itself into the said Committee.
6. FISHERIES.—Mr. Snodgrass moved, pursuant to notice given by Mr. L. L. Smith, That the petitions presented by him on the 3rd September last, from certain oyster dredgers and leaseholders of oyster beds in the Colony of Victoria, and from shopkeepers, being retailers of oysters in the City of Melbourne; and the petition presented by him on the 19th September last, from fishermen of Melbourne and Geelong, be severally referred to the Committee now sitting on the Fisheries Acts.  
Question—put and resolved in the affirmative.

7. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—  
 “ *Supply—To be further considered in Committee,*” until Tuesday, 21st January instant ;  
 “ *Licensed Victuallers Acts Amendment Bill—Second reading,*” until Wednesday, 22nd January instant ; and  
 “ *Inspector of Pounds—Motion for Address—To be considered in Committee,*”  
 “ *Mrs. Brown—Motion for Address—To be considered in Committee,*” and  
 “ *Impounding Prevention Bill—Second reading,*” until Thursday, 23rd January instant.
8. **LAPSED ORDER OF THE DAY.**—The following Order of the Day was read and lapsed :—  
 Tolls—Motion respecting—Resumption of Debate.
9. **REFRESHMENT ROOMS.**—Mr. Lalor reported from a Committee of the whole certain resolutions, which were read and agreed to, and are as follow :—  
*Resolved—*
- (1.) That Tenders be invited for the use of the Stables attached to the Parliament Houses, for the year 1862, on the approved tariff of charges.
  - (2.) That the Government be requested to place the sum of £400 on the Estimates for the year 1862, for allowance to Contractor for the Refreshment Rooms during that year.
  - (3.) That in order to prevent the intrusion of strangers into the rooms set apart for the sole use of Members, the Government be requested to place the sum of £60 on the Estimates for 1862, for the Comptroller of the Refreshment Rooms.

Assembly adjourned at eight o'clock until four o'clock on Tuesday next.

FRAN<sup>s</sup>. MURPHY,  
*Speaker*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 34.

TUESDAY, 21<sup>ST</sup> JANUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. ASSENT TO BILLS.—A Message from the Legislative Council, by the Clerk-Assistant of the Council—  
 MR. SPEAKER,  
 His Excellency the Governor desires the immediate attendance of this Honorable House in the Legislative Council.  
 Accordingly, Mr. Speaker and the House went to the Legislative Council, when His Excellency was pleased to give the Royal Assent to the following public Bill, viz. :—  
*“An Act to remove doubts as to the Construction of certain Statutes and as to the validity of certain Acts purporting to be performed under them and for other purposes.”*
3. PETITION.—Mr. Service presented a petition from Valentine Hellicar, praying that this House would not consent to invite Her Majesty so to exercise Her prerogative, (in the matter mentioned in the petition,) as to inflict a needless and heavy burden upon Her loyal subjects in Victoria.  
 Ordered to lie on the Table.
4. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Tenth Report from this Committee.  
 Ordered to lie on the Table, and to be printed.
5. PAPERS.—Mr. Gavan Duffy presented, by command of His Excellency the Governor—  
 Crown Land Sales Act.—Proclamation enlarging Merino Town Common.  
 ” Proclamation altering Irrewarra Farmers' Common.  
 ” Proclamation of Farmers' Common at Codrington.  
 Severally ordered to lie on the Table.  
 Mr. Gavan Duffy also presented—  
 Residence and Cultivation Licenses.—Memoranda respecting applications for Residence and Cultivation Licenses approved and rejected.  
 Ordered to lie on the Table, and to be printed.  
 Mr. Wood presented, by command of His Excellency the Governor—  
 Gold Fields Act.—Order in Council.  
 Ordered to lie on the Table.
6. ELECTORAL ACT SUSPENSION BILL.—Mr. O'Shanassy moved, pursuant to notice, That he have leave to bring in a Bill to suspend the operation of certain enactments relating to Registration of Parliamentary Electors, and for other purposes.  
 Question—put and resolved in the affirmative.  
 Ordered—That Mr. O'Shanassy and Mr. Nicholson do prepare and bring in the Bill.  
 Mr. O'Shanassy then brought up a Bill, intituled, *“A Bill to suspend the operation of certain enactments relating to Registration of Parliamentary Electors, 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 Tuesday, 28th January instant.
7. CIVIL SERVICE.—The Order of the Day for the consideration in Committee of the whole Assembly of the question—That in order to carry out the purposes of a Bill to regulate the Civil Service, an appropriation be made out of the Consolidated Revenue, to provide for gratuities and allowances to which officers of the Civil Service may become entitled by law—having been read,  
 On the motion of Mr. O'Shanassy, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration thereof.  
 Mr. Speaker resumed the Chair. Mr. Lalor reported that the Committee had come to a certain resolution.  
 Ordered—That the report be received to-morrow.

8. **POSTPONEMENT OF ORDER OF THE DAY.**—The Assembly ordered that the consideration of the following Order of the Day be postponed until after the consideration of the other Order for to-day :—

*“ Supply—To be further considered in Committee.”*

9. **WAYS AND MEANS.**—Mr. Lalor reported from the Committee of Ways and Means a certain resolution, which was read a second time and agreed to, and is as follows :—

Resolved—That the Commissioner of Trade and Customs be authorized to take measures during the discussion of the financial propositions of the Government, for the protection of the duties which it is proposed to impose upon articles not previously dutiable, and the increased duties upon articles already dutiable.

10. **WAYS AND MEANS.**—The Order of the Day for the Committee of Ways and Means having been read,

Mr. Haines moved, That Mr. Speaker do now leave the Chair, and the Assembly resolve itself into the Committee of Ways and Means.

Mr. Verdon moved, as an amendment, That all the words after the word “ That ” be omitted, with a view to insert, instead thereof, the words, “ considering our financial relation with Great Britain, in the opinion of this House—It is inexpedient that the ascertained deficiency of £120,000 from last year should remain unprovided for.

(2.) That the increase proposed by the Government in the cost of the Civil Service, in the present circumstances of the Colony, is unnecessary.

(3.) That the vote for Roads and Bridges is the last that should have suffered reduction.

(4.) That, in the alterations in and additions to the tariff, the relief and encouragement of the mining and other producing interests have not been sufficiently regarded.”

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put and resolved in the affirmative.

Question—That Mr. Speaker do now leave the Chair, and the Assembly resolve itself into the Committee of Ways and Means—put.

Assembly divided.

Ayes, 34.

Mr. Bennett,	Mr. McCann,
Mr. K. E. Brodribb,	Mr. McDonald,
Mr. W. A. Brodribb,	Mr. Nicholson,
Mr. Chapman,	Mr. Orkney,
Mr. Cummins,	Mr. O'Connor,
Mr. Gavan Duffy,	Mr. O'Grady,
Dr. Evans,	Mr. O'Shanassy,
Mr. Francis,	Mr. Reid,
Mr. Haines,	Mr. Service,
Dr. Hedley,	Mr. A. J. Smith,
Mr. Hood,	Mr. W. C. Smith,
Mr. Ireland,	Mr. Snodgrass,
Mr. Johnston,	Mr. Tucker,
Mr. Levey,	Mr. Wilson.

Mr. Loader,	<i>Tellers.</i>
Dr. Mackay,	Mr. Anderson,
Mr. Mac Mahon,	Mr. Gillespie.

Noes, 27.

Mr. Berry,	Mr. McLellan,
Mr. Brooke,	Mr. Nixon,
Mr. Casey,	Dr. Owens,
Mr. Cathie,	Mr. Ramsey,
Mr. B. G. Davies,	Mr. Richardson,
Mr. J. Davies,	Mr. Sinclair,
Mr. Denovan,	Mr. Sullivan,
Mr. Foott,	Mr. Verdon,
Mr. Frazer,	Mr. Weeks,
Mr. Gillies,	Mr. Wright.
Mr. Grant,	
Mr. Gray,	<i>Tellers.</i>
Mr. Heales,	Mr. Edwards,
Mr. Houston,	Dr. Macadam.
Mr. Kyte,	

And so it was resolved in the affirmative.

Whereupon Mr. Speaker left the Chair, and the Assembly resolved itself into the Committee of Ways and Means.

Mr. Speaker resumed the Chair ; Mr. Lalor reported that the Committee had come to a certain resolution.

Ordered—That the report be received to-morrow.

Mr. Lalor also acquainted the House he was directed to move, That he have leave to sit again.

Resolved—That this House will to-morrow again resolve itself into the said Committee.

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

*“ Supply—To be further considered in Committee.”*

Assembly adjourned at five minutes to twelve o'clock until four o'clock to-morrow.

FRANCS. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 35.

WEDNESDAY, 22ND JANUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITION.—Mr. W. C. Smith presented a Petition from certain Licensed Victuallers of the District of Ballaarat, praying this House to take their case as set forth in the Petition into consideration, and to pass such measures for the future protection and regulation of the trade and business of the Licensed Victuallers of this Colony as might be found advisable.  
Ordered to lie on the Table.  
Mr. Johnston presented a Petition from the Municipal Council of Prahran, under the seal of the municipality, praying this House to make such amendment in the Weights and Measures Bill as would give Municipal Councils power to appoint the inspector within their respective districts.  
Ordered to lie on the Table.  
Mr. Chapman presented a Petition from certain residents, Roman Catholic parents and guardians at or near Pakenham, praying the House would take the statements set forth in the petition into notice, and devise such measures as should be conducive to the vital interests of this rising community.  
Ordered to lie on the Table.
3. ADJOURNMENT.—Mr. Loader moved, That this House do now adjourn.  
Debate ensued.  
Question—put and negatived.
4. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor received and read:—  
HENRY BARKLY, *Message No. 9.*  
*Governor.*  
ESTIMATES 1862, AND ADDITIONAL SUPPLEMENTARY ESTIMATES 1861.  
The Governor transmits to the Legislative Assembly, Estimates of Revenue and Expenditure for 1862, and Additional Estimates of Expenditure for 1861, the former to be substituted for the Estimates of Expenditure for 1862 already transmitted, and recommends an appropriation of the Revenue accordingly.  
Government Offices,  
Melbourne, 14th January, 1862.  
Ordered to be printed and referred to the Committee of Supply.
5. WAYS AND MEANS.—Mr. Lalor reported from the Committee of Ways and Means certain resolutions, which were read and agreed to, and are as follow:—

21st January.

*Resolved—*

The following duties of Customs shall be charged on the articles next hereinafter mentioned:—

						£	s.	d.	
Rice	..	..	..	..	..	the cwt.	0	2	0
Dried Fruits	..	..	..	..	..	the cwt.	0	10	0
Sheepwash Tobacco, and an equivalent charge upon all preparations of tobacco employed for sheep-washing purposes	..	..	..	..	..	the lb.	0	0	3
Malt	..	..	..	..	..	the bushel	0	0	6
Hops	..	..	..	..	..	the lb.	0	0	2

That in lieu of the duties of Customs now charged on the articles undermentioned, the following duties of Customs shall be charged:—

						£	s.	d.	
Wine	..	..	..	..	..	per gallon	0	3	0
Cigars	..	..	..	..	..	per lb.	0	5	0

6. **WAYS AND MEANS.**—The Order of the Day for the Committee of Ways and Means having been read, Mr. Haines moved, That Mr. Speaker do now leave the Chair, and the Assembly resolve itself into the Committee of Ways and Means.
- Mr. McCann moved, as an amendment, That all the words after the word “That” be omitted, with a view to insert instead thereof the words “in the opinion of this House it is desirable to encourage home production and manufactures, by the imposition of duties on goods imported into the Colony, and that this principle is not carried out in the financial policy of the Government to the extent which is desirable for the prosperity of the country.”
- Debate ensued.
- Question—That the words proposed to be omitted stand part of the question—put and resolved in the affirmative.
- Question—That Mr. Speaker do now leave the Chair and the Assembly resolve itself into the Committee of Ways and Means—put and resolved in the affirmative.
- Whereupon Mr. Speaker left the Chair and the Assembly resolved itself into the Committee of Ways and Means.
- Mr. Speaker resumed the Chair. Mr. Lalor reported that the Committee had come to certain resolutions.
- Ordered—That the said report be received to-morrow.
- Mr. Lalor also acquainted the House that he was directed to move that the Committee may have leave to sit again.
- Resolved—That this House will, on Friday, 24th January instant, again resolve itself into the said Committee.
7. **SUPPLY.**—The House, according to Order, resolved itself into the Committee of Supply.
- Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to a certain resolution.
- Ordered—That the said report be received to-morrow.
- Mr. Lalor also acquainted the House that he was directed to move that the Committee may have leave to sit again.
- Resolved—That this House will this day again resolve itself into the said Committee.
8. **SUPPLY.**—The House, according to Order, resolved itself into the Committee of Supply.
- Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to certain resolutions.
- Ordered—That the said report be received on Friday next.
- Mr. Lalor also acquainted the House that he was directed to move that he have leave to sit again.
- Resolved—That this House will, on Friday next, again resolve itself into the said Committee.
9. **YARRA POLLUTION PREVENTION ACT REPEAL BILL.**—Mr. Francis moved, pursuant to notice, That he have leave to bring in a Bill to repeal an Act intituled “An Act to prevent the further pollution of the waters of the River Yarra Yarra above the City of Melbourne.”
- Debate ensued.
- Question—put and resolved in the affirmative.
- Ordered—That Mr. Francis and Mr. Nicholson do prepare and bring in the Bill.
- Mr. Francis then brought up a Bill, intituled, “*A Bill to repeal an Act intituled ‘An Act to prevent the further pollution of the waters of the River Yarra Yarra above the City of Melbourne,’*” 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 Wednesday, 29th January instant.
10. **DISCOVERERS OF GOLD FIELDS.**—Mr. Denovan moved, pursuant to *amended* notice, That this House will, to-morrow, resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, requesting His Excellency to place on the Estimates for 1862 a sum of £10,000, as rewards for the discoverers of new gold fields in this Colony, subject to such conditions as may be deemed necessary by the Governor in Council.
- Debate ensued.
- Mr. Loader moved, as an amendment, That the following words be inserted after the figures 1862, viz., “contingent on a new gold field being discovered.”
- Debate continued.

And the House having continued to sit till after twelve of the clock—

THURSDAY, 23RD JANUARY, 1862.

- Question—That the words proposed to be inserted be so inserted—put and negatived.
- Question—That this House will, to-morrow, resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, requesting His Excellency to place on the Estimates for 1862 a sum of £10,000 as rewards for the discoverers of new gold fields in this Colony, subject to such conditions as may be deemed necessary by the Governor in Council—put.

Assembly divided.

Ayes, 21.		Noes, 20.	
Mr. Berry,	Mr. Nixon,	Mr. Bennett,	Mr. Loader,
Mr. Casey,	Mr. O'Connor,	Mr. Cohen,	Mr. Mac Mahon,
Mr. Cathie,	Mr. Ramsay,	Mr. J. Davies,	Mr. McDonald,
Mr. B. G. Davies,	Mr. Richardson,	Dr. Evans,	Mr. Nicholson,
Mr. Denovan,	Mr. Sinclair,	Mr. Francis,	Mr. O'Shanassy,
Mr. Foott,	Mr. Sullivan,	Mr. Gillespie,	Mr. Wood.
Mr. Gray,	Mr. Weeks.	Mr. Haines,	
Mr. Houston,		Mr. Hood,	
Mr. Lambert,		Mr. Ireland,	<i>Tellers.</i>
Dr. Macadam,	<i>Tellers.</i>	Mr. Johnston,	Mr. Anderson,
Mr. McCann,	Mr. Edwards,	Mr. Kyte,	Mr. Levey.
Mr. McLellan,	Mr. W. C. Smith.	Mr. Lalor,	

And so it was resolved in the affirmative.

11. MELBOURNE AND GEELONG CORPORATION ACTS AMENDMENT BILL.—Mr. Bennett moved, pursuant to notice, That the Melbourne and Geelong Corporation Acts Amendment Bill be referred to a Select Committee, to consist of Mr. Orkney, Mr. Cohen, Mr. Sinclair, Mr. Johnston, Mr. Foot, Mr. Richardson, Mr. McCann, Mr. O'Shanassy, Mr. Hood, Mr. Jones, and the Mover; three to form a quorum.

Mr. Edwards moved, That all the words after the word "of" in the third line, to and inclusive of the word "Mover," be omitted, with a view to insert instead thereof the words "Twelve Members."

Debate ensued.

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

Assembly divided.

Ayes, 17.		Noes, 17.	
Mr. Bennett,	Mr. McCann,	Mr. Berry,	Mr. Kyte,
Mr. Haines,	Mr. Nicholson,	Mr. Casey,	Mr. McDonald,
Mr. Hood,	Mr. O'Shanassy,	Mr. Cathie,	Mr. Nixon,
Mr. Ireland,	Mr. Richardson,	Mr. Cohen,	Mr. Ramsay,
Mr. Johnston,	Mr. Wood.	Mr. B. G. Davies,	Mr. Weeks.
Mr. Lalor,		Mr. Denovan,	
Mr. Levey,		Mr. Foott,	
Mr. Loader,	<i>Tellers.</i>	Mr. Francis,	<i>Tellers.</i>
Dr. Macadam,	Mr. Anderson,	Mr. Gray,	Mr. Edwards,
Mr. Mac Mahon,	Mr. W. C. Smith.	Mr. Houston,	Mr. Don.

And the Tellers having declared the numbers for the Ayes and for the Noes to be respectively 17, or equal, Mr. Speaker gave his voice with the Noes, and declared the question to be negatived.

Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put and resolved in the affirmative.

Question—That the Melbourne and Geelong Corporation Acts Amendment Bill be referred to a Select Committee, to consist of twelve members; three to form a quorum—put and resolved in the affirmative.

Six Members having required that such Committee be appointed by ballot, the Assembly then proceeded to the ballot, and Mr. Speaker appointed Mr. Bennett and Mr. Edwards to be scrutineers.

The Scrutineers, with the Clerk, having reported that the following Members, viz., Mr. Bennett, Mr. Richardson, Mr. Johnston, Mr. Orkney, Mr. Sinclair, Mr. Foott, Mr. Loader, Mr. Cohen, Mr. Edwards, Mr. Kyte, Mr. J. T. Smith, Mr. J. Davies, had the greatest number of votes, Mr. Speaker declared such Members to be the Committee.

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

"Civil Service—Resolution to be reported," until this day;

"Scab Act Amendment Bill—Consideration of Report," until Wednesday, 29th January instant;

"Weights and Measures Bill—To be further considered in Committee," until Wednesday, 5th February next; and

"Licensed Victuallers Acts Amendment Bill—Second reading," until Friday, 24th January instant.

Assembly adjourned at twenty-six minutes past one o'clock until four o'clock p.m. this day.

FRAN<sup>s</sup> MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 36.

THURSDAY, 23RD JANUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. ROYAL MINT COMMITTEE.—Mr. Pyke, Chairman, brought the Report from this Committee.  
Ordered to lie on the Table and to be printed.
3. PETITIONS.—Mr. Frazer presented a Petition from the Licensed Victuallers of the District of Clunes, praying the House to take their case into consideration, and to pass such measures for the future protection and regulation of the trade and business of the Licensed Victuallers of this Colony as might be found advisable.  
Ordered to lie on the Table.  
Mr. A. J. Smith presented a Petition from Thomas Embling, praying the House to devise such steps as might appear advisable, that, under the direct and sole authority of the Government of this Colony, the party of Mr. Howitt might be employed in further explorations, traversing to a large extent the line of the lost Leichardt, and possibly ascertaining the fate of this lamented man and his gallant party.  
Ordered to lie on the Table.
4. NORTH GRENVILLE ELECTION.—Mr. Speaker announced that the Clerk of the Assembly had been served with a subpoena, issued out of the Supreme Court of the Colony, requiring him to appear on Tuesday, the 11th day of February next, at Ballarat, there to give evidence touching a certain information to be preferred against Edward Hayes and Paul Keating, in cases of personation of voters, and to produce on such trial the Writ dated 15th July, 1861, for holding an election for the electoral district of North Grenville, the official rolls or roll used at said election by the returning officer and his deputies for the Buninyong division of said electoral district; also the appointment and declarations of Thomas J. Finlay, deputy returning officer, and John Adams, scrutineer for the said Buninyong division of said electoral district, and all other writings, books, and documents in his possession or procurement touching the prosecution therein.  
On the motion of Mr. Ireland, leave was given to the Clerk to attend in pursuance of the said subpoena.
5. NORTH MELBOURNE ELECTION.—Mr. Speaker also announced that the Clerk of the Assembly had been served with a subpoena, issued out of the Supreme Court of the Colony, requiring him to appear on Saturday, the 15th day of February next, at Melbourne, there to give evidence touching a certain information to be preferred against Patrick McCanary, in a case of personating a voter, and to produce on such trial the Writ for holding the last election for North Melbourne, the book in which electors signed their names for the University division, appointment and declaration of George Lewis as deputy returning officer for the said division, appointment and declaration of Thomas Johnston as scrutineer, and the electoral rolls used by the said deputy returning officer and his deputy.  
On the motion of Mr. Ireland, leave was given to the Clerk to attend in pursuance of the said subpoena.
6. MR. R. D. IRELAND.—CORRESPONDENCE.—Mr. Heales moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be placed upon the Table of this House copies of the correspondence and minutes which passed between His Excellency, the Government, and the Honorable R. D. Ireland, relative to the application of that gentleman for a pension, and the framing of regulations for that purpose.  
Debate ensued.



Question—put.  
Assembly divided.

Ayes, 20.

Mr. B. G. Davies,	Dr. Owens,
Mr. J. Davies,	Mr. Ramsay,
Mr. Denovan,	Mr. Richardson,
Mr. Foott,	Mr. Sullivan,
Mr. Grant,	Mr. Woods,
Mr. Gray,	Mr. Wright.
Mr. Heales,	
Mr. Houston,	
Mr. Kyte,	<i>Tellers.</i>
Mr. Lambert,	Mr. Berry,
Mr. McLellan,	Mr. L. L. Smith.
Mr. Nixon,	

Noes, 35.

Mr. K. E. Brodribb,	Mr. Orkney,
Mr. W. A. Brodribb,	Mr. O'Connor,
Mr. Casey,	Mr. O'Grady,
Mr. Chapman,	Mr. O'Shanassy,
Mr. Cohen,	Mr. Reid,
Mr. Cummins,	Mr. Service,
Mr. Gavan Duffy,	Mr. A. J. Smith,
Dr. Evans,	Mr. J. T. Smith,
Mr. Haines,	Mr. W. C. Smith,
Dr. Hedley,	Mr. Snodgrass,
Mr. Ireland,	Mr. Tucker,
Mr. Johnston,	Mr. Wilson,
Mr. Jones,	Mr. Weeks,
Mr. Levi,	Mr. Wood.
Mr. Mac Mahon,	
Mr. McCann,	<i>Tellers.</i>
Mr. McDonald,	
Mr. Mollison,	Mr. Hood,
Mr. Nicholson,	Mr. Levey.

And so it passed in the negative.

7. **HAWKERS ACT AMENDMENT BILL.**—Mr. Loader moved, pursuant to notice, That he have leave to bring in a Bill to amend an Act intituled, “An Act to repeal the Laws relating to “Hawkers and Pedlers in the Colony of New South Wales and to substitute other “provisions in lieu thereof.”
- Question—put and resolved in the affirmative.  
Ordered—That Mr. Loader and Dr. Mackay do prepare and bring in the Bill.  
Mr. Loader then brought up a Bill, intituled, “*A Bill to amend an Act intituled ‘An “Act to repeal the Laws relating to Hawkiers and Pedlers in the Colony of New “South Wales, and to substitute other provisions in lieu thereof,’*” 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 Thursday, 30th January instant.
8. **GOLD EXPORT DUTY ACT AMENDMENT BILL.**—Mr. McLellan moved, pursuant to notice, That he have leave to bring in a Bill to amend the Act 18th Victoria, No. 27, intituled, “An Act for granting Duties of Customs upon Gold exported from Victoria.”
- Question—put and resolved in the affirmative.  
Ordered—That Mr. McLellan and Mr. Woods do prepare and bring in the Bill.  
Mr. McLellan then brought up a Bill, intituled, “*A Bill to amend the Act 18th Victoria, “No. 27 intituled ‘An Act for granting Duties of Customs upon Gold exported from “Victoria,’*” 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 Thursday, 30th January instant.
9. **CHIEF MEDICAL OFFICER.**—Mr. Cohen moved, pursuant to *amended* notice, That a Select Committee be appointed to consider and report upon the duties of the Chief Medical Officer, as set forth in a petition presented to the House on the 1st March, 1861; such Committee to consist of Dr. Owens, Mr. Sullivan, Mr. Kyte, Mr. Haines, Mr. W. A. Brodribb, Mr. J. T. Smith, Mr. Don, Mr. Heales, and the Mover; three to form a quorum.  
Debate ensued.  
Question—put and resolved in the affirmative.
10. **INSOLVENCY COMMITTEE REPORT.**—Mr. Levi moved, pursuant to *amended* notice, That the Report of the Insolvency Committee be taken into consideration on Thursday, the 6th February next, and that a Bill be brought in to give effect to the recommendations contained therein.  
Question—put and resolved in the affirmative.
11. **MR. BRYANT.**—Mr. Lalor moved, pursuant to *amended* notice, That a Select Committee, to consist of Mr. Gillespie, Mr. Brooke, Dr. Evans, Mr. Grant, and Mr. Lalor, be appointed to enquire into the claims of Mr. Bryant, to have power to send for persons and papers, and to report to this House, three to form a quorum.  
Debate ensued.  
Question—put and resolved in the affirmative.
12. **CIVIL SERVICE BILL.**—Mr. O'Shanassy moved, pursuant to notice, That he have leave to bring in a Bill to regulate the Civil Service of Victoria.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. O'Shanassy, Mr. Haines, Mr. Nicholson, and the Attorney-General do prepare and bring in the Bill.  
Mr. O'Shanassy then brought up a Bill, intituled, “*A Bill to regulate the Civil Service “of Victoria,*” 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 Wednesday, 29th January instant.

13. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Assembly ordered that the consideration of the following Orders of the Day be postponed until after the consideration of the third Order for to-day :—  
*“ Medical Practitioners Bill—Second reading,”*  
*“ Pensions Bill—Second reading.”*
14. **CALL OF THE HOUSE.**—The Order for the Call of the House being read,  
 Ordered—That the House be called over.  
 Ordered—That the Serjeant-at-Arms do go to the places adjacent and summon the members there to attend the service of the House ; and he went accordingly, and being returned, the House was called over, and all the members appeared with the following exceptions, viz :—Daniel Radcliffe Flint, Esq., John Basson Humffray, Esq., William Frazer, Esq., George Kirk, Esq., John Henry Brooke, Esq., Louis Laurance Smith, Esq., William Nelson McCann, Esq., and George Frederic Verdon, Esq. ; and the said members having been called a second time, the several members next mentioned were excused their attendance, viz., D. R. Flint, Esq., W. Frazer, Esq., G. Kirk, Esq., J. H. Brooke, Esq., L. L. Smith, Esq., and W. N. McCann, Esq.
15. **PENSIONS BILL.**—Mr. Levi moved, That this Bill be now read a second time.  
 Debate ensued.  
 Mr. Snodgrass moved the previous question.  
 Debate continued.  
 Previous question by leave withdrawn  
 Mr. Wood moved, as an amendment, That all the words after the word “ That ” be omitted, with a view to insert instead thereof the words “ a Committee be appointed to enquire into and report to this House as to the rights of Responsible Ministers of the Crown who retire or are released from office on political grounds to pensions or retiring allowances under the Constitution Act, and as to the desirability of amending the law in this respect ; such Committee to consist of Mr. Gillespie, Mr. Wood, Mr. Gavan Duffy, Mr. Mollison, Mr. Levi, Mr. Nicholson, Mr. K. E. Brodribb, and Mr. Heales ; five to form a quorum.  
 Debate continued.  
 Question—That the words proposed to be omitted stand part of the question—put and negatived.  
 Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put and resolved in the affirmative.  
 Question—That a Committee be appointed to enquire into and report to this House as to the rights of Responsible Ministers of the Crown who retire or are released from office on political grounds to pensions or retiring allowances under the Constitution Act, and as to the desirability of amending the law in this respect ; such Committee to consist of Mr. Gillespie, Mr. Wood, Mr. Gavan Duffy, Mr. Mollison, Mr. Levi, Mr. Nicholson, Mr. K. E. Brodribb, and Mr. Heales ; five to form a quorum—put and resolved in the affirmative.
16. **BILLS OF SALE BILL.**—Mr. Anderson moved, That this Bill be now read a second time.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 Mr. Anderson moved, That this Bill be committed to a Committee of the whole Assembly.  
 Question—put and resolved in the affirmative.  
 And, on the further motion of Mr. Anderson, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
 Mr. Speaker resumed the Chair, and Mr. Lalor 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 this House will, on Thursday, 30th January instant, again resolve itself into the said Committee.
17. **DIVORCE ACT AMENDMENT BILL.**—On the motion of Mr. Snodgrass the Assembly agreed to the amendments made by the Committee of the whole in this Bill.  
 Mr. Speaker 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 Mr. Snodgrass, read a third time and *passed*.  
 Mr. Snodgrass moved, That the following be the title of the Bill :—  
*“ An Act to amend an Act intituled ‘ An Act to amend the Law relating to Divorce*  
*“ and Matrimonial Causes in Victoria.”*  
 Question—put and resolved in the affirmative.  
 Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.
18. **COLONIAL WINES SALE BILL.**—Mr. Richardson moved, That this Bill be now read a second time.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 Mr. Richardson moved, That this Bill be committed to a Committee of the whole Assembly.  
 Question—put and resolved in the affirmative.  
 Resolved—That this House will on Thursday, 30th January instant, resolve itself into the said Committee.

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

“ *Medical Practitioners Bill—Second reading,*” and  
 “ *Scotch Solicitors and Procurators Admission Bill—Second reading,*” until Thursday, 30th January instant ;  
 “ *Pleuro-pneumonia in Cattle Act Amendment Bill—Second reading,*” until to-morrow ;  
 “ *Preferable Lien on Crops Bill—Second reading,*” until Thursday, 30th January instant ;  
 “ *Aliens Bill—Second reading,*” until Thursday, 6th February next ;  
 “ *Game Preservation Bill—To be further considered in Committee,*” and  
 “ *Inspector of Pounds—Motion for Address—To be considered in Committee,*” until to-morrow ; and  
 “ *Mrs. Brown—Motion for Address—To be considered in Committee,*” until Thursday, 30th January instant.

20. CIVIL SERVICE.—Mr. Lalor reported from a Committee of the whole a certain resolution, which was read and is as follows :—

Resolved—That in order to carry out the purposes of a Bill to regulate the Civil Service, an appropriation be made out of the Consolidated Revenue, to provide for gratuities and allowances to which officers of the Civil Service may become entitled by law.

And the same having been read a second time was agreed to by the Assembly.

21. WAYS AND MEANS.—Mr. Lalor reported from the Committee of Ways and Means several resolutions, which were read, and are as follow :—

22nd January.

Resolved—

1. That there shall be charged (irrespective of any duties of Customs) upon the importation into the Colony of Victoria of all goods, except goods imported for exportation in the same ship, provided they be so reported, the respective rates and charges following, that is to say :—

Goods in packages or parcels, per package, or parcel or other unit	£	s.	d.
of entry ... ..	0	0	2
Goods in bulk, by weight, measure, or number, for each unit of			
entry ... ..	0	0	2

2. That in lieu of the duty on Customs now charged on the undermentioned article, the following duty of Customs shall be charged :—

Tobacco—unmanufactured in leaf or stem ... .. per lb.	£	s.	d.
	0	1	0

And the same having been read a second time were agreed to by the Assembly.

22. DISCOVERERS OF GOLD FIELDS.—The Order of the Day for the consideration, in Committee of the whole Assembly, of the propriety of presenting an Address to His Excellency the Governor, requesting His Excellency to place on an Additional Estimate for 1862 a sum of £10,000, as rewards for the discoverers of new gold fields in this colony, subject to such conditions as may be deemed necessary by the Governor in Council—having been read,

On the motion of Mr. Denovan, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration thereof.

Mr. Speaker resumed the Chair. Mr. Lalor reported that the Committee had come to a certain resolution.

Ordered—That the said Report be received to-morrow.

Assembly adjourned at twelve minutes to twelve o'clock until four o'clock to-morrow.

FRAN<sup>s</sup> MURPHY,  
*Speaker.*

## VICTORIA.

VOTES AND PROCEEDINGS  
OF THE  
**LEGISLATIVE ASSEMBLY.**

No. 37.

FRIDAY, 24<sup>TH</sup> JANUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITION.—Mr. Hood presented a Petition from John Dunmore Lang, Doctor in Divinity, one of the Representatives of the City of Sydney in the Legislative Assembly of New South Wales, praying the House to take the statements set forth in the Petition into consideration, and to do whatever might be deemed proper or expedient by this House, in recognition of the humble, but zealous and successful efforts of the Petitioner for the establishment of the noble Colony of Victoria.  
Ordered to lie on the Table.
3. Mr. O'Shanassy presented—  
Juvenile Prisoners.—Reply to Question put by Mr. Weekes, 20th December, 1861, for—
- (1.) A return showing the number of children under fourteen years of age committed to prison in the Colony within the last two years.
  - (2.) The nature of offence and term of imprisonment in each case.
  - (3.) Also similar returns respecting youths between the ages of fourteen and twenty years.
- Ordered to lie on the Table.
4. WAYS AND MEANS.—The House, according to Order, resolved itself into the Committee of Ways and Means, Mr. Speaker resumed the Chair; Mr. Lalor reported that the Committee had come to a certain resolution.  
Ordered—That the said report be received Tuesday, 28th January instant.
5. SUPPLY.—Mr. Lalor reported from the Committee of Supply certain resolutions, which were read, and are as follow:—  
*22nd January.*
- (1.)—Resolved—That a sum not exceeding £80,000 be granted to Her Majesty to defray the salaries, wages, and contingencies in the various departments of Government.  
And the said resolution was read a second time, and agreed to by the Assembly.
- ADDITIONAL SUPPLEMENTARY ESTIMATES FOR 1861.  
Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the Additional Supplementary charges for the year 1861, for the several services hereunder specified, being—

**V.—Commissioner of Public Works.**

DIVISION No. 61.

## WORKS AND BUILDINGS.

(2.)—Subdivision No. 8.

## MILITARY BUILDINGS AND WORKS OF DEFENCE.

For the erection of Gun Sheds for the Armstrong Guns	...	...	...	...	900 0 0
For the erection of Batteries, and other Defences					2,500 0 0
					3,400 0 0

(3.)—Subdivision No. 17.

## MISCELLANEOUS.

Completing portion of Officers' Quarters now commenced at the new Barracks	...	...	...	...	5,000 0 0
--	-----	-----	-----	-----	-----------

And the said resolutions were read a second time, and agreed to by the Assembly.

## ESTIMATES FOR 1862.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the charges for the year 1862, for the services hereunder specified, being—

## VI.—COMMISSIONER OF PUBLIC WORKS.

## DIVISION No 59.

## (4.)—Subdivision No. 8.

## MILITARY BUILDINGS AND WORKS OF DEFENCE.

	£	s.	d.	£	s.	d.
1. For Barracks, Quarters, and other works and buildings for the military, including fittings and furniture ... ..	18,000	0	0			
2. For erecting Batteries and other Defences ...	14,250	0	0			
3. Repairs and Additions to Military Buildings	1,000	0	0			
4. Completing Gun Sheds at Military Barracks	600	0	0			
	33,850	0	0			

And the said resolutions were read a second time, and agreed to by the Assembly.

6. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.  
Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had made progress.  
Mr. Lalor also acquainted the House that he was directed to move that he have leave to sit again.  
Resolved—That this House will, on Tuesday next, again resolve itself into the said Committee.
7. POSTPONEMENT OF ORDER OF THE DAY.—The Assembly ordered that the consideration of the following Order of the Day be postponed until Tuesday, 28th January instant.  
“*Crown Lands Sale and Occupation Bill—Second reading.*”
8. ADJOURNMENT.—Mr. Mollison moved, That this House do now adjourn.  
Debate ensued.  
Question—put and resolved in the affirmative.

Assembly adjourned at eleven minutes to seven o'clock until four o'clock on Tuesday next.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 38.

TUESDAY, 28<sup>TH</sup> JANUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Eleventh Report from this Committee.  
Ordered to lie on the Table, and to be printed.
3. STANDING ORDERS COMMITTEE.—Mr. Lalor, on behalf of Mr. Speaker, Chairman, brought up the First Report from this Committee.  
Ordered to be printed, and taken into consideration Friday, 31st January instant.
4. PAPERS.—Mr. Gavan Duffy presented—  
Pastoral Runs.—Return showing the number and area of new runs let and forfeited runs re-let during each of the last six years; specifying the name of the Minister presiding over the department at the period, and the conditions of lease.  
Ordered to be printed.  
Mr. Anderson presented—  
Mr. J. D. Pinnock.—Reply to question put by Mr. Loader, 23rd January instant, for a copy of the correspondence between the office of the Commissioner of Trade and Customs and the late Immigration Agent, upon the subject of that officer's removal from his office on the 31st December, 1860.  
Ordered to lie on the Table.  
Mr. Haines presented—  
Military.—Reply to question put by Mr. Levey, 20th December last, for—  
(1.) The correspondence, if any, between the local Government and the Imperial authorities, which resulted in the despatch to this Colony of the battery of Royal Artillery now stationed in Melbourne.  
(2.) The number of Her Majesty's troops of all arms stationed in Victoria on December 1st, 1861, distinguishing the effectives from the non-effectives.  
(3.) The pay and allowances granted by the Colonial Government to the General Commanding in Chief in the Australian Colonies, and the members of his staff, showing the sum, including allowances, received by each officer.  
Ordered to lie on the Table.
5. CUSTOMS LAWS AMENDMENT BILL.—Mr. Anderson moved, pursuant to notice, That he have leave to bring in a Bill to amend the Laws relating to the Customs.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Anderson and Mr. Haines do prepare and bring in the Bill.  
Mr. Anderson then brought up a Bill, intituled "*A Bill to amend the Laws relating to the Customs,*" 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 Friday, 31st January instant.
6. CHINESE IMMIGRANTS ACT AMENDMENT BILL.—Mr. Ireland moved, pursuant to notice, That he have leave to bring in a Bill to amend an Act intituled "*An Act to consolidate and amend the Laws affecting the Chinese emigrating to or resident in Victoria.*"  
Debate ensued.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Ireland and Mr. Anderson do prepare and bring in the Bill.  
Mr. Ireland then brought up a Bill, intituled "*A Bill to amend an Act intituled 'An Act to consolidate and amend the Laws affecting the Chinese emigrating to or resident in Victoria,'*" 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 Friday, 31st January instant.

7. PASSENGERS ACT AMENDMENT BILL.—Mr. Ireland moved, pursuant to notice, That he have leave to bring in a Bill to amend an Act intituled “An Act to regulate the conveyance of Passengers to Victoria.”

Question—put and resolved in the affirmative.

Ordered—That Mr. Ireland and Mr. Anderson do prepare and bring in the Bill.

Mr. Ireland then brought up a Bill, intituled “*A Bill to amend an Act intituled ‘An Act to regulate the conveyance of Passengers to Victoria,’*” 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 Friday, 31st January instant.

8. APPROPRIATION BILL.—Mr. Haines moved, pursuant to notice, That he have leave to bring in a Bill to apply the sum of One hundred and twenty-two thousand two hundred and fifty pounds out of the consolidated revenue to the service of the year One thousand eight hundred and sixty-two.

Question—put and resolved in the affirmative.

Ordered—That Mr. Haines and Mr. Mac Mahon do prepare and bring in the Bill.

Mr. Haines then brought up a Bill, intituled “*A Bill to apply the sum of One hundred and twenty-two thousand two hundred and fifty pounds out of the consolidated revenue to the service of the year One thousand eight hundred and sixty-two,*” 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 Friday, 31st January instant.

9. POSTPONEMENT OF ORDER OF THE DAY.—The Assembly ordered that the consideration of the following Order of the Day be postponed until after the consideration of the fourth Order for to-day :—

“*Electoral Act Suspension Bill—Second reading.*”

10. WAYS AND MEANS.—Mr. Lalor reported from the Committee of Ways and Means a certain resolution, which was read, and is as follows :—

24th January.

Resolved—That the following tax be imposed, viz., on all notes payable on demand, issued by any banking company in Victoria, twenty-five shillings per cent., calculated on the average circulation declared quarterly, in accordance with the Act 4 Victoria No. 13.

And the said resolution was read a second time, and agreed to by the Assembly.

11. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply. Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to certain resolutions.

Ordered—That the said report be received to-morrow.

Mr. Lalor also acquainted the House that he was directed to move that he have leave to sit again.

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

12. CROWN LANDS SALE AND OCCUPATION BILL.—Mr. Gavan Duffy moved, That this Bill be now read a second time.

Debate ensued.

Mr. Snodgrass moved, That this debate be now adjourned.

Question—That this debate be now adjourned—put.

Assembly divided.

Ayes, 27.

Mr. Berry,	Mr. McLellan,
Mr. W. A. Brodribb,	Dr. Owens,
Mr. Brooke,	Mr. Ramsay,
Mr. Cathie,	Mr. Sinclair,
Mr. J. Davies,	Mr. J. T. Smith,
Mr. Don,	Mr. Snodgrass,
Mr. Foott,	Mr. Sullivan,
Mr. Frazer,	Mr. Tucker,
Mr. Gillies,	Mr. Verdon,
Mr. Grant,	Mr. Wright.
Mr. Gray,	
Mr. Heales,	<i>Tellers.</i>
Mr. Houston,	Mr. Denovan,
Mr. Lambert,	Mr. O'Connor.
Dr. Macadam,	

Noes, 28.

Mr. Bennett,	Mr. Orkney,
Mr. Chapman,	Mr. O'Grady,
Mr. Cohen,	Mr. O'Shanassy,
Mr. Cummins,	Mr. Reid,
Mr. Gavan Duffy,	Mr. Richardson,
Dr. Evans,	Mr. Riddell,
Mr. Francis,	Mr. Service,
Mr. Haines,	Mr. A. J. Smith,
Mr. Hood,	Mr. W. C. Smith,
Mr. Ireland,	Mr. Wilson,
Mr. Johnston,	Mr. Wood.
Mr. Kirk,	
Dr. Mackay,	<i>Tellers.</i>
Mr. Mac Mahon,	Mr. Anderson,
Mr. McCann,	Mr. Gillespie.

And so it passed in the negative.

Debate continued.

Mr. Don moved, That this House do now adjourn.

Question—That this House do now adjourn—put and negatived.

Mr. Weeks moved, That this debate be now adjourned.

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

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

- “ *Electoral Act Suspension Bill—Second reading,*”
- “ *Justices Law Administration Bill—To be further considered in Committee,*”
- “ *Licensed Victuallers Acts Amendment Bill—Second reading,*” and
- “ *Pleuro-Pneumonia in Cattle Act Amendment Bill—Second reading,*” until to-morrow ;
- “ *Game Preservation Bill—To be further considered in Committee,*” and
- “ *Inspector of Pounds—Motion for Address—To be considered in Committee.*” until Thursday, 30th January instant ; and
- “ *Discoverers of Gold Fields—Resolution to be reported,*” until to-morrow.

Assembly adjourned at two minutes to eleven o'clock until four o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY.  
*Speaker.*



## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 39.

WEDNESDAY, 29<sup>TH</sup> JANUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—Mr. Mollison presented a Petition from the Representatives of the several Joint Stock Banks carrying on business in Victoria, praying the House not to pass any Act by which the note circulation of the Banks is to be subjected to any such tax or duty as set forth in the Petition.  
Petition read and ordered to lie on the Table.  
Mr. Frazer presented a Petition from the Licensed Victuallers of the District of Creswick, praying the House to take their case as set forth in the Petition into consideration, and to pass such measures for the future protection and regulation of the trade and business of the Licensed Victuallers of this Colony as might be found advisable.  
Ordered to lie on the Table.
3. PAPERS.—Mr. O'Shanassy presented—  
Government Shorthand Writer.—Reply to question put by Mr. Wilson Gray, 24th January instant, for a copy of the correspondence between the Chief Secretary's office and that of the Government Shorthand Writer, upon the subject of the Estimates for that department for the year 1862.  
Ordered to lie on the Table.  
Mr. J. Wood Beilby.—Reply to question put this day for a Memorial presented on the 10th September last, to the Executive Government by Mr. J. Wood Beilby, setting forth his claim as the discoverer of a payable gold field in the year 1851.  
Ordered to lie on the Table.  
Mr. Haines presented—  
Defence Commission.—Reply to question put by Mr. Loader, 15th January instant, for the recent correspondence between the Governor and the Defence Commission.  
Ordered to lie on the Table.  
Mr. Gavan Duffy presented—  
Crown Land offered for sale and unsold.—Reply to question put by Mr. Ramsay, 17th January instant, for a Return of the quantity of Land belonging to the Colony remaining unsold at the present time, which has been offered for sale.  
Ordered to lie on the Table.
4. GOLD EXPORT DUTY ACT AMENDMENT BILL (2).—Mr. Haines moved, pursuant to notice, That he have leave to bring in a Bill to amend an Act for granting duties of Customs upon Gold exported from Victoria.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Haines and Mr. Anderson do prepare and bring in the Bill.  
Mr. Haines then brought up a Bill, intituled, "*A Bill to amend an Act for granting duties of Customs upon Gold exported from Victoria,*" 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 Friday, 31st January instant.
5. BANK NOTES TAX BILL.—Mr. Haines moved, pursuant to notice, That he have leave to bring in a Bill to impose a Tax on Bank Notes.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Haines and Dr. Evans do prepare and bring in the Bill.  
Mr. Haines then brought up a Bill, intituled, "*A Bill to impose a Tax on Bank Notes,*" 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, Friday, 31st January instant.

6. CROWN LANDS SALE AND OCCUPATION 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.

And the House having continued to sit till after twelve of the clock—

THURSDAY, 30TH JANUARY, 1862.

Mr. Gillies moved, That the further debate be now adjourned.

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

Question—That the further debate be adjourned until Friday next—proposed.

Mr. Woods moved as an amendment, That the words “Friday next” be omitted and the words “this day” inserted instead thereof.

Question—That the words proposed to be omitted stand part of the question—put and resolved in the affirmative.

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

7. SUPPLY—ADDITIONAL SUPPLEMENTARY ESTIMATES FOR 1861.—Mr. Lalor reported from the Committee of Supply certain resolutions, which were read, and are as follow :—

28th January.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the Additional Supplementary charges for the year 1861, for the several services hereunder specified, being—

<b>F.—Chief Secretary.</b>		£	s.	d.	£	s.	d.	
DIVISION No. 19.								
(1.)—Subdivision No. 1.								
DEPARTMENTAL CONTINGENCIES.								
LEGISLATIVE ASSEMBLY.								
Charwoman for three months, at 30s. per week ...		...			9	12	5	
(2.)—Subdivision No. 10.								
STEAM SLOOP VICTORIA.								
CONTINGENCIES.								
Rations ... ..					1,294	5	0	
Light and Water ... ..					273	13	2	
Stores ... ..					174	11	5	
Repairs and Incidentals ... ..					1,330	17	6	
						3,073	7	1
DIVISION No. 20. ELECTORAL ... ..								
						3,245	0	0
(3.)—DIVISION No. 22.								
GRANTS.								
(4.)—No. 7. Towards the Exploration of Australia ... ..					2,000	0	0	
Ditto ditto ... ..					251	12	0	
(5.)—No. 8. In aid of the Industrial Exhibition...					2,100	0	0	
						4,351	12	0
DIVISION No. 23.								
MISCELLANEOUS.								
(6.)—Subdivision No. 4.								
To meet the expenses of carrying out the Act for the prevention of Pleuro-pneumonia ... ..						250	0	0

### H.—Attorney General.

DIVISION No. 34.

DEPARTMENTAL CONTINGENCIES.

(7.)—Subdivision No. 2.

LAW OFFICERS OF THE CROWN.

Costs and other expenses connected with actions, suits, and other legal proceedings ... ..

...

516 16 8

**III.—Treasurer.**

	£	s.	d.	£	s.	d.
(8.)—DIVISION No. 37. GOVERNMENT PRINTER. Wages of Compositors and others ... ..	...	...	...	294	15	0
DIVISION No. 40. DEPARTMENTAL CONTINGENCIES. (9.)—Subdivision No. 3. GOVERNMENT PRINTER. Type and Printers' Furniture ... ..	...	...	...	150	0	0
DIVISION No. 46. CHARITABLE INSTITUTIONS. <i>For building purposes.</i> (Unconditionally so far as regards private contributions). (10.)—Subdivision No. 19. Melbourne Benevolent Asylum; in lieu of an equal amount included in the sum of £11,500 already voted for maintenance, but which will not be drawn ... ..	...	...	...	2,500	0	0

And the said resolutions were read a second time and agreed to by the Assembly.

## ESTIMATES FOR 1862.

Resolved—That the sum hereinafter mentioned be granted to Her Majesty to defray the charge for the year 1862 for the service hereunder specified, being—

**II.—ATTORNEY-GENERAL.**

	£	s.	d.	£	s.	d.
DIVISION No. 24. THEIR HONORS THE JUDGES. Acting Puisne Judge, during the temporary ab- sence of his Honor Sir Redmond Barry ...	...	...	...	2,500	0	0

And the said resolution was read a second time and agreed to by the Assembly.

8. POLICE FORCE.—Mr. Frazer moved, pursuant to *amended* notice, That a Select Committee be appointed to enquire into and to report upon the state and management of the Police Force of the Colony; such Committee to consist of Mr. Brodribb, Mr. Gillies, Mr. Humfray, Mr. Ireland, Mr. Kyte, Mr. O'Shanassy, Mr. Verdon, Mr. O'Grady, Mr. Snodgrass, Dr. Mackay, Mr. Levey, and the Mover; three to form a quorum, with power to send for persons and papers.

Question—put and resolved in the affirmative.

9. MR. W. HINDS.—Mr. Woods moved, pursuant to notice, That a Select Committee be appointed to enquire into and report to this House upon the claim to compensation of William Hinds, of Redbank, whose run has been wholly occupied by the mining community; such Committee to consist of Mr. Mollison, Dr. Owens, Mr. Mac Mahon, Mr. McLellan, Mr. W. A. Brodribb, Mr. Houston, Mr. Denovan, and Mr. Woods, with power to call for persons and papers; three to form a quorum.

Question—put and resolved in the affirmative.

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

“Civil Service Bill—*Second reading*,” until Tuesday, 4th February next;

“Supply—*To be further considered in Committee*,” and

“Electoral Act Suspension Bill—*Second reading*,” until Friday, 31st January instant;

“Yarra Pollution Prevention Act Repeal Bill—*Second reading*,” until this day;

“Scab Act Amendment Bill—*Consideration of Report*,” and

“Justices Law Administration Bill—*To be further considered in Committee*,” until Wednesday, 5th February next;

“Licensed Victuallers Acts Amendment Bill—*Second reading*,” and

“Pleuro-Pneumonia in Cattle Act Amendment Bill—*Second reading*,” until this day.

11. DISCOVERERS OF GOLD FIELDS.—Mr. Lalor reported, from a Committee of the whole, a certain resolution, which was read, and is as follows:—  
23rd January.

Resolved—That an Address be presented to His Excellency the Governor, requesting His Excellency to place on an Additional Estimate for 1862, a sum of £6000, as rewards for the discoverers of new Gold Fields in this colony, subject to such conditions as may be deemed necessary by the Governor in Council.

And the said resolution was read a second time and agreed to by the Assembly.

Assembly adjourned at nineteen minutes past twelve o'clock until four o'clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 40.

THURSDAY, 30<sup>TH</sup> JANUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PAPERS.—Mr. Wood presented—  
 Courts of Petty Sessions.—Reply to question put by Mr. W. C. Smith, 22nd January instant, for a Return showing the number of cases that have been brought before each of the Courts of Petty Sessions during the year 1861.  
 Ordered to lie on the Table.  
 Appeals from County Courts.—Return of Fees paid to counsel in the appeal cases from County Courts during the last half of the year 1861.  
 Ordered to lie on the Table.
3. EAST BOURKE ELECTION.—Mr. Speaker acquainted the House that he had received a letter, which he read to the House, and is as follows:—

57, Chancery lane, Little Collins street,  
Melbourne, 30th January, 1862.

SIR,

We have the honor to intimate to you that Mr. John Lewis withdraws his petition against the return of Mr. George Kirk for the Electoral District of East Bourke.

We have the honor to be, Sir,

Your most obedient humble Servants,

MACGREGOR AND HENDERSON,  
Agents for the Petitioner.

To the Honorable  
The Speaker of the Legislative Assembly.

4. PETITIONS.—Mr. Grant presented a Petition from certain merchants, storekeepers, publicans, miners, and others, resident on the Gold Fields of Dunolly, Sandy Creek, and surrounding districts, praying that a Bill be introduced legalising the sale of wines and spirits, wholesale and retail, by all parties of good character, on the payment of, say a nominal sum of £5 annually as a registration fee, feeling assured that such a Bill would not only sweep away the obnoxious system of sly grog selling, but also materially increase the revenue of the Colony.  
 Ordered to lie on the Table.  
 Mr. Edwards presented a Memorial from the Chairman and Members of the Municipal Council of Fitz Roy, under the seal of the municipality, praying the House so to alter Clause 20 of the Bill intituled "*An Act for Weights and Measures*," as to vest the appointment of Inspector of Weights and Measures in the chairman and members of the councils of municipal districts.  
 Ordered to lie on the Table.  
 Mr. O'Connor presented a Petition from the licensed victuallers of the district of Linton's, Lucky Woman's, Skipton, Pitfield, and Rokewood, praying the House to take the statements set forth in the petition into consideration, and to pass such measures for the future protection and regulation of the trade and business of the licensed victuallers of this colony as might be found advisable.  
 Ordered to lie on the Table.
5. RIVER AND HARBOR TRUST.—Mr. Loader moved, pursuant to *amended* notice—  
 (1.) That in the opinion of this House it is desirable to establish a River and Harbor Trust.  
 (2.) That the Government be requested to introduce a Bill for such purpose.  
 Question—put and resolved in the affirmative.

6. MUNICIPAL DISTRICTS—GOLD FIELDS AND TOWNS.—Dr. Owens moved, pursuant to notice, That a return, as soon as practicable, be laid on the Table of this House, showing the name and locality of the several municipal districts, the population of each, the extent in acres of each, the quantity of the land sold or alienated in each, the area reserved for market-places in each, and whether markets are therein established or not; also the additional estimated population, the number of acres sold or alienated, and the number of acres that remain available for commonage in and within five miles of any (or each) municipal district, with the name and computed size of the run upon which such metes or bounds extend. The name and locality of the several gold fields, the population of each, the number of acres in each, the quantity sold or alienated in each; also the additional estimated population, the number of acres sold or alienated, and the number that remain available for commonage upon and within five miles of any (or each) gold field, with the name and computed size of the run upon which such metes or bounds extend. The name and locality of the several proclaimed towns not included in any municipal district, the population of each, the extent in acres of each, the quantity of land sold or alienated, the area reserved for market-places in each and whether markets are established therein or not, and the number of acres that remain available for commonage in or within five miles of any (or each) town, with the names and computed size of the runs upon which such metes or bounds extend.

Question—put and resolved in the affirmative.

7. EAST COLLINGWOOD IMPROVEMENT BILL.—Mr. Don moved, pursuant to notice, That the Standing Orders, Nos. 4, 7, 8, 9, and 10, relating to private bills, be suspended, and that leave be given to introduce a Bill intituled "*A Bill for the Improvement of the Municipal District of East Collingwood in the Colony of Victoria.*"

Debate ensued.

Mr. Heales moved, That this debate be now adjourned.

Question—put and resolved in the affirmative.

Question—That this debate be adjourned until this day fortnight—put and resolved in the affirmative.

8. UNREGISTERED MEDICAL PRACTITIONERS.—Mr. L. L. Smith moved, pursuant to notice, for a Return showing the number of certificates given by unregistered medical practitioners accepted by the registrars within the last five years.

Question—put and resolved in the affirmative.

9. GOLD FIELDS DEPARTMENT.—Mr. McLellan moved, pursuant to notice, That in the opinion of this House, in the absence of a Minister of Mines, the mode of transacting business by the present Government in connection with the Gold Fields, is highly unsatisfactory, and tending to create great inconvenience and confusion.

Debate ensued.

Question put.

Assembly divided.

Ayes, 21.

Mr. Berry,	Dr. Owens,
Mr. J. Davies,	Mr. Ramsay,
Mr. Denovan,	Mr. Richardson,
Mr. Don,	Mr. W. C. Smith,
Mr. Edwards,	Mr. Sullivan,
Mr. Frazer,	Mr. Weeks,
Mr. Gray,	Mr. Wright.
Mr. Heales,	
Mr. Houston,	
Mr. Lambert,	<i>Tellers.</i>
Dr. Macadam,	Mr. McLellan,
Mr. O'Connor,	Mr. L. L. Smith.

Noes, 24.

Mr. Bennett,	Mr. Loader,
Mr. K. E. Brodribb,	Mr. McCann,
Mr. W. A. Brodribb,	Mr. Orkney,
Mr. Chapman,	Mr. O'Shanassy,
Dr. Evans,	Mr. Reid,
Mr. Francis,	Mr. A. J. Smith,
Mr. Gillespie,	Mr. Snodgrass,
Mr. Haines,	Mr. Tucker,
Dr. Hedley,	Mr. Wood.
Mr. Ireland,	
Mr. Jones,	<i>Tellers.</i>
Mr. Kirk,	Mr. Anderson,
Mr. Lalor,	Mr. Levey.

And so it passed in the negative.

10. IMPROVEMENT OF THE YARRA.—Mr. Orkney moved, pursuant to *amended* notice, That a Select Committee be appointed to consider and report upon the improvement of the navigation of the River Yarra and Harbour of Melbourne, and to enquire into the dredging operations and other works connected therewith; the Committee to consist of Mr. Johnston, Mr. Anderson, Mr. Denovan, Mr. Francis, Mr. Loader, Mr. Kyte, Mr. Cohen, Mr. Sinclair, Mr. J. Davies, Mr. Don, and the Mover, with power to take evidence and call for plans, papers, and records; three to form a quorum.

Debate ensued.

Question—put and resolved in the affirmative.

11. MILITARY PAY.—Mr. Levey moved, pursuant to notice, That an Address be presented to His Excellency the Governor praying that he will be pleased to lay upon the Table of this House copies of any despatches which he may have received from the Imperial Government with reference to the pay and allowances to Her Majesty's forces serving in the colony.

Question—put and resolved in the affirmative.

12. BUILDING ACT EXTENSION BILL.—Mr. Edwards moved, pursuant to notice, That he have leave to bring in a Bill to empower the Governor in Council to extend the Melbourne Building Act, or such part or parts thereof as shall be deemed necessary, to Municipal Districts or to portions of Municipal Districts.  
 Question—put and resolved in the affirmative.  
 Ordered—That Mr. Edwards and Mr. Sullivan do prepare and bring in the Bill.  
 Mr. Edwards then brought up a Bill intituled “*A Bill to empower the Governor in Council to extend the Melbourne Building Act, or such part or parts thereof as shall be deemed necessary to Municipal Districts or to portions of Municipal Districts,*” 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 Thursday, 13th February next.
13. HAWKER'S ACT AMENDMENT BILL.—Mr. Loader moved, That this Bill be now read a second time.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 Mr. Loader moved, That this Bill be committed to a Committee of the whole Assembly.  
 Question—put and resolved in the affirmative.  
 And on the further motion of Mr. Loader, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
 Mr. Speaker resumed the Chair, and Mr. Lalor 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 this House will, on Thursday, 6th February next, again resolve itself into the said Committee.
14. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—  
 “*Impounding Prevention Bill—Second reading,*” until Thursday, 13th February next ;  
 “*Gold Export Duty Act Amendment Bill—Second reading,*”  
 “*Medical Practitioners Bill—Second reading,*”  
 “*Scotch Solicitors and Procurators Admission Bill—Second reading,*”  
 “*Preferable Lien on Crops Bill—Second reading,*”  
 “*Bills of Sale Bill—To be further considered in Committee,*”  
 “*Colonial Wines Sale Bill—To be Committed,*”  
 “*Mrs. Brown—Motion for Address—To be considered in Committee.*”  
 “*Game Preservation Bill—To be further considered in Committee.*”  
 “*Inspector of Pounds—Motion for Address—To be considered in Committee,*” until Thursday, 6th February next ;  
 “*Yarra Pollution Prevention Act Repeal Bill—Second reading,*” and  
 “*Licensed Victuallers Acts Amendment Bill—Second reading,*” until Thursday, 13th February next ; and  
 “*Pleuro-Pneumonia in Cattle Act Amendment Bill—Second reading,*” until to-morrow.

Assembly adjourned at nineteen minutes to twelve o'clock until four o'clock to-morrow.

FRAN<sup>S</sup> MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 41.

FRIDAY, 31ST JANUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITION.—Mr. Mollison presented a Petition from certain Managers and Representatives of the several Joint-Stock Banks carrying on business within the Colony of Victoria, praying that they might be heard by counsel at the Bar of this House in opposition to the Bill to impose a Tax on Bank Notes.  
Ordered to lie on the Table.
3. PAPERS.—Mr. Gavan Duffy presented—  
Crown Land Sales Act.—Regulation for Smythesdale Town Common.  
" Proclamation enlarging Melton Town Common.  
" Proclamation of Wangaratta Town Common.  
Severally ordered to lie on the Table.
4. CROWN LANDS SALE AND OCCUPATION 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.  
And the House having continued to sit till after twelve of the clock,

SATURDAY, 1ST FEBRUARY, 1862.

- Mr. McCann moved, That this debate be now adjourned.  
Debate ensued.  
Question—That this debate be now adjourned until Tuesday, 4th February next—put and resolved in the affirmative.
5. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 4th February next :—  
    - " *Customs Laws Amendment Bill—Second reading.*"
    - " *Chinese Immigrants Act Amendment Bill—Second reading.*"
    - " *Passengers Act Amendment Bill—Second reading.*"
    - " *Appropriation Bill—Second reading.*"
    - " *Gold Export Duty Act Amendment Bill [2]—Second reading.*"
    - " *Tar on Bank Notes Bill—Second reading.*"
    - " *Supply—To be further considered in Committee.*"
    - " *Electoral Act Suspension Bill—Second reading.*"
    - " *Standing Orders Committee—Report to be taken into consideration.*"
    - " *Pleuro-Pneumonia in Cattle Act Amendment Bill—Second reading.*"
- Assembly adjourned at a quarter past twelve o'clock until four o'clock on Tuesday next.

FRAN<sup>S</sup>. MURPHY,  
Speaker.

## VICTORIA.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 42.

TUESDAY, 4TH FEBRUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.  
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor received and read:—

HENRY BARKLY,  
Governor.

*Message No. 10.*

In pursuance of the provisions of the Act 18 and 19 Vic. cap. 55, the Governor recommends an appropriation of the Consolidated Revenue to provide for Assisted Immigration in accordance with the provisions in the Bill to consolidate and amend the Laws relating to the Sale and Occupation of Crown Lands.

Government Offices,  
January, 1862.

Ordered to be printed and taken into consideration Tuesday, 11th February instant.

3. PETITIONS.—Mr. Edwards presented a Memorial from the Chairman and Members of the Municipal Council of East Collingwood under the Seal of the Municipality, praying the House so to alter Clause XX. of the Weights and Measures Bill as to vest the appointment of Inspectors of Weights and Measures in the Chairman and Members of Municipal Districts.

Ordered to lie on the Table.

Dr. Hedley presented a Petition from Patrick Coady Buckley, of Prospect, Gipps Land, settler, praying that the statements set forth in the Petition be taken into consideration, and such relief afforded him as the circumstances of the case require.

Ordered to lie on the Table.

Mr. Frazer presented a Petition from James Cunningham, praying the appointment of a Committee for the purpose of investigating a discovery referred to in the Petition.

Ordered to lie on the Table.

4. PAPERS.—Mr. Wood presented, by command of His Excellency the Governor—  
Gold Fields Act.—Orders in Council.

Ordered to lie on the Table.

Mr. Gavan Duffy presented, by command of His Excellency the Governor—  
Crown Lands Sales Act.—Proclamation of Farmers' Common at Pyalong.

Ordered to lie on the Table.

5. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until after the consideration of the ninth Order for to-day:—

“*Crown Lands Sale and Occupation Bill—Second reading—Resumption of debate.*”

“*Civil Service Bill—Second reading.*”

“*Customs Laws Amendment Bill—Second reading.*”

“*Chinese Immigrants Act Amendment Bill—Second reading.*”

“*Passengers Act Amendment Bill—Second reading.*”

“*Appropriation Bill—Second reading.*”

“*Gold Export Duty Act Amendment Bill [2]—Second reading.*”

“*Tax on Bank Notes Bill—Second reading.*”

6. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.  
Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to a certain resolution.  
Ordered—That the said report be received to-morrow.  
Mr. Lalor also acquainted the House that he was directed to move that he have leave to sit again.  
Resolved—That this House will, to-morrow, again resolve itself into the said Committee.



7. CROWN LANDS SALE AND OCCUPATION 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.

And the House having continued to sit till after twelve of the clock—

WEDNESDAY, 5TH FEBRUARY, 1862.

Dr. Owens moved, That this debate be now adjourned.

Question—That this debate be now adjourned—put.

Assembly divided.

Ayes, 25.

Mr. Brooke,	Mr. Lambert,
Mr. Casey,	Mr. McLellan,
Mr. B. G. Davies,	Mr. Nixon,
Mr. J. Davies,	Dr. Owens,
Mr. Denovan,	Mr. Ramsay,
Mr. Don,	Mr. Richardson,
Mr. Edwards,	Mr. Sinclair,
Mr. Foott,	Mr. J. T. Smith,
Mr. Frazer,	Mr. Wright.
Mr. Gillies,	
Mr. Gray,	
Mr. Houston,	
Mr. Humfray,	
Mr. Kyte,	

*Tellers.*

Mr. L. L. Smith.  
Mr. Weeks.

Noes, 29.

Mr. Bennett,	Mr. McCann,
Mr. K. E. Brodribb,	Mr. McDonald,
Mr. W. A. Brodribb,	Mr. Mollison,
Mr. Cathie,	Mr. Nicholson,
Mr. Chapman,	Mr. O'Connor,
Mr. Cohen,	Mr. O'Grady,
Mr. Cummins,	Mr. Reid,
Mr. Gavan Duffy,	Mr. Riddell,
Dr. Evans,	Mr. Snodgrass,
Dr. Hedley,	Mr. Tucker,
Mr. Ireland,	Mr. Wilson.
Mr. Johnston,	
Mr. Kirk,	
Mr. Lalor,	
Dr. Mackay,	
Mr. Mac Mahon,	

*Tellers.*

Mr. Hood,  
Mr. W. C. Smith.

And so it passed in the negative.

Debate continued.

Question—That this Bill be now read a second time—put.

Assembly divided.

Ayes, 38.

Mr. Anderson,	Dr. Mackay,
Mr. Bennett,	Mr. Mac Mahon,
Mr. K. E. Brodribb,	Mr. McCann,
Mr. W. A. Brodribb,	Mr. McDonald,
Mr. Cathie,	Mr. Mollison,
Mr. Chapman,	Mr. Nicholson,
Mr. Cohen,	Mr. O'Connor,
Mr. Cummins,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Dr. Evans,	Mr. Reid,
Mr. Francis,	Mr. Riddell,
Mr. Gillespie,	Mr. Service,
Mr. Haines,	Mr. Snodgrass,
Dr. Hedley,	Mr. Tucker,
Mr. Hood,	Mr. Wilson,
Mr. Ireland,	Mr. Wood.
Mr. Johnston,	
Mr. Kirk,	
Mr. Kyte,	
Mr. Loader,	

*Tellers.*

Mr. Levey,  
Mr. W. C. Smith.

Noes, 26.

Mr. Aspinall,	Mr. Houston,
Mr. Berry,	Mr. Lambert,
Mr. Brooke,	Mr. McLellan,
Mr. Casey,	Mr. Nixon,
Mr. B. G. Davies,	Mr. Orkney,
Mr. J. Davies,	Mr. Ramsay,
Mr. Denovan,	Mr. Richardson,
Mr. Don,	Mr. Sinclair,
Mr. Edwards,	Mr. Weeks,
Mr. Foott,	Mr. Wright.
Mr. Frazer,	
Mr. Gillies,	
Mr. Gray,	
Mr. Heales,	

*Tellers.*

Dr. Owens,  
Mr. L. L. Smith.

And so it was resolved in the affirmative.

Bill read a second time.

Mr. Gavan Duffy moved, That this Bill be now committed to a Committee of the whole Assembly.

Question—put and resolved in the affirmative.

And on the further motion of Mr. Gavan Duffy, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.

Mr. Speaker resumed the Chair, and Mr. Lalor 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 this House will, on Friday, 7th February instant, again resolve itself into the said Committee.

8. TAX ON BANK NOTES BILL.—Mr. Mollison moved, pursuant to notice, That the Petition from the representatives of the several Banking Companies in Victoria be now taken into consideration, and that the petitioners be heard by their counsel at the Bar of the House.

Debate ensued.

Mr. Frazer moved, That this debate be now adjourned.

Question—That this debate be now adjourned—put and negatived.

Question—That the Petition from the representatives of the several Banking Companies in Victoria be now taken into consideration, and that the petitioners be heard by their counsel at the bar of the House—put and negatived.

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

“ *Civil Service Bill—Second reading.*”

“ *Customs Laws Amendment Bill—Second reading.*”

“ *Chinese Immigrants Act Amendment Bill—Second reading.*”

“ *Passengers Act Amendment Bill—Second reading.*”

“ *Appropriation Bill—Second reading.*”

“ *Gold Export Duty Act Amendment Bill [2]—Second reading.*”

“ *Tax on Bank Notes Bill—Second reading,*” and

“ *Electoral Act Suspension Bill—Second reading,*” until Friday, 7th February instant.

“ *Standing Orders Committee—Report to be taken into consideration,*” and

“ *Pleuro-Pneumonia in Cattle Act Amendment Bill—Second reading,*” until Thursday, 6th February instant.

10. ADJOURNMENT.—Mr. O'Shanassy moved, That the House at its rising this day do adjourn until Thursday.

Mr. Snodgrass moved, as an amendment, That the word “ Thursday ” be omitted and the word “ Friday ” be inserted instead thereof.

Question—That the word proposed to be omitted stand part of the question—put and resolved in the affirmative.

Question—That the House at its rising this day do adjourn until Thursday—put and resolved in the affirmative.

Assembly adjourned at twenty-two minutes past four o'clock until four o'clock on Thursday next.

FRAN<sup>s</sup> MURPHY,  
*Speaker.*

## VICTORIA.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 43.

THURSDAY, 6TH FEBRUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Twelfth Report from this Committee.  
Ordered to lie on the Table and to be printed.
3. PAPERS.—Mr. Haines presented—  
Military Stores—Reply to question put by Mr. Loader, 30th January last, for a return of the military stores belonging to the Victorian Government, showing the number and description of guns and cannon in detail, whether mounted or in store; the quantity and description of ammunition; the places where the military stores are deposited; and also what detachment of the military service is in charge of the same; and what orders have been issued by the military authorities in order to secure the placing in position immediately the cannon at present not mounted.  
Ordered to lie on the Table.
4. MR. G. B. HINES.—Mr. Houston, by leave of the Assembly, moved, That the resolution of this House, agreed to 30th January last, appointing a Select Committee to enquire into the case of William Hinds, of Redbank, be read and rescinded.  
Question—put and resolved in the affirmative.  
Mr. Houston then moved, That a Select Committee be appointed to enquire into and report to this House upon the claim to compensation of George Barclay Hines, of Redbank, whose run has been wholly occupied by the mining community; such Committee to consist of Mr. Mollison, Dr. Owens, Mr. Mac Mahon, Mr. McLellan, Mr. W. A. Brodribb, Mr. Houston, Mr. Denovan, and Mr. Woods; with power to call for persons and papers; three to form a quorum.  
Debate ensued.  
Mr. Snodgrass moved, as an amendment, That the following words be inserted after the word “community,” viz., “and into all other claims of a similar nature.”  
Debate continued.  
Question—That the words proposed to be inserted be so inserted—put and negatived.  
Question—That a Select Committee be appointed to enquire into and report to this House upon the claim to compensation of George Barclay Hines, of Redbank, whose run has been wholly occupied by the mining community; such Committee to consist of Mr. Mollison, Dr. Owens, Mr. Mac Mahon, Mr. McClellan, Mr. W. A. Brodribb, Mr. Houston, Mr. Denovan, and Mr. Woods; with power to call for persons and papers; three to form a quorum—put and resolved in the affirmative.
5. ANDERSON'S PRE-EMPTIVE RIGHT, POLICE RESERVE. ETC.—Mr. Snodgrass moved, pursuant to amended notice, That a Select Committee be appointed to enquire into and report upon what grounds lines of road have been refused upon application to the Board of Land and Works, and specially to report upon applications for roads through Anderson's pre-emptive right, Moranding, and Police Reserve, Carlsruhe; such Committee to consist of Dr. Hedley, Mr. A. J. Smith, Mr. Tucker, Mr. Frazer, Mr. Anderson, Dr. Evans, Mr. Weeks, Mr. J. Davies, Mr. Denovan, Mr. Sinclair, and the Mover; three to form a quorum; with power to call for persons and papers.  
Debate ensued.  
Question—put and resolved in the affirmative.

6. ROYAL MINT.—Mr. Pyke moved, pursuant to notice, That the following Address to Her Most Gracious Majesty, recommended in the Report from the Select Committee on the Royal Mint, presented to this House 23rd January last, viz.:—

MAY IT PLEASE YOUR MAJESTY,

We, Your Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of Victoria in Parliament assembled, desire to thank Your Majesty for the very gracious reception which Your Majesty was pleased to accord to our Address of the 16th December, 1859, praying for the establishment in Victoria of a branch of the Royal Mint, and at the same time to express our regret that Your Majesty has not been advised to issue any instructions in compliance with the prayer of that Address.

And whereas it would appear from the despatches accompanying the intimation of Your Majesty's royal pleasure that the principal objection of Your Majesty's advisers was to the request that the coinage issued from such Branch Mint should have currency throughout the British Empire, and that there are no grounds on which Your Majesty's Government could refuse compliance with an application for the establishment of a local Mint, subject to the same limitations as the establishment now existing in the colony of New South Wales, and in accordance with the conditions stated by the Lords Commissioners of Your Majesty's Treasury, in the Minute dated the 22nd day of March, 1853.

And as we are of opinion that the existence of such an establishment in this colony would be a direct benefit to the gold producing interest, and also of great advantage to the general prosperity of this Your Majesty's loyal Colony of Victoria, we now humbly beseech that Your Majesty will be graciously pleased to grant that instructions may be issued for the establishment of a branch of the Royal Mint in the said Colony of Victoria upon the same terms as in New South Wales, and in conformity with the intimation conveyed in the Treasury Minute of the 5th November, 1860—be agreed to by this House.

Question—put and resolved in the affirmative.

Mr. Pyke moved, That the above Address be transmitted to the Legislative Council with a Message requesting their concurrence therein.

Question—put and resolved in the affirmative.

7. VOTES AND PROCEEDINGS, ETC.—Mr. Nixon moved, pursuant to notice, That the question as to the expediency of supplying all Mechanics' Institutes and Reading Rooms, in this Colony, with copies of the Votes and Proceedings of this House, the *Government Gazette*, and the Prize Essays, just issued, be referred to the Library Committee.

Question—put and resolved in the affirmative.

- 8 REAL PROPERTY BILL.—Mr. Service moved, pursuant to notice, That this House will, to-morrow, resolve itself into a Committee of the whole for the purpose of considering the following resolutions:—

(1.) That in order to provide for the better carrying out the purposes of a Bill to simplify the laws relating to the transfer and encumbrance of freehold and other interests in land, an appropriation be made from the Consolidated Revenue for a sufficient salary for each of two solicitors.

(2.) That an appropriation be made from the Consolidated Revenue for a fund to compensate persons injured by erroneous registration.

(3.) That the collection of the necessary fees under the provisions of the above-mentioned Bill be authorised.

(4.) That an Address be presented to His Excellency the Governor requesting him to recommend an appropriation of the Consolidated Revenue for carrying out the above resolutions.

Debate ensued.

Question—put and resolved in the affirmative.

9. ORDERS OF THE DAY.—Mr. Service moved, pursuant to notice, That on Thursday, 13th February, and on every alternate Thursday thereafter during the remainder of the Session, the Orders of the Day shall take precedence of the Notices of Motion, and that the necessary Standing Order be suspended to allow the above motion to be made.

Question—put and resolved in the affirmative.

10. ADJOURNMENT.—Mr. Snodgrass moved, That this House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

Assembly adjourned at nineteen minutes to eight o'clock until four o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

VICTORIA.  

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VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 44.

FRIDAY, 7<sup>TH</sup> FEBRUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair, and having, at twenty-five minutes to five o'clock, counted the House, and a quorum of Members not being present, Mr. Speaker adjourned the House, without question being first put, until Tuesday next, at four o'clock.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 45.

TUESDAY, 11TH FEBRUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PAPERS.—Mr. Wood presented—
  - Gold Fields Disputes—Reply to question put by Mr. W. C. Smith, 28th January last, for a Return showing the number of cases, and the estimated amount in dispute in each, brought before each of the wardens of the gold fields during the year 1861.
  - Ordered to lie on the Table.
  - Mr. Haines presented—
    - Military Pay and Allowances—Copies of Despatches received by His Excellency the Governor, from the Right Honorable the Secretary of State for the Colonies, relating to the Pay and Allowances of Her Majesty's forces serving in the Colony.
    - Ordered to lie on the Table.
  - Mr. Gavan Duffy presented, by command of His Excellency the Governor—
    - Crown Lands Alienated—Return of all Lands offered for Sale and Lease, and alienated from the Crown within the Colony of Victoria, under the Act 24 Victoria, No. 117, from the 1st July to the 30th September, 1861, specifying that offered for sale by auction, that proclaimed for selection and lease, that withdrawn from sale, that for which no offer was made, that forfeited, that sold at auction, that sold by selection and limited auction, that leased, and that alienated under pre-emptive right.
    - Ordered to lie on the Table.
3. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Thirteenth Report from this Committee.
  - Ordered to lie on the Table and to be printed.
4. PETITIONS.—Mr. Service presented a Petition from certain Teachers employed under the Board of National Education, praying this House to take the statements set forth in the Petition into consideration, and apply such protection and remedies as to this House might seem fit.
  - Ordered to lie on the Table.
  - Mr. O'Connor presented a Petition from James Regan and John Dunlop, praying the House to take their case as set forth in the Petition into consideration, and to grant such relief as this House might consider their case deserves.
  - Ordered to lie on the Table.
  - Mr. Lalor presented a Petition from the Farmers' Association, Indented Heads, the proprietors of land and freeholders in the parishes of Moolap, Bellerine, and Paywit, in the county of Grant, praying that the statements set forth in Petition might be taken into consideration, with a view to secure to property and vested interests a due proportion of the representation in Parliament.
  - Petition read, and ordered to lie on the Table.
5. CROWN LANDS SALE AND OCCUPATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.
  - Mr. Speaker resumed the Chair, and Mr. Lalor 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 this House will to-morrow again resolve itself into the said Committee.
6. POSTPONEMENT OF ORDER OF THE DAY.—The Assembly ordered that the consideration of the following Order of the Day be postponed until after the consideration of the eleventh Order for to-day :—
  - “ Civil Service Bill—Second reading.”

7. SUPPLY—ESTIMATES FOR 1862.—Mr. Lalor reported from the Committee of Supply a certain resolution, which was read, and is as follows :—

4th February.

Resolved—That the following sum be granted to Her Majesty to defray the charge for the year 1862 for the service hereunder specified, being—

#### IV.—TREASURER.

DIVISION No. 49.

COMPENSATION.	£	s.	d.	£	s.	d.
Compensation to Officers for loss of office and reduction of salary ... ..	...			14,000	0	0

And the said resolution was read a second time and agreed to by the Assembly.

8. APPROPRIATION BILL.—Mr. Haines moved, That this Bill be now read a second time.  
Question—put and resolved in the affirmative.  
Bill read a second time.  
Mr. Haines moved, That this Bill be now committed to a Committee of the whole Assembly.  
Question—put and resolved in the affirmative.  
And on the further motion of Mr. Haines, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
Mr. Speaker resumed the Chair; and Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Assembly ordered the Bill to be read a third time to-morrow.

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

“*Crown Lands Sale and Occupation Bill—Message of the Governor to be taken into consideration,*” until Tuesday, 18th February instant;

“*Supply—To be further considered in Committee,*”

“*Customs Laws Amendment Bill—Second reading,*”

“*Chinese Immigrants Act Amendment Bill—Second reading,*”

“*Passengers Act Amendment Bill—Second reading,*”

“*Gold Export Duty Act Amendment Bill [2]—Second reading,*”

“*Tax on Bank Notes Bill—Second reading,*” until to-morrow;

“*Civil Service Bill—Second reading,*” until Friday, 14th February instant;

“*Electoral Act Suspension Bill—Second reading,*” until to-morrow.

And the House having continued to sit till after twelve of the clock—

WEDNESDAY, 12TH FEBRUARY, 1862.

10. EQUITABLE JURISDICTION BILL.—Mr. Loader moved, pursuant to notice, That he have leave to bring in an Equitable Jurisdiction Bill.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Loader and Mr. Lalor do prepare and bring in the Bill.
11. FORCES—COLONIAL AUTHORITY.—Mr. Loader moved, pursuant to *amended* notice—
- (1.) That a Select Committee be appointed to enquire into and report upon the authority or control this Parliament, or the authorities acting under it, has over the Imperial Military and Naval Forces serving in Victoria.
  - (2.) What official relations exist between the Military, Naval, and the Civil authorities in Victoria.
  - (3.) The present state of the Defences of Victoria, and in whom and under whose authority and control are the munitions of war in Victoria vested.
- Such Committee to consist of Mr. Nicholson, Mr. Ramsay, Mr. Verdon, Mr. Heales, Mr. Frazer, Mr. Lalor, Mr. A. J. Smith, Mr. Mollison, Mr. Sullivan, Mr. Levey, Mr. Hood, and the Mover; to have power to call for persons and papers, and to take evidence; three to form a quorum.
- Debate ensued.  
Mr. Heales moved, That the further debate be now adjourned.  
Debate continued.  
Question—That this debate be now adjourned—put and negatived.  
Question—(1.) That a Select Committee be appointed to enquire into and report upon the authority or control this Parliament, or the authorities acting under it, has over the Imperial Military and Naval Forces serving in Victoria.
- (2.) What official relations exist between the Military, Naval, and the Civil authorities in Victoria.
  - (3.) The present state of the Defences of Victoria, and in whom and under whose authority and control are the munitions of war in Victoria vested.
- Such Committee to consist of Mr. Nicholson, Mr. Ramsay, Mr. Verdon, Mr. Heales, Mr. Frazer, Mr. Lalor, Mr. A. J. Smith, Mr. Mollison, Mr. Sullivan, Mr. Levey, Mr. Hood, and the Mover; to have power to call for persons and papers, and to take evidence; three to form a quorum—put and resolved in the affirmative.

12. LICENSING ACTS AMENDMENT BILL.—Mr. Snodgrass moved, pursuant to notice, That he have leave to bring in a Bill to amend the Law relating to the sale of Spirituous and Fermented Liquors.

Question—put and resolved in the affirmative.

Ordered—That Mr. Snodgrass and Mr. Service do prepare and bring in the Bill.

Mr. Snodgrass then brought up a Bill, intituled, "*A Bill to amend the Law relating to the Sale of Spirituous and Fermented Liquors,*" 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 Thursday, 13th February instant.

13. DEPUTATIONS.—Mr. McCann moved, pursuant to notice, for a Return showing the number of deputations that have waited upon the various Government Officers during the past twelve months ; also showing the districts which such deputations represent, so far as the same can be ascertained by records in each office.

Debate ensued.

Question—put and negatived.

14. REAL PROPERTY BILL.—The Order of the Day for the consideration in Committee of the whole Assembly of the following resolutions, viz. :—

(1.) That in order to provide for the better carrying out the purposes of a Bill to simplify the laws relating to the transfer and encumbrance of freehold and other interests in land, an appropriation be made from the Consolidated Revenue for a sufficient salary for each of two solicitors.

(2.) That an appropriation be made from the Consolidated Revenue for a fund to compensate persons injured by erroneous registration.

(3.) That the collection of the necessary fees under the provisions of the above-mentioned Bill be authorised.

(4.) That an Address be presented to His Excellency the Governor requesting him to recommend an appropriation of the Consolidated Revenue for carrying out the above resolutions—having been read, Mr. Service moved, That Mr.

Speaker do now leave the Chair, and the Assembly resolve itself into a Committee of the whole for the consideration thereof.

Debate ensued.

Question—put and resolved in the affirmative.

Whereupon Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole accordingly.

Mr. Speaker resumed the Chair, and Mr. Lalor reported that the Committee had come to certain resolutions.

Ordered—That the said Report be received this day.

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

"*Insolvency—Report from Select Committee—To be taken into consideration,*"

"*Aliens Bill—Second reading,*"

"*Hawkers Act Amendment Bill—To be further considered in Committee,*"

"*Gold Export Duty Act Amendment Bill—Second reading,*"

"*Medical Practitioners Bill—Second reading,*" until Thursday, 13th February instant ;

"*Scotch Solicitors and Procurators Admission Bill—Second reading,*" until Thursday, 20th February instant ;

"*Preferable Lien on Crops Bill—Second reading,*"

"*Bills of Sale Bill—To be further considered in Committee,*"

"*Colonial Wines Sale Bill—To be committed,*"

"*Mrs. Brown—Motion for Address—To be considered in Committee,*"

"*Game Preservation Bill—To be further considered in Committee,*"

"*Inspector of Pounds—Motion for Address—To be considered in Committee,*"

"*Standing Orders Committee—Report to be taken into consideration,*" and

"*Pleuro-Pneumonia in Cattle Act Amendment Bill—Second reading,*" until Thursday, 13th February instant ;

"*Weights and Measures Bill—To be further considered in Committee,*" until Tuesday, 18th February instant ;

"*Scab Act Amendment Bill—Consideration of Report,*" until this day ;

"*Justices Law Administration Bill—To be further considered in Committee,*" until Tuesday, 18th February instant.

Assembly adjourned at eleven minutes to two o'clock until four o'clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
Speaker.



## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 46.

WEDNESDAY, 12TH FEBRUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—Mr. Loader presented a Petition from the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne, under the Seal of the said City, praying the House to take the statements set forth in the Petition into consideration, and to reject the Bill intituled “*A Bill to repeal an Act intituled ‘An Act to prevent the further pollution of ‘the Waters of the River Yarra Yarra above the City of Melbourne.’*”  
Petition read, and ordered to lie on the Table.  
Mr. Wright presented a Petition from William Milton, praying for redress of the grievance set forth in the Petition.  
Ordered to lie on the Table.  
Mr. Mollison presented a Petition from the Representatives and Managers of the Joint Stock Banking Companies carrying on business within the Colony of Victoria, praying this House would not sanction any further increase to the public expenditure; but if it should be determined that the exigencies of the State require the imposition of a Stamp Tax, then, that the charge be an uniform rate of one penny on all contracts or transactions involving the payment or receipt of money.  
Ordered to lie on the Table.
3. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until after the consideration of the third Order for to-day:—  
“*Appropriation Bill—Third reading,*”  
“*Crown Lands Sale and Occupation Bill—To be further considered in Committee.*”
4. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.  
Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to a certain resolution.  
Ordered—That the said report be received to-morrow.  
Mr. Lalor also acquainted the House that he was directed to move that he have leave to sit again.  
Resolved—That this House will, on Friday, 14th February instant, again resolve itself into the said Committee.
5. CROWN LANDS SALE AND OCCUPATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.  
Mr. Speaker resumed the Chair, and Mr. Lalor 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 this House will on Tuesday, 18th February instant, again resolve itself into the said Committee.
6. CUSTOMS LAWS AMENDMENT BILL.—Mr. Anderson moved, That this Bill be now read a second time.  
Question—put and resolved in the affirmative.  
Bill read a second time.  
Mr. Anderson moved, That this Bill be now committed to a Committee of the whole Assembly.  
Question—put and resolved in the affirmative.  
And on the further motion of Mr. Anderson, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
And the House having continued to sit till after twelve of the clock—

THURSDAY, 13TH FEBRUARY, 1862.

- Mr. Speaker resumed the Chair, and Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Assembly ordered the same to be taken into consideration Friday, 14th February instant.—Bill, as amended, to be printed.

7. CHINESE IMMIGRANTS ACTS AMENDMENT BILL.—Mr. O'Shanassy moved, That this Bill be now read a second time.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 Mr. O'Shanassy moved, That this Bill be now committed to a Committee of the whole Assembly.  
 Question—put and resolved in the affirmative.  
 And on the further motion of Mr. O'Shanassy, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
 Mr. Speaker resumed the Chair, and Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Assembly ordered the Bill to be read a third time Friday, 14th February instant.
8. PASSENGERS ACT AMENDMENT BILL.—Mr. Ireland moved, That this Bill be now read a second time.  
 Debate ensued.  
 Question—put and resolved in the affirmative.  
 Bill read a second time.  
 Mr. Ireland moved, That this Bill be now committed to a Committee of the whole Assembly.  
 Question—put and resolved in the affirmative.  
 And on the further motion of Mr. Ireland Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
 Mr. Speaker resumed the Chair, and Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Assembly ordered the Bill to be read a third time Friday, 14th February instant.
9. JUVENILE OFFENDERS.—Mr. Weeks moved, pursuant to notice, That the whole of the returns laid on the Table of the House by the Honorable the Chief Secretary relative to Juvenile Offenders be printed.  
 Question—put and resolved in the affirmative.
10. POLICE FORCE.—Mr. Gillies moved, pursuant to notice given by Mr. Frazer, That the evidence taken before the Select Committee appointed last Session to enquire into the state of the Police Force be referred to the Committee appointed this Session for the same purpose.  
 Question—put and resolved in the affirmative.
11. MR. P. C. BUCKLEY.—Dr. Hedley moved, pursuant to notice, That the petition of Patrick Coady Buckley, of Gipps Land, lately presented to this House, be referred to a Select Committee, to consist of Mr. Edwards, Mr. Loader, Mr. Frazer, Mr. Orkney, Mr. B. G. Davies, Mr. McDonald, and the mover; three to form a quorum; with power to call for persons and papers, and to report to this House.  
 Debate ensued.  
 Question—put and resolved in the affirmative.
12. REAL PROPERTY BILL.—Mr. Lalor reported from a Committee of the whole, certain resolutions, which were read and are as follow :—  
*Resolved—*  
 (1.) That in order to provide for the better carrying out the purposes of a Bill to simplify the laws relating to the transfer and encumbrance of freehold and other interests in land, an appropriation be made from the Consolidated Revenue for a sufficient salary for each of two solicitors.  
 (2.) That an appropriation be made from the Consolidated Revenue for a fund to compensate persons injured by erroneous registration.  
 (3.) That the collection of the necessary fees under the provisions of the above-mentioned Bill be authorised.  
 (4.) That an Address be presented to His Excellency the Governor requesting him to recommend an appropriation of the Consolidated Revenue for carrying out the above resolutions.  
 And the said resolutions were read a second time and agreed to by the Assembly.
13. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—  
 “*Appropriation Bill—Third reading,*” until Tuesday, 18th February instant;  
 “*Gold Export Duty Act Amendment Bill [2]—Second reading,*”  
 “*Tax on Bank Notes Bill—Second reading,*”  
 “*Electoral Act Suspension Bill—Second reading,*” and  
 “*Scab Act Amendment Bill—Consideration of Report,*” until Friday, 14th February instant.

Assembly adjourned at five minutes past one o'clock until four o'clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 47.

THURSDAY, 13TH FEBRUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. EAST COLLINGWOOD IMPROVEMENT BILL.—The Order of the Day for the resumption of the debate on the question, That the Standing Orders, Nos. 4, 7, 8, 9, and 10, relating to Private Bills, be suspended, and that leave be given to introduce a Bill intituled "*A Bill for the Improvement of the Municipal District of East Collingwood in the Colony of Victoria,*" having been read—  
Debate resumed.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Don and Mr. Edwards do prepare and bring in the Bill.  
Mr. Don then brought up a Bill, intituled "*A Bill for the Improvement of the Municipal District of East Collingwood in the Colony of Victoria,*" and moved, That it be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time.
3. YARRA POLLUTION PREVENTION ACT REPEAL BILL.—Mr. Francis moved, That this Bill be now read a second time.  
Mr. Mollison moved, That the word "now" be omitted, and the words "this day six months" be added after the word "time."  
Debate ensued.  
Question—That the word proposed to be omitted stand part of the question—put.  
Assembly divided—

Ayes, 14.

Mr. Berry,	Mr. McCann,
Mr. Don,	Mr. McDonald,
Mr. Edwards,	Mr. Richardson,
Mr. Grant,	Mr. A. J. Smith.
Mr. Heales,	
Mr. Jones,	<i>Tellers.</i>
Mr. Kirk,	Mr. Francis,
Mr. Lalor,	Mr. L. L. Smith.

Noes, 18.

Mr. W. A. Brodribb,	Mr. Reid,
Mr. Cummins,	Mr. Sinclair,
Mr. Denovan,	Mr. Snodgrass,
Mr. Haines,	Mr. Tucker,
Dr. Hedley,	Mr. Wilson,
Mr. Hood,	Mr. Wright.
Mr. Johnston,	
Mr. Kyte,	<i>Tellers.</i>
Mr. Mollison,	Mr. Anderson,
Mr. O'Shanassy,	Mr. Bennett.

And so it passed in the negative.

Question—That the words proposed to be added be so added—put and resolved in the affirmative.

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

4. LICENSED VICTUALLERS ACTS AMENDMENT BILL.—Mr. Edwards moved, That this Bill be now read a second time.  
Question—put and resolved in the affirmative.—Bill read a second time.
5. INSOLVENCY.—The Order of the Day for the consideration of the Report from the Select Committee on this subject having been read—Mr. Levi moved, That Mr. Speaker do now leave the Chair, and the Assembly resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, requesting His Excellency to recommend the appropriation of a sufficient sum of money to defray the salaries of Assignees of the Insolvent Court.  
Question—put and resolved in the affirmative.  
Whereupon Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration thereof.  
Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to a certain resolution.  
Ordered—That the said Report be received to-morrow.

6. **ALIENS BILL.**—Mr. Levey moved, That this Bill be now read a second time.  
 Debate ensued.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 Mr. Levey moved, That this Bill be now committed to a Committee of the whole Assembly.  
 Question—put and resolved in the affirmative.  
 And on the further motion of Mr. Levey, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
 Mr. Speaker resumed the Chair; and Mr. Lalor 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 this House will on Thursday, 27th February instant, again resolve itself into the said Committee.
7. **MEDICAL PRACTITIONERS BILL.**—Dr. Macadam moved, That this Bill be now read a second time.  
 Debate ensued.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 Dr. Macadam moved, That this Bill be now committed to a Committee of the whole Assembly.  
 Question—put and resolved in the affirmative.  
 And on the further motion of Dr. Macadam, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
 Mr. Speaker resumed the Chair; and Mr. Lalor 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 this House will, on Thursday, 27th February instant, again resolve itself into the said Committee.
8. **PREFERABLE LIEN ON CROPS BILL.**—Mr. Anderson moved, That this Bill be now read a second time.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 Mr. Anderson moved, That this Bill be now committed to a Committee of the whole Assembly.  
 Question—put and resolved in the affirmative.  
 And on the further motion of Mr. Anderson, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
 Mr. Speaker resumed the Chair; and Mr. Lalor 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 this House will, on Tuesday, 18th February instant, again resolve itself into the said Committee.
9. **BILLS OF SALE BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.  
 Mr. Speaker resumed the Chair; and Mr. Lalor having reported that the Committee had gone through the Bill, and agreed to the same with amendments, the Assembly ordered the same to be taken into consideration Tuesday, 18th February instant.—Bill as amended to be printed.
10. **COLONIAL WINES SALE BILL.**—The Order of the Day for the consideration of this Bill in Committee of the whole Assembly having been read—On the motion of Mr. Richardson, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration thereof.  
 Mr. Speaker resumed the Chair; and Mr. Lalor 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 this House will on Thursday, 27th February instant, again resolve itself into the said Committee.
11. **MRS. BROWN.**—The Order of the Day for the consideration in Committee of the whole Assembly of the question, That the House resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Governor, requesting him to place on the Estimates for 1862 a sum of money equal to one year's salary, say £175, for the widow of the late Robert Brown, who lost his life on the 9th of November, 1860, in attempting to reach the Swan Spit lightship during a gale of wind, and while in the performance of his duty of lighthouse attendant, having been read—On the motion of Mr. Nixon, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration thereof.

And the House having continued to sit till after twelve of the clock—

FRIDAY, 14<sup>TH</sup> FEBRUARY, 1862.

Mr. Speaker resumed the Chair.

12. SUPPLY.—Mr. Lalor reported from the Committee of Supply a certain resolution, which was read, and is as follows :—

12th February.

Resolved—That a sum not exceeding £300,000 be granted to Her Majesty to defray the salaries, wages, and contingencies in the various departments of Government, and grants to charitable and other institutions for the year 1862.

And the said resolution was read a second time, and agreed to.

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

“ *Building Act Extension Bill—Second reading,*”  
 “ *Impounding Prevention Bill—Second reading,*” until Thursday, 27th February instant ;  
 “ *Licensing Acts Amendment Bill—Second reading,*” until Thursday, 20th February instant ;  
 “ *Hawkers Act Amendment Bill—To be further considered in Committee,*”  
 “ *Gold Export Duty Act Amendment Bill—Second reading,*”  
 “ *Game Preservation Bill—To be further considered in Committee,*”  
 “ *Inspector of Pounds—Motion for Address—To be considered in Committee,*” until Thursday, 27th February instant ;  
 “ *Standing Orders Committee—Report to be taken into consideration,*” until this day ; and  
 “ *Fleuro-pneumonia in Cattle Act Amendment Bill—Second reading,*” until Thursday, 20th February instant.

14. CENTRAL RAILWAY TERMINUS.—Mr. Kyte moved, pursuant to notice, That a Select Committee be appointed to enquire into and report on the necessity for constructing a Central Terminus for passenger traffic in connection with the Government Railways on the site of the old Cattle Yards, fronting Elizabeth-street; as also the formation of a short Branch Line from the proposed terminus to the Main Line north of the North Melbourne Station; such Committee to consist of Mr. McMahan, Mr. Brooke, Mr. Loader, Dr. Macadam, Mr. Snodgrass, Mr. John Davies, Mr. O'Connor, Mr. Edwards, Mr. Sinclair, Mr. Sullivan, Mr. McLellan, and the Mover; three to form a quorum; with power to call for persons and papers.

Debate ensued.

Mr. Denovan moved, That this debate be now adjourned.

Debate continued.

Question—That this debate be now adjourned—put.

Assembly divided—

Ayes, 12.		Noes, 17.	
Mr. Lalor,	Mr. Richardson,	Mr. Anderson,	Mr. McDonald,
Mr. Levey,	Mr. Tucker,	Mr. Aspinall,	Mr. O'Shanassy,
Mr. Levi,	Mr. Wright.	Mr. Edwards,	Mr. Sinclair,
Mr. McCann,		Mr. Foott,	Mr. Snodgrass,
Mr. Mollison,	<i>Tellers.</i>	Mr. Frazer,	Mr. Sullivan.
Mr. Nixon,	Mr. Denovan,	Mr. Gray,	
Mr. Orkney,	Mr. Bennett.	Mr. Haines,	<i>Tellers.</i>
		Mr. Heales,	Dr. Macadam,
		Mr. Kyte,	Mr. Hood.
		Mr. Mac Mahon,	

And so it passed in the negative.

Mr. McCann moved, That this House do now adjourn.

Question—That this House do now adjourn—put.

Assembly divided.

Ayes, 9.		Noes, 19.	
Mr. Denovan,	Mr. Wright.	Mr. Anderson,	Mr. McDonald,
Mr. Levi,		Mr. Aspinall,	Mr. Mollison,
Mr. Nixon,	<i>Tellers.</i>	Mr. Foott,	Mr. O'Shanassy,
Mr. Orkney,		Mr. Frazer,	Mr. Sinclair,
Mr. Richardson,	Mr. McCann,	Mr. Gray,	Mr. Snodgrass,
Mr. Tucker,	Mr. Bennett.	Mr. Haines,	Mr. Sullivan.
		Mr. Heales,	
		Mr. Hood,	<i>Tellers.</i>
		Mr. Kyte,	Mr. Edwards,
		Mr. Levey,	Dr. Macadam.
		Mr. Mac Mahon,	

And so it passed in the negative.

Mr. Frazer moved, That this debate be now adjourned.

Debate ensued.

Question—That this debate be now adjourned—put and negatived.

Notice being taken that a quorum of Members was not present, Mr. Speaker counted the House, and a quorum of Members not being present, Mr. Speaker, at fifteen minutes to two o'clock, adjourned the House, without question being first put, until four o'clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

VICTORIA.  
—  
VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.  
No. 48.

FRIDAY, 14<sup>TH</sup> FEBRUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. EQUITY JURISDICTION BILL.—Mr. Loader brought up a Bill, intituled, "*A Bill to provide for the better Administration of Justice in the Equitable Jurisdiction of the Supreme Court,*" 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 Wednesday, 19<sup>th</sup> February instant.
3. REFRESHMENT ROOMS COMMITTEE.—Mr. Snodgrass brought up a Report from this Committee.  
Report read, ordered to lie on the Table, and to be printed.
4. WAYS AND MEANS.—Mr. Haines moved, pursuant to notice, That the House will, on Tuesday next, resolve itself into the Committee of Ways and Means.  
Question—put and resolved in the affirmative.
5. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the several Orders of the Day, Government Business, be postponed until after the consideration of the first Order of the Day, General Business, on the Notice Paper for to-day.
6. DISCHARGE OF ORDER OF THE DAY.—The Assembly ordered that the following Order of the Day be read and discharged :—  
"*Scab Act Amendment Bill—Consideration of Report.*"
7. SCAB ACT AMENDMENT BILL.—Mr. Mollison moved, That this Bill be recommitted to a Committee of the whole Assembly.  
Question—put and resolved in the affirmative.  
And on the further motion of Mr. Mollison, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the reconsideration of this Bill.  
Mr. Speaker resumed the Chair; Mr. Lalor having reported that the Committee had agreed to further amendments in this Bill, the Assembly ordered the same to be taken into consideration Friday, 21<sup>st</sup> February instant.—Bill as further amended to be printed.
8. POSTPONEMENT OF ORDER OF THE DAY.—The Assembly ordered that the consideration of the following Order of the Day be postponed until after the consideration of the fifth Order for to-day :—  
"*Civil Service Bill—Second reading.*"
9. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.  
Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to a certain resolution.  
Ordered—That the said report be received Tuesday, 18<sup>th</sup> February instant.  
Mr. Lalor also acquainted the House that he was directed to move that he have leave to sit again.  
Resolved—That this House will, on Tuesday, 18<sup>th</sup> February instant, again resolve itself into the said Committee
10. CHINESE IMMIGRANTS ACTS AMENDMENT BILL.—Mr. Speaker 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 Mr. O'Shanassy, read a third time and *passed*.  
Mr. O'Shanassy moved, That the following be the title of the Bill :—  
"*An Act to amend an Act intituled 'An Act to consolidate and amend the Laws affecting the Chinese emigrating to or resident in Victoria.'*"  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.
11. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—  
"*Civil Service Bill—Second reading,*"  
"*Customs Laws Amendment Bill—Consideration of report.*" and  
"*Passengers Act Amendment Bill—Third reading,*" until Tuesday, 18<sup>th</sup> February instant;  
"*Gold Export Duty Act Amendment Bill [2]—Second reading,*" until Friday, 21<sup>st</sup> February instant;  
"*Tax on Bank Notes Bill—Second reading,*" and  
"*Electoral Act Suspension Bill—Second reading,*" until Tuesday, 18<sup>th</sup> February instant.

12. **REAL PROPERTY BILL.**—Mr. Service moved, pursuant to notice, That he have leave to bring in a Bill to simplify the laws relating to the transfer and encumbrance of freehold and other interests in land.

Question—put and resolved in the affirmative.

Ordered—That Mr. Service and Mr. Levi do prepare and bring in the Bill.

Mr. Service then brought up a Bill, intituled, “*A Bill to simplify the laws relating to the transfer and encumbrance of freehold and other interests in land,*” 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 Thursday, 27th February instant.

13. **PENSIONS BILL COMMITTEE.**—Mr. Levi moved, by leave of the Assembly, That this Committee have leave to call for persons and papers.

Question—put and resolved in the affirmative.

14. **INSOLVENCY.**—Mr. Lalor reported from a Committee of the whole a certain resolution, which was read, and is as follows :—

*13th February.*

Resolved—That an Address be presented to His Excellency the Governor, requesting His Excellency to recommend the appropriation of a sufficient sum of money to defray the salaries of assignees of the Insolvent Court.

And the said resolution was read a second time, and agreed to by the Assembly.

15. **PARLIAMENTARY AGENTS.**—The Order of the Day for taking into consideration the Report from the Standing Orders Committee having been read—Mr. O’Shanassy moved, That the following Rules be agreed to by the Assembly :—

Every agent conducting proceedings in the Legislative Assembly shall be personally responsible to the House and to the Speaker for the observance of the rules, orders, and practices of the Assembly, and rules prescribed by the Speaker, and also for the payment of all fees and charges.

No person shall be allowed to act as agent until he shall have obtained a certificate, from two members of the Legislative Assembly that he is a fit and proper person so to act, and has subscribed a declaration before the Clerk of the Assembly engaging to observe and obey all the rules of the House, and to pay all fees and charges when due. He shall also enter into a bond or recognizance (if hereafter required) in £100, conditioned to observe this declaration. He shall then be registered in a book to be kept in the Private Bill Office, and shall be entitled to act as a Parliamentary Agent without the payment of any fee upon the declaration bond or registry.

The declaration and recognizance or bond shall be in such form as the Speaker may from time to time direct.

No notice shall be received in the Private Bill Office for any proceeding upon a petition for a Bill, or upon a Bill brought from the Legislative Council (after such Bill shall have been read a first time), until an appearance to act as the Parliamentary Agent upon the same shall have been entered in the Private Bill Office, in which appearance shall also be specified the name of the solicitor (if any) for such Petition or Bill.

Before any party shall be allowed to appear to be heard upon any Petition against a Bill, an appearance to act as the agent upon the same shall be entered in the Private Bill Office, in which appearance shall also be specified the name of the solicitor and of the counsel who appear in support of any such Petition (if any be then engaged), and a certificate of such appearance shall be delivered to the Parliamentary Agent, to be produced to the Committee Clerk.

In case the agent for any Petition or Bill shall be displaced by the solicitor, or shall decline to act, his responsibility shall cease, upon a notice being given in the Private Bill Office by the promoters or their solicitor or agent, and a fresh appearance shall be entered upon such Petition or Bill.

Any agent who shall wilfully act in violation of the rules and practice of Parliament, or any rules to be prescribed by the Speaker, or who shall wilfully misconduct himself in prosecuting any proceedings before Parliament, shall be liable to an absolute or temporary prohibition to practice as a Parliamentary Agent, at the pleasure of the Speaker; provided that, upon the application of such agent, the Speaker shall state, in writing, the grounds for such prohibition.

Every Parliamentary Agent and solicitor will be considered personally responsible for any wilful violation of the Sessional Orders, or Standing Orders of this House, of which he shall be guilty.

Question—put and resolved in the affirmative.

Assembly adjourned at twenty-four minutes to twelve o’clock until four o’clock on Tuesday next.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*



VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 49.

TUESDAY, 18TH FEBRUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
  2. PAPERS.—Mr. O'Shanassy presented, by command of His Excellency the Governor—  
Friendly Societies.—Return of Societies registered during the year 1861, pursuant to Acts 18 Victoria No. 41, and 21 Victoria No. 10.  
Ordered to lie on the Table.  
Mr. Wood presented, by command of His Excellency the Governor—  
Gold Fields Act—Order in Council :—  
Sandhurst—Additional Polling Place appointed for.  
Maryborough—Altering Polling Places.  
Severally ordered to lie on the Table.
  3. PETITIONS.—Mr. Loader presented a Petition from the Melbourne and Suburban Railway Company, under the seal of the said corporation, praying that the Select Committee to which the Melbourne and Suburban Railway Sale Bill stands referred might have instructions to entertain and consider the expediency of incorporating the purchasers of the undertaking and property of the Petitioners, and also to entertain and consider the several other matters embodied in certain clauses marked E. to VV., both inclusive, lodged with the Clerk of the Assembly.  
Ordered to lie on the Table.  
Mr. Anderson presented a Petition from certain residents and freeholders within the municipality of Emerald Hill, praying the Assembly to take the statements set forth in the Petition into most serious consideration, and apply such remedy as they might think fit.  
Petition read, and ordered to lie on the Table.  
Dr. Owens presented a petition from certain graziers, dairymen, storekeepers, miners, and others, of Kingower, Moliagul, and McIntyre's, praying this House to refuse assent to the Bill now before Parliament for the sale and occupation of Crown Lands, or any other which does not give to persons desirous of settling on the land free selection before or after survey over the entire waste lands of the colony, extended grazing rights, and deferred payments: and that this House would pass such a Bill as would secure to agricultural settlers these advantages, and to persons desirous of embarking more particularly in grazing pursuits an opportunity of so doing by a subdivision of the present runs and the re-letting of them in moderate areas subject to the right of entry by actual settlers.  
Ordered to lie on the Table.  
Mr. Berry presented a Petition from Samuel Gordon, of 111, Lonsdale street, Melbourne, praying this House to reject the provision in the present Bill for the sale and occupation of Crown Lands giving the squatters a right to demand the renewal of licenses.  
Ordered to lie on the Table.  
Mr. Frazer presented a Petition from Michael O'Malley and others, praying that a clause might be introduced into the Land Bill now before the House, giving the occupant of a twenty acre allotment a pre-emptive right to the remainder of the block on which he has settled.  
Ordered to lie on the Table.
  4. MESSAGES FROM THE LEGISLATIVE COUNCIL.—The following Messages from the Legislative Council, by the Clerk-Assistant of the Council.  
MR. SPEAKER,  
The Legislative Council request the Legislative Assembly will give leave to the Honorables J. B. Humffray, J. M. Grant, and Mr. John Edwards, and Mr. Wilson Gray, members of that House, to attend to be examined as witnesses to give evidence before the Select Committee of the Legislative Council, appointed in the present session to consider "The Barristers' Admission Bill."  
(Signed) MATTHEW HERVEY,  
Acting President.
- Legislative Council Chamber,  
17th February, 1862.
- On the motion of Mr. Heales, permission was granted to Mr. Humffray, Mr. Grant, Mr. Edwards, and Mr. Gray, to attend and give evidence before the said Committee.

MR. SPEAKER,

The Legislative Council transmit to the Legislative Assembly a Bill intituled "*An Act to repeal an Act to regulate the Temporal Affairs of Churches and Chapels of the United Church of England and Ireland in New South Wales and to make other provisions instead thereof*," with which they desire the concurrence of the Legislative Assembly.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
12th February, 1862.

5. **CHURCH ACT AMENDMENT BILL.**—On the motion of Mr. Mollison, the Bill transmitted by the above Message was read a first time, ordered to be printed, and read a second time Tuesday, 4th March next.
6. **WAYS AND MEANS.**—The House, according to Order, resolved itself into the Committee of Ways and Means.  
Mr. Speaker resumed the Chair; Mr. Lalor reported that the Committee had come to a certain resolution.  
Ordered—That the said Report be received to-morrow.
7. **DISCHARGE OF ORDER OF THE DAY.**—The following Order of the Day was read and discharged from the Paper :—  
"*Appropriation Bill—Third reading.*"  
Ordered—That the said Bill be withdrawn.
8. **CROWN LANDS SALE AND OCCUPATION BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

And the House having continued to sit till after twelve of the clock—

WEDNESDAY, 19TH FEBRUARY, 1862.

Mr. Speaker resumed the Chair, and Mr. Lalor 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 this House will this day again resolve itself into the said Committee.

9. **SUPPLY—ADDITIONAL SUPPLEMENTARY ESTIMATES FOR 1861.**—Mr. Lalor reported from the Committee of Supply certain resolutions, which were read, and are as follow :—  
14th February.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the additional supplementary charges for the year 1861 for the several services hereunder specified, being—

### HH.—Treasurer.

(No. 1.)—DIVISION No. 48.

#### MISCELLANEOUS.

Subdivisions (inalterable).

	£	s.	d.	£	s.	d.
No. 40. Compensation to Matthew Lemon, Mail Guard, for injuries sustained by him in the execution of his duty ... ..	30	0	0			
No. 41. Compensation to Mrs. Seekamp ... ..	500	0	0			
No. 42. Compensation to Mr. Pyke ... ..	450	0	0			
No. 44. Verdict in the case of Parker v. the Queen ... ..	850	0	0			
No. 45. Verdict in the case of Lavender v. the Queen ... ..	403	12	6			
No. 46. Verdict in the case of Jacomb v. the Queen ... ..	563	3	10			
No. 47. Gratuity to Mr. Stokes, for services rendered to the Defence Commission, from July, 1858, to 31st December, 1861 ... ..	150	0	0			
No. 49. To Malcolm Smith, costs in an action brought against him by Girdlestone ... ..	66	19	4			
No. 50. To W. O. Bechervaise, Telegraph Manager at Ballarat, reimbursement of amount embezzled by B. A. P. Guyot, convicted of the offence ... ..	42	16	11			
No. 51. Edward Lucas, late Postmaster, Wangaratta, reimbursement of remittance for stamps stolen from the mail on the road, May, 1859... ..	6	0	0			
No. 52. Michael Quaine, reimbursement of amount contained in a registered letter stolen by A. Pointz, convicted of the offence ... ..	16	0	0			
No. 53. Compensation to J. A. Panton, Esq., being the value of gold forwarded by him to the Commissioners of the Victorian Exhibition in 1854, and not returned ... ..	200	0	0			

## IV.—Commissioner of Lands and Survey.

DIVISION No. 52.							
ROADS AND BRIDGES.		£	s.	d.	£	s.	d.
(No. 2.)—Subdivision No. 2.							
DEPARTMENTAL CONTINGENCIES.							
Travelling expenses for the Inspector General of Roads and ten Road Engineers ... ..		...			1,500	0	0
DIVISION No. 55.							
ROAD WORKS AND BRIDGES.							
(No. 3.)—Subdivision No. 4.							
GISBORNE DISTRICT.							
Amount required to increase the height of Mollison-street Bridge, Kyneton ... ..		...			1,950	0	0

## V.—Commissioner of Public Works.

DIVISION No. 61.							
WORKS AND BUILDINGS.		£	s.	d.	£	s.	d.
(No. 4.)—Subdivision No. 1.							
Crane, &c., for Jetty at Port Albert ... ..		250	0	0			
(No. 5.)—Subdivision No. 3.							
Works at Melbourne Gaol ... ..		1,050	0	0			
(No. 6.)—Subdivision No. 9.							
Amount due to the Government of Tasmania for the completion of the Lighthouse at Cape Wickham ... ..		1,200	0	0			
(No. 7.)—Subdivision No. 11.							
Completing Survey Office, Dunolly ... ..		360	0	0			
(No. 8.)—Subdivision No. 14.							
Extra works on Reservoir at Ararat ... ..		222	1	2			
(No. 9.)—Subdivision No. 16.							
Fittings and Furniture for Public Offices, &c. ...		1,100	0	0			
(No. 10.)—Subdivision No. 17.							
For completing interior of New Treasury and portion of Drainage, and other works ...		8,300	0	0			
(No. 11.)—Completing Warden's office, &c., Morse's Creek ... ..		145	10	0			

On the motion of Mr. Haines, the Assembly ordered that the words "Subdivisions inalterable" be inserted after the words "Works and Buildings."

## VI.—Commissioner of Mines.

(No. 12.)—DIVISION No. 63.	£	s.	d.	£	s.	d.
<b>GEOLOGICAL SURVEY.</b>						
Lithographer, August to December ... ..	142	6	4			
Lithographic Printer, September to December ...	83	6	8			
Assistant to Printer, 31st August to 31st December ... ..	13	0	0			
				238	13	0
(No. 13.)—DIVISION No. 67.						
<b>NEW GOLD FIELDS.</b>						
Subdivision No. 1.						
Prospecting for New Gold Fields or New Leads, or Deposits of Gold ... ..	500	0	0			
Subdivision No. 2.						
Rewards for the Discovery of Gold Workings ...	1,000	0	0	1,500	0	0

On the motion of Mr. Haines, the Assembly ordered that the figures 67 be omitted and the figures 66 inserted instead thereof.

And on the further motion of Mr. Haines, the Assembly ordered that the words "Subdivisions inalterable" be inserted after the words "New Gold Fields."

## VII.—Commissioner of Trade and Customs.

(No. 15.)—DIVISION No. 67.	£	s.	d.	£	s.	d.
<b>CUSTOMS.</b>						
Subdivision No. 2.						
<b>PORT OF MELBOURNE.</b>						
Twenty-five pounds per annum increase of pay to Twelve Tidewaiters ... ..	...			300	0	0
(No. 16.)—DIVISION No. 68.						
<b>PORTS AND HARBORS.</b>						
Subdivision No. 8.						
<b>"EMPIRE" (Buoy Vessel).</b>						
Mate, 6d. per diem additional pay ... ..	9	2	6			
Carpenter, 6d. per diem additional pay ... ..	9	2	6			
Six Seamen, 6d. per diem additional pay each ...	54	13	0	72	18	0
(No. 17.)—DIVISION No. 69.						
<b>LIGHTHOUSES.</b>						
Subdivision No. 1.						
<b>CAPE OTWAY.</b>						
Two Assistants, 6d. per diem each additional pay	18	5	0			
Subdivision No. 2.						
<b>CAPE SCHANCK.</b>						
Two Assistants, 6d. per diem each additional pay	18	5	0			
Subdivision No. 3.						
<b>WILSON'S PROMONTORY.</b>						
Same as Cape Otway ... ..	18	5	0			
Subdivision No. 4.						
<b>GABO ISLAND.</b>						
Same as Cape Otway ... ..	18	5	0	73	0	0

VII.—COMMISSIONER OF TRADE AND CUSTOMS—*continued.*

(No. 18.)—DIVISION No. 70.

HARBOR LIGHTS.

Subdivision No. 3.

PORTLAND.

One Keeper, 6d. per diem additional pay ...

Subdivision No. 4.

PORT FAIRY.

Same as Portland ...

Subdivision No. 5.

PORT ALBERT.

Same as Portland ...

(No. 19.)—DIVISION No. 71.

LIGHT VESSELS.

Subdivision No. 1.

WEST CHANNEL.

Mate, 6d. per diem additional pay ...

Four Seamen, 6d. each per diem additional pay...

Subdivision No. 2.

GELLIBRAND'S POINT.

Mate, 6d. per diem additional pay ...

Three Seamen, 6d. each per diem additional pay

Subdivision No. 3.

GEELONG SHIP CHANNEL.

Mate, addition of 6d. per diem to pay ...

Two Seamen, addition of 6d. each per diem to pay

	£	s.	d.	£	s.	d.
One Keeper, 6d. per diem additional pay ...	9	2	6			
Same as Portland ...	9	2	6			
Same as Portland ...	9	2	6			
				27	7	6
Mate, 6d. per diem additional pay ...	9	2	6			
Four Seamen, 6d. each per diem additional pay...	37	10	0			
				46	12	6
Mate, 6d. per diem additional pay ...	9	2	6			
Three Seamen, 6d. each per diem additional pay	27	7	6			
				36	10	0
Mate, addition of 6d. per diem to pay ...	9	2	6			
Two Seamen, addition of 6d. each per diem to pay	18	5	0			
				27	7	6
				110	10	0

And the said resolutions were read a second time and agreed to as so amended.

ESTIMATES FOR 1862.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the charges for the year 1862 for the several services hereunder specified, being—

VI.—COMMISSIONER OF PUBLIC WORKS.

DIVISION No. 59.

WORKS AND BUILDINGS.

Subdivision No. 1.

WHARVES, JETTIES, AND HARBORS.

- (No. 20.)—1. Repairs and Additions to Wharves, Sheds, &c., Melbourne ...
- (No. 21.)—2. Extension of Sandridge Jetty, Sheds, &c., including Repairs ...
- (No. 22.)—3. For constructing a Bridge across the Moyne, at Belfast ...
- (No. 23.)—4. Towards the Extension and Repairs of Jetty at Warrnambool, and other Harbor Improvements at Warrnambool ...
- (No. 24.)—5. Extension and Repairs of Portland Jetty
- (No. 25.)—6. Repairs of Wharves, Jetties, and Sheds, and for Dredging at Geelong ...
- (No. 26.)—7. Repairs and Additions to Wharves, Sheds, Jetties, &c., throughout the Colony ...
- (No. 27.)—8. For Dredging Operations River Yarra, and River Improvements, including Maintenance and Repairs of Steam Dredges, &c.
- (No. 28.)—9. For Life Boat Shed, &c., on Clonmel Island
- (No. 29.)—10. Repairs, &c., Patent Slip at Williams-town ...

	£	s.	d.	£	s.	d.
1,500 0 0	1,500	0	0			
3,500 0 0	3,500	0	0			
2,000 0 0	2,000	0	0			
4,000 0 0	4,000	0	0			
1,500 0 0	1,500	0	0			
1,000 0 0	1,000	0	0			
1,500 0 0	1,500	0	0			
15,000 0 0	15,000	0	0			
500 0 0	500	0	0			
500 0 0	500	0	0			

On the motion of Mr. Haines, the Assembly ordered that the words "Subdivisions inalterable" be inserted after the words "Works and Buildings."

And the said resolutions were read a second time and agreed to as so amended.

9. PASSENGERS' ACT AMENDMENT BILL.—Mr. Speaker 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 Mr. Anderson, read a third time and *passed*.  
Mr. Anderson moved, That the following be the title of the Bill :—  
“ *An Act to amend an Act intituled ‘ An Act to regulate the Conveyance of ‘ Passengers to Victoria.’*”  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.
10. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—  
“ *Crown Lands Sale and Occupation Bill—Message of His Excellency the Governor to be taken into consideration,*”  
“ *Supply—To be further considered in Committee,*”  
“ *Customs Laws Amendment Bill—Consideration of report,*” until this day ;  
“ *Civil Service Bill—Second reading,*”  
“ *Tax on Bank Notes Bill—Second reading,*” and  
“ *Electoral Act Suspension Bill—Second reading,*” until Friday, 21st February instant ;  
“ *Weights and Measures Bill—To be further considered in Committee,*”  
“ *Justices Law Administration Bill—To be further considered in Committee,*” until Thursday, 27th February instant ;  
“ *Preferable Lien on Crops Bill—To be further considered in Committee,*”  
“ *Bills of Sale Bill—Consideration of Report,*” until Friday, 21st February instant.
11. DEPARTMENT OF THE LEGISLATIVE ASSEMBLY.—Mr. Mollison moved, pursuant to notice, That it be referred to the Standing Orders Committee to enquire into and report upon the present control of, and arrangements in the department of the Legislative Assembly.  
Question—put and resolved in the affirmative.
12. DESPATCH OF BUSINESS.—Mr. Heales moved, pursuant to notice, That during the present session no fresh business (excepting the postponement of business on the paper and unopposed business) be called on after eleven o'clock.  
Debate ensued.  
Question—put and resolved in the affirmative.
13. PARLIAMENT BUILDINGS COMMITTEE.—Mr. Mollison moved, pursuant to notice given by Mr. Francis, That the name of the Honorable J. S. Johnston be added to the Joint Committee on Parliamentary Buildings, in the place of Mr. Grant, who has resigned.  
Question—put and resolved in the affirmative.
14. TAX ON BANK NOTES BILL.—Mr. Mollison moved, pursuant to notice, That the petition from the several Banking Companies, presented to the House 12th February instant, be printed and referred to the Committee of the whole on the Tax on Bank Notes Bill.  
Question—put and resolved in the affirmative.

Assembly adjourned at six minutes past one o'clock until four o'clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 50.

WEDNESDAY, 19<sup>TH</sup> FEBRUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. DR. THOMSON'S COMMITTEE.—Mr. McCann, on behalf of Mr. Snodgrass, Chairman, brought up the Report from this Committee.  
Ordered to lie on the Table and be printed, and to be taken into consideration to-morrow.
3. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Fourteenth Report from this Committee.  
Ordered to lie on the Table and to be printed.
4. PAPERS.—Mr. Anderson presented—  
Standard Weights and Measures.—Reply to question put by Mr. Mollison, 18th February instant, for a list of the Imperial Standard Weights and Measures forwarded from the Colonial Office, and now in the custody of the Government Storekeeper.  
Ordered to lie on the Table.
5. PETITION.—Mr. Ramsay presented a Memorial from certain Residents of Baringhup and the adjoining districts, praying the House to decide in favor of a deviation of the Main Line of Railway from Castlemaine *via* Maldon through Baringhup towards Maryborough, Dunolly, Inglewood, and other North-Western places of importance to the colony at large.  
Petition read and ordered to lie on the Table.
6. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the several Orders of the Day, Government Business, be postponed until after the consideration of the 1st Notice, General Business, on the paper for to-day.
7. MELBOURNE AND SUBURBAN RAILWAY SALE BILL.—Mr. Loader moved, pursuant to notice, That instructions be given to the Committee sitting on the Melbourne and Suburban Railway Sale Bill, that they have power to entertain and consider the expediency of incorporating the purchasers of the undertaking, and property of the Company, and also to entertain and consider the several other matters embodied in several clauses marked E. to VV., deposited with the Clerk of the Assembly.  
Debate ensued.  
Question—put and resolved in the affirmative.
8. WAYS AND MEANS.—Mr. Lalor reported from the Committee of Ways and Means a certain resolution, which was read, and is as follows :—  
*18th February.*  
Resolved—That towards making good the Supply granted to Her Majesty, the sum of £422,250 be granted from the Consolidated Fund of the colony.  
And the said resolution was read a second time and agreed to.  
Ordered—That a Bill be brought in for carrying out the above resolution.
9. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.  
Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to a certain resolution.  
Ordered—That the said report be received to-morrow.  
Mr. Lalor also acquainted the House that he was directed to move that he have leave to sit again.  
Resolved—That this House will, on Friday, 21st February instant, again resolve itself into the said Committee.

10. CROWN LANDS SALE AND OCCUPATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

And the House having continued to sit till after twelve of the clock—

THURSDAY, 20TH FEBRUARY, 1862.

Mr. Speaker resumed the Chair ; and Mr. Lalor 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 this House will, on Tuesday, 25th February instant, again resolve itself into the said Committee.

11. LICENSED VICTUALLERS ACTS AMENDMENT BILL.—Mr. Edwards moved, pursuant to notice, That the Licensed Victuallers Acts Amendment Bill be referred to a Select Committee, to consist of Mr. Anderson, Mr. Heales, Mr. J. T. Smith, Mr. W. C. Smith, Mr. Richardson, Mr. Levey, Mr. Denovan, Mr. Snodgrass, Mr. Orkney, Mr. Kyte, Mr. Loader, and the Mover ; three to form a quorum.

Debate ensued.

Motion, by leave, withdrawn.

12. QUARTZ REEFS DRAINAGE BILL.—Mr. B. G. Davies moved, pursuant to notice, That he have leave to bring in a Bill for the more equitable drainage of Quartz Reefs throughout the Colony.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That Mr. B. G. Davies and Mr. Ramsay do prepare and bring in the Bill.

Mr. B. G. Davies then brought up a Bill, intituled “ *A Bill for the more equitable drainage of Quartz Reefs throughout the Colony,*” 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 Thursday, 27th February instant.

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

“ *Crown Lands Sale and Occupation Bill—Message from His Excellency the Governor—To be taken into consideration,*” until Tuesday, 25th February instant ;

“ *Customs Laws Amendment Bill—Consideration of Report,*” until Friday, 21st February instant ; and

“ *Equity Jurisdiction Bill—Second reading,*” until Wednesday, 26th February instant.

Assembly adjourned at twenty-two minutes to one o'clock until four o'clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
Speaker.



## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 51.

THURSDAY, 20TH FEBRUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITION.—Mr. Service presented a Petition from certain inhabitants of Brown's and its vicinity, praying the House would enact in the Land Bill free selection over all the agricultural lands with ample commonage for the agricultural, and the subdivision of the pastoral lands, to suit the circumstances of small capitalists.  
Ordered to lie on the Table.  
Mr. Heales presented a similar Petition from certain inhabitants of Smythesdale and its vicinity.  
Ordered to lie on the Table.
3. POINT OF ORDER.—Mr. Speaker having called upon Mr. McLellan to move the motion standing in his name, No. 1 on the Notice Paper for to-day, Mr. Mollison objected to the same being entertained on the ground that the same subject had been decided by this Assembly on the 30th January last.  
Mr. Heales moved, That the debate on this point of Order be adjourned.  
Motion—That the debate on this point of Order be adjourned—by leave, withdrawn.
4. MELBOURNE AND HOBSON'S BAY RAILWAY ACT AMENDMENT BILL.—Mr. Anderson moved, pursuant to *amended* notice, That a Committee, consisting of Mr. Grant, Mr. Gavan Duffy, Mr. O'Shanassy, Mr. Lalor, and Mr. Service, three to form a quorum, be the Committee to consider the Melbourne and Hobson's Bay Railway Act Amendment Bill.  
Debate ensued.  
Question—put and resolved in the affirmative.
5. LADIES' BENEVOLENT SOCIETIES.—Mr. Richardson moved, pursuant to notice, That this House will, on Thursday next, resolve into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Governor, praying that a sum not exceeding £5000 be placed on an Additional Estimate for this year, as a grant in aid to the various Ladies' Benevolent Societies and Visiting Societies of the colony, the amount to be appropriated as near as possible in accordance with the vote for the same object in the year 1860.  
Debate ensued.  
Motion, by leave, withdrawn.
6. RESIDENCE AND OCCUPATION LICENSES.—Mr. Heales moved, pursuant to notice, That in the opinion of this House it is the duty of the Government to defend and protect in their holding, against the pastoral tenants of the Crown, all persons who may have taken up and now hold residence and cultivation licenses under the authority of the Board of Land and Works, and approved by this House.  
Debate ensued.  
Motion, by leave, withdrawn.
7. CENTRAL RAILWAY TERMINUS.—Debate on the question—That a Select Committee be appointed to enquire into and report on the necessity for constructing a Central Terminus for passenger traffic in connection with the Government Railways on the site of the old Cattle Yards, fronting Elizabeth-street; as also the formation of a short Branch Line from the proposed terminus to the Main Line north of the North Melbourne Station; such Committee to consist of Mr. McMahan, Mr. Brooke, Mr. Loader, Dr. Macadam, Mr. Snodgrass, Mr. John Davies, Mr. O'Connor, Mr. Edwards, Mr. Sinclair, Mr. Sullivan, Mr. McLellan, and the Mover; three to form a quorum; with power to call for persons and papers—resumed.

Six members having demanded a ballot, in the event of the motion being carried,  
 Question—That a Select Committee, to consist of twelve members, three to form a quorum, be appointed to enquire into and report on the necessity for constructing a Central Terminus for passenger traffic in connection with the Government Railways on the site of the old Cattle Yards, fronting Elizabeth street; as also the formation of a short Branch Line from the proposed terminus to the Main Line north of the North Melbourne Station—put.

Assembly divided.

Ayes, 25.

Mr. Berry,	Mr. Mac Mahon,
Mr. Brooke,	Mr. McDonald,
Mr. Cohen,	Mr. McLellan,
Mr. B. G. Davies,	Mr. O'Connor,
Mr. J. Davies,	Mr. Sinclair,
Mr. Don,	Mr. W. C. Smith,
Mr. Grant,	Mr. Snodgrass,
Mr. Gray,	Mr. Sullivan,
Mr. Haines,	Mr. Weeks.
Mr. Heales,	
Mr. Jones,	
Mr. Kyte,	<i>Tellers.</i>
Mr. Lambert,	Mr. Edwards,
Mr. Loader,	Mr. Gillies.

Noes, 23.

Mr. Anderson,	Mr. O'Grady,
Mr. Bennett,	Mr. Ramsay,
Mr. K. E. Brodribb,	Mr. Richardson,
Mr. W. A. Brodribb,	Mr. Service,
Mr. Cathie,	Mr. A. J. Smith,
Mr. Denovan,	Mr. Tucker,
Dr. Evans,	Mr. Wood,
Dr. Hedley,	Mr. Wright.
Mr. Johnston,	
Mr. Levi,	
Mr. McCann,	<i>Tellers.</i>
Mr. Nicholson,	Mr. Francis,
Mr. Orkney,	Mr. L. L. Smith.

And so it was resolved in the affirmative.

The Assembly then proceeded to the ballot, and Mr. Speaker appointed Mr. Kyte and Mr. Bennett to be Scrutineers.

The Scrutineers, with the Clerk of the Assembly, having reported that the following members, viz. :—Mr. McLellan, Mr. J. Davies, Mr. Edwards, Mr. Loader, Mr. Brooke, Mr. Kyte, Mr. Snodgrass, Mr. Sullivan, Dr. Macadam, Mr. Mac Mahon, Mr. Sinclair, and Mr. O'Connor, had the greatest number of votes, Mr. Speaker declared such members to be the Committee.

8. CONTRACTORS AND WORKMEN LIEN BILL.—Mr. Don moved, pursuant to notice, That he have leave to bring in a Bill for the better security of mechanics and others performing work or furnishing materials therefor.

Question—put and resolved in the affirmative.

Ordered—That Mr. Don and Mr. Ramsay do prepare and bring in the Bill.

Mr. Don then brought up a Bill, intituled, "*A Bill for the better security of Mechanics and others performing work or furnishing materials therefor,*" 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 Thursday, 6th March next.

9. INSOLVENCY BILL.—Mr. Levi moved, pursuant to notice, That he have leave to bring in a Bill to repeal certain Acts relating to insolvent estates, and to create a Court of Insolvency for the administration of the law relating to insolvent debtors and their estates.

Question—put and resolved in the affirmative.

Ordered—That Mr. Levi and Mr. Service do prepare and bring in the Bill.

Mr. Levi then brought up a Bill, intituled "*A Bill to repeal certain Acts relating to Insolvent Estates, and to create a Court of Insolvency for the administration of the Law relating to Insolvent Debtors and their Estates,*" 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 Thursday, 27th February instant.

10. MR. JUSTICE CHAPMAN.—Mr. Kyte moved, pursuant to notice, That in the opinion of this House the appointment of H. S. Chapman, Esq., to the office of Puisne Judge or Acting Judge of the Supreme Court of this Colony is unconstitutional, and contrary to the Act 23 Vic. No. 91, sec. 12, and known as the *Officials in Parliament Bill*, inasmuch as the said H. S. Chapman was a Member of this House at the time such appointment was made.

Debate ensued.

Question—put and negatived.

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

"*Scotch Solicitors and Procurators Admission Bill—Second reading,*" and  
 "*Licensing Acts Amendment Bill—Second reading,*" until Thursday, 6th March next; and  
 "*Pleuro-Pneumonia in Cattle Act Amendment Bill—Second reading,*" and  
 "*Dr. Thomson—Report from Select Committee—To be taken into consideration,*" until Thursday, 27th February instant.

12. SUPPLY.—Mr. Lalor reported from the Committee of Supply certain resolutions, which were read, and are as follow :—

19th February.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the charges for the year 1862 for the several services hereunder specified, being—

### VI.—COMMISSIONER OF PUBLIC WORKS.

DIVISION No. 59.

#### WORKS AND BUILDINGS.

(No. 1.)—Subdivision No. 1.

#### WHARVES, JETTIES, AND HARBORS.

	£	s.	d.	£	s.	d.
11. For a Jetty at Dromana ... ..	2,000	0	0			

Subdivision No. 2.

#### POLICE BUILDINGS.

1. For Police Quarters, Lockups, Outbuildings, Fireplaces, Sheds, Portable Houses and Lockups, Transport and Repairs, and additions to Police Buildings generally ... ..	12,000	0	0			
2. Furniture for the Police ... ..	100	0	0			
	12,100	0	0			

And the said resolutions were read a second time and agreed to by the Assembly.

Assembly adjourned at one minute past eleven o'clock until four o'clock p.m. to-morrow.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 52.

FRIDAY, 21ST FEBRUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—Mr. B. G. Davies presented a Petition from certain miners, tradesmen, dairymen, gardeners, and others, of Jericho, praying the House to refuse its assent to the Crown Lands Sales and Occupation Bill, or any other Bill which does not give to persons desirous of actually settling and residing on the land :—1st, free selection before and after survey to the extent of 320 acres for each person over the entire waste lands of the colony; 2nd, extended grazing rights; and 3rd, deferred payments; and to pass such a Bill as should secure to agricultural settlers these advantages, and to persons desirous of embarking more particularly in grazing pursuits an opportunity of so doing by the subdivision of the present runs and the re-letting of them in moderate areas, subject to the right of entry by actual settlers.  
Ordered to lie on the Table.  
Mr. Heales presented a petition from the Inhabitants of Smythesdale and its vicinity, praying this House would grant in the Land Bill free selection over all the agricultural lands, with ample commonage for the agriculturist, and the subdivision of the pastoral lands.  
Ordered to lie on the Table.
3. PAPERS.—Mr. O'Shanassy presented, by command of His Excellency the Governor—Burke and Wills Commission.—Report of the Commissioners appointed to enquire into and report upon the circumstances connected with the sufferings and death of Robert O'Hara Burke and William John Wills, the Victorian Explorers.  
Ordered to lie on the Table.
4. THE MELBOURNE AND GEELONG CORPORATION ACTS AMENDMENT BILL.—Mr. Bennett, Chairman, brought up the Report from this Committee, together with the Bill, Proceedings of the Committee, and Minutes of Evidence.  
Ordered to lie on the Table.
5. CONSOLIDATED REVENUE BILL.—Mr. Haines, pursuant to the Order of the House, brought up a Bill intituled "*A Bill to apply the sum of Four hundred and twenty-two thousand two hundred and fifty pounds out of the Consolidated Revenue to the service of the year One thousand eight hundred and sixty-two,*" 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, 25th February instant.
6. CLAIMS FOR COMPENSATION.—Mr. Haines moved, pursuant to *amended* notice, That a Select Committee be appointed to investigate and report to this House on the claims for compensation of Mr. E. Bell, Mrs. Morphy (the widow of the late J. S. Morphy), and such special cases not coming within the provisions of the Bill to regulate the Civil Service, as may be referred to the Committee, the Committee to consist of Mr. Denovan, Mr. Don, Mr. Hood, Mr. Humffray, Mr. Loader, Mr. Mollison, Mr. Sullivan, Mr. Verdon, and the Mover; three to form a quorum, with power to send for persons and papers.  
Question put and resolved in the affirmative.
7. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.  
Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to certain resolutions.  
Ordered—That the said report be received Tuesday, 25th February instant.  
Mr. Lalor also acquainted the House that he was directed to move that he have leave to sit again.  
Resolved—That this House will, on Tuesday, 25th February instant, again resolve itself into the said Committee.

8. GOLD EXPORT DUTY ACT AMENDMENT BILL (2).—Mr. Haines moved, That this Bill be now read a second time.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 Mr. Haines moved, That this Bill be now committed to a Committee of the whole Assembly.  
 Question—put and resolved in the affirmative.  
 And on the further motion of Mr. Haines, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
 And the House having continued to sit till after twelve of the clock—

SATURDAY, 22ND FEBRUARY, 1862.

- Mr. Speaker resumed the Chair ; and Mr. Lalor reported that the Committee had gone through the Bill and agreed to the same, without amendment.  
 Mr. Speaker 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 Mr. Haines, read a third time and *passed*.  
 Mr. Haines moved, That the following be the title of the Bill :—  
*“ An Act to amend an Act intituled ‘ An Act for granting Duties of Customs upon Gold exported from Victoria.’ ”*  
 Question—put and resolved in the affirmative.  
 Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.
9. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—  
*“ Civil Service Bill—Second reading,”* until Tuesday, 25th February instant ;  
*“ Tax on Bank Notes Bill—Second reading,”* until Friday, 28th February instant ;  
*“ Electoral Act Suspension Bill—Second reading,”* until Tuesday, 25th February instant ;  
*“ Preferable Lien on Crops Bill—To be further considered in Committee,”*  
*“ Bills of Sale Bill—Consideration of Report,”* until Friday, 28th February instant ;  
*“ Scab Act Amendment Bill—Consideration of Report,”* until Tuesday, 25th February instant.
10. CUSTOMS LAWS AMENDMENT BILL.—The Order of the Day for the consideration of the amendments made by the Committee of the whole in this Bill having been read ;  
 Mr. Anderson moved, That the word “ they,” in the fourth line of clause V., be omitted, and the word “ he ” be inserted instead thereof.  
 Question—That the word proposed to be omitted stand part of the clause—put and negatived.  
 Question—That the word proposed to be inserted in the place of the word omitted be so inserted—put and resolved in the affirmative.  
 Question—That the Assembly agree to the clause as so amended—put and resolved in the affirmative.  
 And on the further motion of Mr. Anderson, the Assembly agreed to the other amendments made by the Committee of the whole in this Bill.  
 Mr. Speaker 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 Mr. Anderson, read a third time and *passed*.  
 Mr. Anderson moved, That the following be the title of the Bill :—  
*“ An Act to amend the Laws relating to the Customs.”*  
 Question—put and resolved in the affirmative.  
 Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.
11. LICENSED VICTUALERS ACTS AMENDMENT BILL.—Mr. Edwards moved, pursuant to notice—  
 (1.) That leave be given to refer the Licensed Victuallers Act Amendment Bill to a Select Committee of eighteen Members.  
 Debate ensued.  
 Question—put and resolved in the affirmative.  
 Mr. Edwards also moved,  
 (2.) That such Committee consist of Mr. Mollison, Mr. Nixon, Mr. W. C. Smith, Mr. W. A. Brodribb, Mr. Levey, Mr. Orkney, Mr. Humffray, Mr. Heales, Mr. Loader, Mr. Don, Mr. Snodgrass, Mr. Wood, Mr. Anderson, Mr. J. T. Smith, Mr. Richardson, Mr. Sullivan, Mr. Weeks, and the Mover ; three to form a quorum.  
 Debate ensued.  
 Question—put and resolved in the affirmative.
12. REGAN AND DUNLOP.—Mr. O'Connor moved, pursuant to notice, That the memorial of Patrick Regan and John Dunlop be referred to the Committee now considering the claims of discoverers of gold fields.  
 Question—put and resolved in the affirmative.  
 Assembly adjourned at twenty-five minutes past one o'clock until four o'clock on Tuesday next.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 53.

TUESDAY, 25TH FEBRUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Fifteenth Report from this Committee.  
Ordered to lie on the Table and to be printed.
3. MELBOURNE AND SUBURBAN RAILWAY SALE BILL.—Mr. Loader, Chairman, brought up the Report from the Committee to which this Bill was referred, together with the Proceedings of the Committee and Minutes of Evidence.  
Ordered to lie on the Table.
4. PETITION.—Mr. Grant presented a Petition from Elizabeth Alice Murray, widow, of 9, Park-terrace, St. Kilda, praying this House to refer the matter referred to in the petition for the consideration of the Committee of this House appointed to enquire into and report upon the applications of Mr. Bell, Mrs. Morphy, and others.  
Ordered to lie on the Table.
5. PAPERS.—Mr. Gavan Duffy presented, by command of His Excellency the Governor—  
Crown Lands Sales Act.—Proclamation establishing Farmers' Common for Agriculturists at Purnim and Coorambook.  
Ordered to lie on the Table.

Mr. Gavan Duffy presented—

Assessment on Stock.—Return of Stock depastured during the year 1861, and for which assessment has been paid throughout the colony, exclusive of Stock depastured on the 10,000,000 of acres reserved for agricultural areas; also, Return showing the number of Stock depastured, and for which assessment was paid for in the year 1861, on the 10,000,000 of acres set apart for agricultural occupation.

Ordered to lie on the Table and to be printed.

6. PENSIONS BILL COMMITTEE.—Mr. Wood moved, by leave of the Assembly, that the quorum of this Committee be reduced from five to three members.  
Question—put and resolved in the affirmative.

7. MESSAGES FROM THE LEGISLATIVE COUNCIL.—The following Messages from the Legislative Council, by the Clerk-Assistant of the Council :—

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the Bill intituled "*An Act to amend an Act intituled 'An Act to consolidate and amend the Laws affecting the Chinese emigrating to or resident in Victoria,'*" without amendment.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
25th February, 1862.

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the Second Progress Report of the Joint Select Committee of both Houses of Parliament on the Refreshment Rooms.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
25th February, 1862.

8. CROWN LANDS SALE AND OCCUPATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

And the House having continued to sit till after twelve of the clock—

WEDNESDAY, 26<sup>TH</sup> FEBRUARY, 1862.

Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have to sit again.

Resolved—That this House will this day again resolve itself into the said Committee.

9. SUPPLY.—Mr. Lalor reported from the Committee of Supply certain resolutions, which were read, and are as follow:—

21st February.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the charges for the year 1862 for the several services hereunder specified, being—

### VI.—COMMISSIONER OF PUBLIC WORKS.

DIVISION No. 59.		£	s.	d.	£	s.	d.
WORKS AND BUILDINGS.							
(No. 1.)—Subdivision No. 3.							
GAOLS.							
1.	Towards the Central Gaol, Melbourne ...	14,500	0	0			
2.	Towards Gaol at Ararat... ..	2,000	0	0			
3.	„ Ballaarat ... ..	1,000	0	0			
4.	„ Beechworth ... ..	2,000	0	0			
5.	„ Geelong ... ..	2,000	0	0			
6.	„ Maryborough ... ..	1,200	0	0			
7.	„ Kilmore ... ..	1,500	0	0			
8.	Repairs and Additions to Gaols as required ...	2,000	0	0			
		26,200	0	0			
(No. 2.)—Subdivision No. 4.							
PENAL ESTABLISHMENTS.							
1.	Repairs and Additions to Buildings and Hulks	7,000	0	0			
(No. 3.)—Subdivision No. 5.							
LUNATIC ASYLUMS.							
1.	Additions and Repairs to the Yarra Bend Asylum, including Fittings and Furniture	10,000	0	0			
(No. 4.)—Subdivision No. 6.							
REFORMATORIES AND INDUSTRIAL SCHOOLS.							
1.	For Buildings for Reformatories, &c. ...	5,000	0	0			
(No. 5.)—Subdivision No. 7.							
COURT HOUSES.							
1.	Towards the completion of Court Houses for the holding of Courts of Circuit, General and Petty Sessions, County Courts, Courts of Mines, and keepers' quarters, including fittings and repairs and additions to existing buildings ... ..	5,000	0	0			
(No. 6.)—Towards the erection and completion of Court Houses at the following places:—							
2.	Heathcote ... ..	1,500	0	0			
3.	Fitzroy... ..	2,000	0	0			
4.	Seymour ... ..	800	0	0			
		9,300	0	0			

WORKS AND BUILDINGS— <i>continued.</i>		£	s.	d.	£	s.	d.
(No. 7.)—Subdivision No. 9.							
LIGHTHOUSES AND LIGHT SHIPS.							
1.	For completing Lighthouses and Quarters at Shortland's Bluff ... ..	1,200	0	0			
2.	Repairs and Additions to Lighthouses and Light Ships ... ..	1,000	0	0			
3.	Towards the Gabo Island Lighthouse ... ..	2,714	8	9			
		4,914	8	9			
(No. 8.)—Subdivision No. 10.							
POWDER MAGAZINES.							
1.	Powder Magazines as required, including repairs and additions, &c. ... ..	2,000	0	0			
(No. 9.)—Subdivision No. 11.							
SURVEY OFFICES.							
(No. 10.)—1.	New Buildings, and Repairs and Additions to Buildings, for the use of the Survey Department ... ..	2,000	0	0			
(No. 11.)—Subdivision No. 12.							
GOLD OFFICES, ETC.							
1.	New Buildings and Repairs and Additions to Buildings, for the Department of the Treasury ... ..	1,500	0	0			
(No. 12.)—Subdivision No. 13.							
ELECTRIC TELEGRAPHS.							
1.	Removal and re-erection of Lines of Telegraph (including repairs and additions to wires, &c.) along the Railways between Melbourne, Castlemaine, Sandhurst, Geelong, and Ballaarat; including provision of Telegraphic communication for the special use of the Railways at all Railway Stations ... ..	12,500	0	0			
(No. 13.)—2.	Provision of a second Intercolonial wire through Victoria, to meet the second wire already erected in New South Wales and South Australia ... ..	9,500	0	0			
3.	Extension of Telegraphic communication to Redbank ... ..	1,250	0	0			
4.	Extension of Telegraph from Inglewood to Swan Hill ... ..	7,000	0	0			
5.	Extension of Telegraph to Smythesdale ... ..	1,500	0	0			
6.	Repairs and Additions to existing lines ..	1,250	0	0			
		33,000	0	0			

And the said Resolutions were read a second time and agreed to by the Assembly.

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

“*Crown Lands Sale and Occupation Bill—Message of His Excellency the Governor to be taken into consideration,*” until Tuesday, 4th March next;

“*Consolidated Revenue Bill—Second reading,*” and

“*Supply—To be further considered in Committee,*” until Friday, 28th February instant;

“*Civil Service Bill—Second reading,*” and

“*Electoral Act Suspension Bill—Second reading,*” until Tuesday, 4th March next; and

“*Scab Act Amendment Bill—Consideration of Report,*” until this day.



11. POLICE COMMITTEE.—Mr. Levey moved, pursuant to *amended* notice given by Mr. Frazer, That Dr. Owens and Mr. Edwards be added to the Select Committee appointed to enquire into the management of the Police Force.  
Question—put and resolved in the affirmative.

Assembly adjourned at twelve minutes past twelve o'clock until four o'clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 54.

WEDNESDAY, 26<sup>TH</sup> FEBRUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. RETURN TO WRIT.—Mr. Speaker announced that he had received a Return to the Writ he had issued for the election of a Member to serve for the Electoral District of Mornington, by which it appeared that James McCulloch was duly elected in pursuance thereof.
3. PAPERS.—Mr. O'Shanassy presented—
  - Police Reward Fund.—Reply to question put by Dr. Owens, 14th February instant, for a statement of the amount of the sums appropriated to the Police Reward Fund during the last three years; the rules and regulations for the distribution of rewards, and the names of the persons and their rewards, under the fund during the same period; and also, whether there is a balance sheet of the Police Reward Fund published annually in the *Government Gazette*.
 Ordered to lie on the Table.
  - Mr. Haines presented—
    - Bank Liabilities and Assets.—General Abstract of sworn Returns of the average Liabilities and Assets of the several Banks in Victoria, for the Quarter ending 31st December, 1861.
 Ordered to lie on the Table and to be printed.
4. PETITIONS.—Mr. Woods presented a Memorial from certain residents of Stawell, district of Pleasant Creek, and Electors for Crowlands, praying the House to interpose between the Government and the Memorialists, and prevent that loss to the district in which they reside, that must be entailed by the abolition of the office of Receiver and Paymaster at Stawell, and the consequent removal of a valuable public servant from amongst them.
  - Petition read and ordered to lie on the Table.
  - Mr. Levey presented a Petition from certain inhabitant householders of the municipal district of Prahran, praying the House to adopt early measures for the remedy of serious evil complained of in the Petition either by the extension to the several municipal councils of the powers conferred upon the commissioners elected under the Market Act (3 Vict. No. 19), or by such other legislative action as to this House might seem fit.
    - Petition read, and ordered to lie on the Table.
    - Mr. Hood presented a Petition from the President, Council, and Members of the Pharmaceutical Society of Victoria, praying that in the Bill now before this House intituled "A Bill to amend the Laws relating to the Registration of legally qualified Medical Practitioners," a clause might be introduced exempting from its action all who are now or who may become members of the Pharmaceutical Society of Victoria.
      - Ordered to lie on the Table.
5. LANDS TITLES REGISTRATION BILL.—Mr. Ireland moved, pursuant to notice, That he have leave to bring in a Bill to establish a register of titles to lands which shall hereafter be alienated by the Crown, and to facilitate the transfer of the same.
  - Debate ensued.
  - Question—put and resolved in the affirmative.
  - Ordered—That Mr. Ireland and Mr. Wood do prepare and bring in the Bill.
  - Mr. Ireland then brought up a Bill, intituled "*A Bill to establish a register of titles to lands which shall hereafter be alienated by the Crown and to facilitate the transfer of the same,*" 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 Wednesday, 5th March next.

6. GOLD EXPORT DUTY EXEMPTION BILL.—Mr. Haines moved, pursuant to notice, That he have leave to bring in a Bill to exempt from Customs duty all gold imported into Victoria from other countries for exportation.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Haines and Mr. Anderson do prepare and bring in the Bill.  
Mr. Haines then brought up a Bill, intituled, “*A Bill to exempt from Customs Duty all Gold imported into Victoria from other countries for exportation,*” 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 Friday, 28th February instant.
7. CROWN LANDS SALE AND OCCUPATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.  
Mr. Speaker resumed the Chair; and Mr. Lalor 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 this House will, on Tuesday, 4th March next, again resolve itself into the said Committee.
8. MRS. MURRAY.—Mr. O’Shanassy moved, pursuant to notice given by Mr. Grant, That the Petition of Mrs. Elizabeth Alice Murray be referred to the Committee now sitting to enquire into the claims of Mr. Bell, Mrs. Morphy, and others.  
Question—put and resolved in the affirmative.
9. POSTPONEMENT OF ORDER OF THE DAY.—The Assembly ordered that the consideration of the following Order of the Day be postponed until to-morrow :—  
“*Equity Jurisdiction Bill—Second reading.*”
10. SCAB ACT AMENDMENT BILL.—On the motion of Mr. Mollison, the Assembly agreed to the amendments made by the Committee of the whole in this Bill.  
Mr. Speaker 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 Mr. Mollison, read a third time and *passed*.  
Mr. Mollison moved, That the following be the title of the Bill :—  
“*An Act to repeal the Act intituled ‘An Act for preventing the extension of the disease called Scab in Sheep and to substitute other provisions in lieu thereof.’*”  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.
- Assembly adjourned at a quarter to twelve o’clock until four o’clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

VICTORIA.  
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## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 55.

THURSDAY, 27<sup>TH</sup> FEBRUARY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. ADJOURNMENT.—Mr. O'Shanassy having acquainted the House that intelligence had this day been received of the lamented decease of His Royal Highness Prince Albert, moved, That the House at its rising do adjourn until Tuesday next.  
Question—put and resolved in the affirmative.

Assembly adjourned at twenty-nine minutes to five o'clock until four o'clock on Tuesday next.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 56.

TUESDAY, 4TH MARCH, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Sixteenth Report from this Committee.  
Ordered to lie on the Table and to be printed.
3. PAPERS.—Mr. O'Shanassy, by command of His Excellency the Governor, presented—  
National Education.—Eighth Report of the Commissioners of National Education for the Colony of Victoria, for the year 1860–61.  
Ordered to lie on the Table.
4. RESIGNATION.—Mr. Speaker announced that he had received a letter from Robert Gillespie, Esquire, which he read to the Assembly, and is as follows :—  
Buninyong, 28th February, 1862.  
The Honorable Sir Francis Murphy,  
SIR,  
I beg to resign into your hands my seat, as representative of the Electoral District of Grenville in the Legislative Assembly.  
Your obedient Servant,  
(Signed) ROBT. GILLESPIE.
5. ISSUE OF WRIT.—Mr. Speaker announced that he had issued a Writ for the election of a member to serve for the Electoral District of Grenville in the place of R. Gillespie, Esq.
6. NEW MEMBER.—James McCulloch, Esq., was introduced, and took the oath and his seat for the Electoral District of Mornington.
7. PETITIONS.—Mr. Richardson presented a Petition from certain Residents of Geelong and neighborhood praying that the Bill for the simplification of the transfer of Real Property might meet with favorable consideration and be speedily adopted and passed into law for this Colony.  
Petition read and ordered to lie on the Table.  
Mr. Lambert presented a Petition from certain Inhabitants of Richmond and its neighborhood, praying this House to refuse assent to the Crown Lands Sale and Occupation Bill, or to any other Bill which does not give to persons desirous of actually settling and residing on land—  
1st. Free selection, before and after survey, to the extent of 320 acres for each person, over the entire waste lands of the colony.  
2nd. Extended grazing rights.  
3rd. Deferred payments.  
And to pass such Bill as should secure to agricultural settlers these advantages, and to persons desirous of embarking more particularly in grazing pursuits an opportunity of so doing, by the subdivision of the present runs and the re-letting of them in moderate areas, subject to the right of entry to actual settlers.  
Petition read and ordered to lie on the Table.  
Mr. Cummins presented a Petition from certain farmers and landowners of the Little River and Duck Ponds, adopted at a public meeting, praying that the Land Bill now under consideration of this House might be assimilated to that recently passed by the Legislature of New South Wales.  
Petition read and ordered to lie on the Table.

The following Petitions, praying this House to extend its protection to the Petitioners, and guarantee the rights of conscience, imperilled by certain clauses referred to in the petitions, were presented as under :—

- By Mr. W. C. Smith, from the Catholics of Ballarat.
- By Mr. Orkney, from the Catholics of St. Francis, Melbourne.
- By Mr. Sinclair, from the Catholics of Hotham.
- By Mr. O'Grady, from the Catholics of Hawthorn.
- By Mr. Sinclair, from the Catholics of Carlton.

Severally ordered to lie on the Table.

Mr. Loader presented a Petition from the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne, under the Seal of the said City, praying that the House would take the statements set forth in the Petition into consideration, and order thereupon as to this House might seem expedient.

Ordered to lie on the Table.

Mr. Cummins presented a Petition from the Farmers entitled to depasture cattle on the Little River and Duck Ponds Farmers' Commons, praying that this House would adopt such measures as would confirm the rights of the Petitioners to the exclusive use of the said Commons, and further, that such Commons might be placed under a Local Board of Management to be elected by the holders of Farmers' Depasturing Licenses, such Board to be empowered to make bye-laws for the management of such Commons, subject to approval, and that power be given to such Board to impound all sheep and cattle as might be found illegally trespassing on such commons; and that they be empowered to appoint a herdsman, and delegate such power to him. And further, that such Board be empowered to receive and expend sums of money out of the public grant for the eradication of thistles

Petition read and ordered to lie on the Table.

8. **YARRA BEND LUNATIC ASYLUM.**—Mr. Heales, Chairman of the Committee appointed to enquire into the management of this asylum, having previously obtained the leave of the Assembly, brought up a Progress Report from this Committee.

Ordered to lie on the Table and to be printed.

9. **LICENSED VICTUALLERS ACTS AMENDMENT BILL COMMITTEE.**—Mr. Edwards moved, by leave of the Assembly, that this Committee have power to send for persons and papers, and to take evidence.

Question—put and resolved in the affirmative.

10. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Assembly ordered that the consideration of the several Orders of the Day, Government Business, be postponed until after the consideration of the 11th Notice of Motion on the Paper for to-day.

11. **MELBOURNE AND SUBURBAN RAILWAY SALE BILL.**—On the motion of Mr. Loader, on notice, the several amendments made by the Select Committee in this Bill were read and agreed to.

12. **SUPPLY.**—The House, according to Order, resolved itself into the Committee of Supply.

Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had made progress.

Mr. Lalor also acquainted the House that he was directed to move that he have leave to sit again.

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

13. **PASSENGER TRAFFIC.**—Mr. J. T. Smith moved, pursuant to notice, That there be laid on the Table of this House a Return of the passenger traffic on the Railway Stations, showing the number of fares issued, daily receipts, and number of passenger trains working past each station for the last three months of 1861.

Question—put and resolved in the affirmative.

14. **MRS. BROWN.**—Mr. Nixon moved, pursuant to *amended* notice, That the claim of Mrs. Brown, widow of the late Robert Brown, who lost his life on the 9th of November, 1860, in attempting to reach the Swan Spit Lightship during a gale of wind, be referred to the Select Committee now sitting on "Claims for compensation."

Question—put and resolved in the affirmative.

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

"*Crown Lands Sale and Occupation Bill—To be further considered in Committee,*" and

"*Crown Lands Sale and Occupation Bill—Message of His Excellency the Governor to be taken into consideration,*" until to-morrow;

"*Civil Service Bill—Second reading,*"

"*Electoral Act Suspension Bill—Second reading,*"

"*Tax on Bank Notes Bill—Second reading,*"

"*Preferable Lien on Crops Bill—To be further considered in Committee,*" and

"*Bills of Sale Bill—Consideration of Report,*" until Friday, 7th March instant;

"*Consolidated Revenue Bill—Second reading,*" until Tuesday, 11th March instant;

"*Gold Export Duty Exemption Bill—Second reading,*" until Friday, 7th March instant;

- “*Church Act Amendment Bill—Second reading,*” until Thursday, 6th March instant;  
 “*Building Act Extension Bill—Second reading,*”  
 “*Impounding Prevention Bill—Second reading,*”  
 “*Aliens Bill—To be further considered in Committee,*” until Thursday, 13th March instant;  
 “*Hawkers Act Amendment Bill—To be further considered in Committee,*” until Tuesday, 11th March instant;  
 “*Gold Export Duty Act Amendment Bill—Second reading,*”  
 “*Medical Practitioners Bill—To be further considered in Committee,*”  
 “*Colonial Wines Sale Bill—To be further considered in Committee,*” until Thursday, 13th March instant;  
 “*Game Preservation Bill—To be further considered in Committee,*”  
 “*Inspector of Pounds—Motion for Address—To be considered in Committee,*”  
 “*Real Property Bill—Second reading,*”  
 “*Weights and Measures Bill—To be further considered in Committee,*”  
 “*Justices Law Administration Bill—To be further considered in Committee,*” until Thursday, 6th March instant;  
 “*Quartz Reefs Drainage Bill.—Second reading,*” until Thursday, 13th March instant;  
 “*Insolvency Bill—Second reading,*”  
 “*Pleuro-Pneumonia in Cattle Act Amendment Bill—Second reading,*”  
 “*Dr. Thomson—Report from Select Committee—To be taken into consideration,*” until Thursday, 6th March instant;  
 “*Equity Jurisdiction Bill—Second reading,*” until Friday, 7th March instant.

Assembly adjourned at ten minutes to eleven o'clock until four o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 57.

WEDNESDAY, 5TH MARCH, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—Mr. Foott presented a Petition from Grace Anna James, of Geelong, widow of the late William Hill James, manager of electric telegraph, praying that her case, as set forth in the Petition, might be referred to the Committee now sitting on "Claims for Compensation."  
Ordered to lie on the Table.  
Mr. Service presented a Memorial from certain electors of the county of Villiers, praying this House to amalgamate the existing systems of Education by causing secular instruction to be given to the children on five days of the week, by permitting the use of the school-rooms for religious purposes, except at such times as should be set apart for secular instruction, and by granting free religious action to the teachers out of the ordinary school hours.  
Ordered to lie on the Table.  
Mr. Francis presented a Petition from James Denham Pinnock, Esq., praying this House to take his case, as set forth in the Petition, into favorable consideration.  
Ordered to lie on the Table.
3. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until after the consideration of the third Order for to-day :—  
"Supply—To be further considered in Committee,"  
"Lands Titles Registration Bill—Second reading."
4. CROWN LANDS SALE AND OCCUPATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

And the House having continued to sit till after twelve of the clock—

THURSDAY, 6TH MARCH, 1862.

- Mr. Speaker resumed the Chair; and Mr. Lalor reported that a quorum of Members was not present in the Committee.
- Mr. Speaker counted the House, and a quorum of Members being present, Mr. Speaker again left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration of this Bill.
- Mr. Speaker again resumed the Chair; and Mr. Lalor reported that a quorum of Members was not present in the Committee.
- Mr. Speaker counted the House, and a quorum of Members being present, Mr. Speaker again left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration of this Bill.
- Mr. Speaker again resumed the Chair; and Mr. Lalor reported that a quorum of Members was not present in the Committee.
- Mr. Speaker counted the House, and a quorum of Members being present, Mr. Speaker again left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration of this Bill.
- Mr. Speaker resumed the Chair; and Mr. Lalor 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 this House will, on Wednesday, 12th March instant, again resolve itself into the said Committee.



5. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under:—
- “*Supply—To be further considered in Committee,*” and  
 “*Lands Titles Registration Bill—Second reading,*” until Friday, 7th March instant;  
 “*Crown Lands Sale and Occupation Bill—Message of His Excellency the Governor to be taken into consideration,*” until Wednesday, 12th March instant.
6. RAILWAY STATION, MALMSBURY.—Mr. Snodgrass moved, pursuant to *amended* notice, given by Mr. Frazer, That a Select Committee be appointed to enquire into and report upon the best site for the Railway Station at Malmsbury, such Committee to consist of Mr. Loader, Mr. A. J. Smith, Mr. Tucker, Mr. Denovan, Mr. Johnston, Mr. Snodgrass, and Mr. Frazer; three to form a quorum, with power to send for persons, plans, and papers.  
 Question—put and resolved in the affirmative.
7. MOLLISON-STREET BRIDGE, KYNETON.—Mr. Tucker moved, pursuant to notice, That the Committee appointed to enquire concerning the Railway Station, Malmsbury, be empowered to enquire into the circumstances connected with the Mollison-street Bridge, Kyneton.  
 Question—put and resolved in the affirmative.
8. ADJOURNMENT.—Mr. O'Shanassy, by leave of the Assembly, moved, That the House at its rising do adjourn until Friday next.  
 Question—put and resolved in the affirmative.

Assembly adjourned at twenty-six minutes past two o'clock until four o'clock on Friday next.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 58.

FRIDAY, 7TH MARCH, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PAPERS.—Mr. Wood presented, by command of His Excellency the Governor—  
Gold Fields Act.—Order in Council.—Setting forth amended form of Mining Lease of Mineral Lands.  
Gold Fields Act.—Orders in Council.—Additional Polling Places for Ballaarat and Maryborough and Beechworth.  
Severally ordered to lie on the Table.  
Mr. Gavan Duffy presented, by command of His Excellency the Governor—  
Crown Lands Sales Act.—Proclamation establishing a Farmers' Common, Mulgrave.  
Crown Lands Sales Act.—Proclamation establishing a Farmers' Common, Laanecoorie.  
Crown Lands Sales Act.—Proclamation altering Farmers' Common, Codrington.  
Severally ordered to lie on the Table.
3. PETITION.—Mr. Ramsay presented a Petition from certain German residents in the district of Tarrangower, praying this House would give its assent to the Aliens Bill, but the Petitioners submit that the term of residence as set forth in Clause IV. of the said Bill might be altered from five to three years, as they are convinced that the period mentioned, namely three years, would be sufficiently long to enable Aliens to acquire a knowledge of the laws, customs, and institutions of this country.  
Ordered to lie on the Table.
4. FISHERIES ACTS COMMITTEE.—Mr. L. L. Smith, chairman, brought up the Report from this Committee.  
Ordered to lie on the Table, and, together with the Evidence and Proceedings of the Committee, to be printed.
5. GOLD MINING LEASES BILL.—Mr. Ireland moved, pursuant to notice given by Mr. Wood, That he have leave to bring in a Bill to amend the Law relating to Leases of Auriferous Land, and for other purposes.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Ireland and Mr. O'Shanassy do prepare and bring in the Bill.  
Mr. Ireland then brought up a Bill, intituled, "*A Bill to amend the Law relating to Leases of Auriferous Land 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, Wednesday, 12th March instant.
6. LANDS TITLES REGISTRATION BILL (2).—Mr. Ireland moved, pursuant to notice, That he have leave to bring in a Bill to establish a Register of Titles to Lands heretofore alienated by the Crown, and to simplify, validate, and render more easily transferable the same.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Ireland and Dr. Evans do prepare and bring in the Bill.  
Mr. Ireland then brought up a Bill, intituled, "*A Bill to establish a Register of Titles to Lands heretofore alienated by the Crown, and to simplify, validate, and render more easily transferable the same,*" 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 Wednesday, 12th March instant.
7. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the several Orders of the Day (Government Business), on the Notice Paper for to-day, be postponed until after the consideration of the second Notice of Motion (General Business) for to-day.

8. MELBOURNE AND SUBURBAN RAILWAY SALE BILL.—Mr. Speaker having reported that the Clerk of the Assembly had certified that the fair print of this Bill was in accordance with the Bill as reported from the Select Committee—Bill, on the motion of Mr. Loader, read a third time and *passed*.

Mr. Loader moved, That the following be the title of the Bill :—

*“ An Act to enable the Melbourne and Suburban Railway Company to sell their Undertaking and Property and for other purposes.”*

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.

9. ELECTORAL ACT SUSPENSION BILL.—Mr. O'Shanassy moved, That this Bill be now read a second time.

Debate ensued.

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

Mr. O'Shanassy moved, That this Bill be now committed to a Committee of the whole Assembly.

Question—put and resolved in the affirmative.

And on the further motion of Mr. O'Shanassy, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.

Mr. Speaker resumed the Chair ; Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Assembly ordered the same to be taken into consideration, Friday, 14th March instant—Bill, as amended, to be printed.

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

*“ Supply—To be further considered in Committee,”*

*“ Civil Service Bill—Second reading,”*

*“ Tax on Bank Notes Bill—Second reading,”*

*“ Preferable Lien on Crops Bill—To be further considered in Committee,”* and

*“ Bills of Sale Bill—Consideration of Report,”* until Tuesday, 11th March instant ;

*“ Gold Export Duty Exemption Bill—Second reading,”* until after the consideration of the 8th Order for to-day.

11. LANDS TITLES REGISTRATION BILL.—Mr. Ireland moved, That this Bill be now read a second time.

Mr. Service moved, That the debate be now adjourned.

Debate ensued.

And the house having continued to sit till after twelve of the clock—

SATURDAY, 8TH MARCH, 1862.

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

Mr. Gray moved, That the debate be adjourned until this day fortnight.

Dr. Evans moved, as an amendment, That the word “fortnight” be omitted with a view to insert instead thereof the word “week.”

Debate ensued.

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

Assembly divided.

Ayes, 18.

Mr. Berry,	Mr. Levi,
Mr. Cathie,	Mr. McLellan,
Mr. B. G. Davies,	Mr. Orkney,
Mr. J. Davies,	Mr. Ramsay,
Mr. Foott,	Mr. Service,
Mr. Gillies,	Mr. Wright.
Mr. Gray,	
Mr. Heales,	<i>Tellers.</i>
Mr. Houston,	Mr. Denovan,
Mr. Lambert,	Mr. McCann.

Noes, 17.

Mr. Aspinall,	Mr. Nicholson,
Mr. W. A. Brodribb,	Mr. O'Grady,
Mr. Cummins,	Mr. O'Shanassy,
Mr. Edwards,	Mr. W. C. Smith,
Dr. Evans,	Mr. J. D. Wood.
Mr. Francis,	
Mr. Ireland,	<i>Tellers.</i>
Mr. Johnston,	Mr. Levey,
Dr. Mackay,	Mr. L. L. Smith.
Mr. McDonald,	

And so it was resolved in the affirmative.

Question—That this debate be adjourned until this day fortnight—put and resolved in the affirmative.

12. MR. J. D. PINNOCK.—Mr. Francis moved, pursuant to notice, That the Petition of Mr. J. D. Pinnock be referred to the Committee now sitting on “Claims for Compensation.”

Question—put and resolved in the affirmative.

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

- “ *Gold Export Duty Exemption Bill—Second reading,*” until Tuesday, 11th March instant ;
- “ *Equity Jurisdiction Bill—Second reading,*” until Thursday, 13th March instant ;
- “ *Contractors and Workmen Lien Bill—Second reading,*”
- “ *Scotch Solicitors and Procurators Admission Bill—Second reading,*” until Thursday, 20th March instant ;
- “ *Licensing Acts Amendment Bill—Second reading,*”
- “ *Church Act Amendment Bill—Second reading,*”
- “ *Game Preservation Bill—To be further considered in Committee,*”
- “ *Inspector of Pounds—Motion for Address—To be considered in Committee,*” until Thursday, 13th March instant ;
- “ *Real Property Bill—Second reading,*” until Tuesday, 11th March instant ;
- “ *Weights and Measures Bill—To be further considered in Committee,*” until Thursday, 13th March instant ;
- “ *Justices Law Administration Bill—To be further considered in Committee,*” until Thursday, 20th March instant ;
- “ *Insolvency Bill—Second reading,*”
- “ *Pleuro-Pneumonia in Cattle Act Amendment Bill—Second reading,*”
- “ *Dr. Thomson—Report from Select Committee—To be taken into consideration,*” until Thursday, 13th March instant.

Assembly adjourned at eight minutes past two o'clock until four o'clock on Tuesday next.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 59.

TUESDAY, 11<sup>TH</sup> MARCH, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.  
 2. PAPERS.—The Commissioner of Mines presented by command of His Excellency the Governor—

Gold Fields Statistics for 1861.

Ordered to lie on the Table.

Mr. Haines presented—

Her Majesty's Troops—Reply to question put by Mr. Loader 29th January last, for—

- (1.) The number of Her Majesty's troops at present receiving pay from the Victorian Government, setting forth the divisions of the service to which such troops are respectively attached.
- (2.) The daily duties upon which such troops are respectively engaged.
- (3.) The names of the officers of Her Majesty's troops who have received pay and allowances from the Victorian Government during the period from January 1st, 1856, to date, and the annual amount of pay and allowances which each officer has received; also, the total annual amount of money paid to the privates.

Ordered to lie on the Table.

Mr. Johnston presented—

Passenger Traffic.—Return to an Order of the Legislative Assembly, dated 4th March instant, for the passenger traffic on the Railway Stations, showing the number of fares issued, daily receipts, and number of passenger trains working past each station for the last three months of 1861.

Ordered to lie on the Table.

3. PETITIONS.—The following Petitions, praying that the Bill for the simplification of the Transfer of Real Property, similar to that in operation in South Australia, might receive the favorable consideration of this House and be speedily passed into law, were presented as under:—

By Mr. Lalor, from certain residents of Winchelsea and neighborhood.

By Mr. McCann, from certain residents of Steiglitz.

By Mr. Cohen, from certain residents of Melbourne and neighborhood.

By Mr. Lambert, from certain inhabitants of Richmond and neighborhood.

Severally ordered to lie on the Table.

Mr. Houston presented a Petition from the Pleasant Creek portion of the Catholics of Ararat mission, praying the House to extend its protection to the petitioners, and guarantee their rights of conscience, imperilled by the clauses referred to in the Petition.

Ordered to lie on the Table.

4. MESSAGE FROM THE LEGISLATIVE COUNCIL.—The following Message from the Legislative Council, by the Clerk Assistant of the Council:—

MR. SPEAKER,

The Legislative Council request that the Legislative Assembly will be pleased to communicate to the Legislative Council copies of the Report and Proceedings from the Select Committee of the Legislative Assembly, in the present Session of Parliament, upon the Bill intituled, "*An Act to enable the Melbourne and Suburban Railway Company to sell their Undertaking and Property and for other purposes,*" together with the Minutes of Evidence taken before the said Committee.

(Signed)

MATTHEW HERVEY,  
Acting President.Legislative Council Chamber,  
11th March, 1862.

On the motion of Mr. Mac Mahon the Assembly ordered that a Message be transmitted to the Legislative Council forwarding copies of the above evidence and report.

5. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor received and read :—

*Real Property Bill.*

HENRY BARKLY,  
Governor.

Message No. 11.

In pursuance of the provisions of the Act 18 and 19 Vic., cap. 55, the Governor recommends that, in order to provide for the better carrying out the purposes of a Bill to simplify the laws relating to the transfer and incumbrance of freehold and other interests in land, an appropriation be made from the consolidated revenue for a sufficient salary for each of two solicitors, and for a fund to compensate persons injured by erroneous registration.

Government Offices,

Melbourne, 11th March, 1862.

Ordered to lie on the Table, and to be printed.

6. LIBRARY COMMITTEE.—Mr. Edwards, on behalf of Mr. Speaker, Chairman, brought up the First Report from this Committee.

Ordered to lie on the Table, and to be printed.

7. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.

Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had made progress.

Mr. Lalor also acquainted the House that he was directed to move that he have leave to sit again.

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

8. MESSAGE FROM THE LEGISLATIVE COUNCIL.—The following Message from the Legislative Council, by the Clerk Assistant of the Council :—

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the Bill intituled, "*An Act to amend an Act intituled 'An Act to regulate the conveyance of Passengers to Victoria,'*" without amendment.

(Signed)

MATTHEW HERVEY,

Acting President.

Legislative Council Chamber,  
11th March, 1862.

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

"*Consolidated Revenue Bill—Second reading,*" until Friday, 14th March instant;

"*Civil Service Bill—Second reading,*"

"*Tax on Bank Notes Bill—Second reading,*" until to-morrow;

"*Preferable Lien on Crops Bill—To be further considered in Committee,*"

"*Bills of Sale Bill—Consideration of Report,*" until Tuesday, 18th March instant;

"*Gold Export Duty Exemption Bill—Second reading,*" until to-morrow;

"*Hawkers Act Amendment Bill—To be further considered in Committee,*" until Thursday, 13th March instant.

10. REAL PROPERTY BILL.—The Order of the Day for the second reading of this Bill having been read—a question of order was raised by Mr. Aspinall, That, inasmuch as the introduction of this Bill had not been preceded by a Message from His Excellency the Governor, as required by the fifty-seventh section of the Constitution Act, the Assembly could not legally consider the measure, and after debate had thereon—

Mr. McLellan moved, That this House do now proceed with the question of the second reading of this Bill.

Debate continued.

Motion, by leave, withdrawn.

Mr. Service then moved, That the Order of the Day for the second reading of the Bill be discharged.

Question—put and resolved in the affirmative.

Ordered—That the said Bill be withdrawn.

11. MARKETS BILL.—Mr. Levey moved, pursuant to notice, That he have leave to bring in a Bill for the more effectual establishment and regulation of Markets in Municipal districts.

Question—put and resolved in the affirmative.

Ordered—That Mr. Levey and Dr. Mackay do prepare and bring in the Bill.

Mr. Levey then brought up a Bill, intituled "*A Bill for the more effectual establishment and regulation of Markets in Municipal districts,*" 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, 18th March instant.

Assembly adjourned at twenty-five minutes to ten o'clock until four o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
Speaker.

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 60.

WEDNESDAY, 12<sup>TH</sup> MARCH, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—Mr. Verdon presented a Petition from the Catholics of Williamstown, praying this House to extend its protection to the petitioners and guarantee their rights of conscience, imperilled by certain clauses referred to in the petition.  
Ordered to lie on the Table.  
  
Mr. Ramsay presented a Petition from certain Tradesmen, Farmers, Miners, and others, of Welchman's Reef, Maldon, and the neighborhood, praying the House to refuse its assent to the Crown Lands Sale and Occupation Bill, or to any Bill, which does not give to persons desirous of actually settling and residing on land: first—free selection before and after survey, to the extent of 320 acres for each person, over the entire waste lands of the colony; second—extended grazing rights; and third—deferred payments; and that this House would pass such a Bill as should secure to agricultural settlers these advantages, and to persons desirous of embarking more particularly in grazing pursuits an opportunity of so doing, by the sub-division of the present runs, and the re-letting of them in moderate areas, subject to the right of entry by actual settlers.  
Ordered to lie on the Table.
3. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Seventeenth Report from this Committee.  
Ordered to lie on the Table and to be printed.
4. PENSIONS COMMITTEE.—Mr. Mollison moved, by leave of the Assembly, That the name of Mr. Jones be substituted for the name of Mr. Gillespie on this Committee.  
Question—put and resolved in the affirmative.
5. DISTILLATION.—Mr. Johnston moved, pursuant to notice given by Mr. Mac Mahon, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider the propriety of adopting the following resolutions—
  - (1.) That it is expedient to make further provision for the regulation of distillation in the Colony of Victoria.
  - (2.) That a Bill be brought in for the above purpose.
 Question—put and resolved in the affirmative.
6. REFRESHMENT ROOMS.—Mr. Frazer moved, by leave of the Assembly—
  - (1.) That the tender of Mr. James Walsh for the Parliament Stables be accepted for six months, subject to the supervision of the Comptroller.
  - (2.) That in consequence of the abolition of his office, the case of Mr. Taylor, late stablekeeper, be recommended to the favorable consideration of the Government.
  - (3.) That the Comptroller of the Refreshment Rooms be requested to carry out the suggestions of the Commissioners of Audit, with regard to keeping a public property book, and the preparation of lists of unserviceable articles, as conveyed in their report to the Government.
  - (4.) That the rule already arrived at with reference to the exclusion of strangers from the smoking and dining rooms be strictly enforced, except in the case of ex-members of Parliament.
 Debate ensued.  
Mr. O'Shanassy moved, That this debate be now adjourned.  
Question—put and resolved in the affirmative.  
Ordered—That this debate be adjourned until Thursday, 20th March instant.

7. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.

And the House having continued to sit till after twelve of the clock,

THURSDAY, 13<sup>TH</sup> MARCH, 1862.

Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to a certain resolution.

Ordered—That the said Report be received Friday, 14<sup>th</sup> March instant.

Mr. Lalor also acquainted the House that he was directed to move that he have leave to sit again.

Resolved—That this House will, on Friday, 14<sup>th</sup> March instant, again resolve itself into the said Committee.

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

“ *Crown Lands Sale and Occupation Bill—To be further considered in Committee,*” and

“ *Crown Lands Sale and Occupation Bill—Message of His Excellency the Governor to be taken into consideration,*” until Tuesday, 18<sup>th</sup> March instant;

“ *Gold Mining Leases Bill—Second reading,*”

“ *Lands Titles Registration Bill (2)—Second reading,*” and

“ *Civil Service Bill—Second reading,*” until Friday, 21<sup>st</sup> March instant;

“ *Tax on Bank Notes Bill—Second reading,*” and

“ *Gold Export Duty Exemption Bill—Second reading,*” until Friday, 14<sup>th</sup> March instant.

9. MESSAGE FROM THE LEGISLATIVE COUNCIL.—The following Message from the Legislative Council, by the Clerk Assistant of the Council :—

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the Bill intituled “ *An Act to enable the Melbourne and Suburban Railway Company to sell their Undertaking and Property and for other purposes,*” without amendment.

(Signed)

MATTHEW HERVEY,

Legislative Council Chamber,  
12<sup>th</sup> March, 1862.

Acting President.

10. MR. H. S. LINDSAY.—Mr. Service moved, pursuant to notice, That a Return be laid upon the Table of the House showing—

(1.) The date, extent, and terms of a contract entered into by the Survey Department with Mr. H. S. Lindsay for the survey of Block H, County of Hampden.

(2.) The date and reason of the termination of such contract, and the amount of money paid on account of the same, with the date of the last payment.

Question—put and resolved in the affirmative.

11. PAPERS.—Mr. Gavan Duffy presented—

Mr. H. S. Lindsay.—Return to the above motion.

Ordered to lie on the Table.

Assembly adjourned at twelve minutes past one o'clock until four o'clock p.m. this day.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*



VICTORIA.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 61.

THURSDAY, 13<sup>TH</sup> MARCH, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—Mr. Snodgrass presented a Petition from James Hemming Webb, Assistant Government Shorthand Writer, praying that he might be restored to the professional and official status which, under the circumstances stated, he has hitherto held in the public service of this country.  
Ordered to lie on the Table.  
Mr. Edwards presented a Petition from Mrs. Ronald Smith, of 93 Kerr Street, Collingwood, praying that in consideration of the long, dangerous, and meritorious services of her late husband, and of the destitute condition of herself and children, this House would take her case into consideration.  
Petition read, and ordered to lie on the Table.  
Mr. A. J. Smith presented a Petition from William Henry Wright, praying that the House would give his case, as set forth in the Petition, favorable consideration, and do thereupon as might seem fit and proper.  
Ordered to lie on the Table.  
Dr. Hedley presented a Memorial from certain inhabitants of Melbourne, in the Colony of Victoria, praying that this House would pass the Aliens Bill into law during the present Session of Parliament without any amendments save as mentioned in the Memorial.  
Memorial read and ordered to lie on the Table.
3. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor received and read :—  
HENRY BARKLY,  
*Governor.* *Message No. 12.*  
It is with the deepest regret that the Governor has to inform the Legislative Assembly that his despatches, by the mail just arrived, confirmed the melancholy intelligence previously received from the Mauritius of the Death of His Royal Highness the Prince Consort.  
Government Offices,  
Melbourne, 13th March, 1862.  
Ordered to lie on the Table and to be printed.
4. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—  
“ *Building Act Extension Bill—Second reading,*” until Thursday, 27th March instant ;  
“ *Aliens Bill—To be further considered in Committee,*” until after the consideration of the 15th Notice of Motion on the paper for to-day ;  
“ *Gold Export Duty Act Amendment Bill—Second reading,*”  
“ *Medical Practitioners Bill—To be further considered in Committee,*”  
“ *Colonial Wines Sale Bill—To be further considered in Committee,*” and  
“ *Quartz Reefs Drainage Bill.—Second reading,*” until Thursday, 27th March instant ;  
“ *Equity Jurisdiction Bill—Second reading,*” until to-morrow ;  
“ *Church Act Amendment Bill—Second reading,*”  
“ *Game Preservation Bill—To be further considered in Committee,*” and  
“ *Inspector of Pounds—Motion for Address—To be considered in Committee,*” until after the consideration of the 15th Notice of Motion on the paper for to-day ;

- “ *Weights and Measures Bill*—To be further considered in Committee,” until Thursday, 27th March instant ;  
 “ *Insolvency Bill*—Second reading,” until Thursday, 20th March instant ;  
 “ *Pleuro-Pneumonia in Cattle Act Amendment Bill*—Second reading,”  
 “ *Dr. Thomson—Report from Select Committee*—To be taken into consideration,”  
 and  
 “ *Hawkers Act Amendment Bill*—To be further considered in Committee,” until after the consideration of the 15th Notice of Motion on the paper for to-day.
5. DISCHARGE OF ORDERS OF THE DAY.—The following Orders of the Day were read and discharged :—  
 “ *Impounding Prevention Bill*—Second reading.”  
 “ *Licensing Acts Amendment Bill*—Second reading.”
6. MRS. JAMES.—Mr. Heales moved, pursuant to notice given by Mr. Foott, That the Petition of Mrs. James (widow), presented to this House on the 5th instant, be referred to the Committee appointed to consider “Claims for Compensation.”  
 Debate ensued.  
 Mr. Snodgrass moved, That the debate be now adjourned.  
 Debate continued.  
 Motions, by leave, withdrawn.
7. REAL PROPERTY BILL.—Mr. Service moved, pursuant to notice, That he have leave to bring in a Bill to simplify the laws relating to the transfer and encumbrance of freehold and other interests in land.  
 Question—put and resolved in the affirmative.  
 Ordered—That Mr. Service and Mr. Levi do prepare and bring in the Bill.  
 Mr. Service then brought up a Bill, intituled “*A Bill to simplify the laws relating to the transfer and encumbrance of freehold and other interests in land,*” 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 Thursday, 20th March instant.  
 Mr. Service moved, pursuant to notice, That this Order of the Day take precedence of all other business on the paper for that day.  
 Question—put and resolved in the affirmative.
8. ALIENS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.  
 Mr. Speaker resumed the Chair, and Mr. Lalor reported that there was not a quorum of Members present in the Committee.
- Mr. Speaker counted the House; and a quorum of Members not being present, Mr. Speaker, at fourteen minutes to eight o'clock, adjourned the House, without question being first put, until four o'clock to-morrow.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 62.

FRIDAY, 14<sup>TH</sup> MARCH, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. LUNATIC ASYLUM COMMITTEE.—Mr. Don, having obtained leave of the Assembly, presented the Second Progress Report from this Committee.  
Ordered to lie on the Table, and to be printed.
3. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—  
“*Supply—Resolution to be reported,*” until Tuesday, 18th March instant ;  
“*Supply—To be further considered in Committee,*” until after the consideration of the 3rd Order for to-day.
4. DISCHARGE OF ORDER OF THE DAY.—The Assembly ordered that the following Order of the Day be read and discharged :—  
“*Electoral Act Suspension Bill—Consideration of Report.*”
5. ELECTORAL ACT SUSPENSION BILL.—Mr. Wood moved, That this Bill be now re-committed to a Committee of the whole Assembly.  
Question—put and resolved in the affirmative.  
And on the further motion of Mr. Wood—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the re-consideration of Clause V. and the last Schedule of this Bill, and the insertion of a new Clause.  
Mr. Speaker resumed the Chair ; and Mr. Lalor having reported that the Committee had made further amendments in this Bill, the Assembly ordered the same to be taken into consideration Tuesday, 18th March instant.  
Bill as amended to be printed.
6. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.  
Mr. Speaker resumed the Chair ; and Mr. Lalor having reported that there was not a quorum of Members present on the Committee,  
Mr. Speaker counted the House ; and a quorum not being present, Mr. Speaker, at a quarter to eight o'clock, adjourned the House, without question being first put, until four o'clock on Tuesday next.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 63.

TUESDAY, 18<sup>TH</sup> MARCH, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—Mr. W. C. Smith presented a petition from Thomas Lang, styling himself President of the Ballarat Chamber of Commerce, praying that this House would facilitate the progress of the Real Property Bill, that the same might speedily become the law of the land.  
Petition read, and ordered to lie on the Table.  
Dr. Owens presented a Petition from Louisa Dunstone, praying the House to take steps with the view to ascertain and determine any claims she may be entitled to in behalf of her late husband's services.  
Ordered to lie on the Table.  
Mr. Jones presented a Petition from Philip Stanley Tomlins, gentleman, praying the House to enquire into the matter referred to in the Petition, by appointing a Committee or otherwise, and afford the Petitioner such relief as this House might deem fit.  
Ordered to lie on the Table.  
Mr. Service presented a Memorial from the local patrons and others interested in the National School at Kirkstall, urging upon this House the desirability of putting the National Board in a position to enable it to meet its engagements with its teachers.  
Ordered to lie on the Table.  
Mr. W. A. Brodribb presented a Petition from the Catholics of Brighton, praying the House to extend its protection to the Petitioners and guarantee their rights of conscience, imperilled by certain clauses referred to in the Petition.  
Ordered to lie on the Table.  
Mr. Wood presented a Petition from John Grieve, styling himself Chairman of a Public Meeting of the Inhabitants of Warrnambool, praying the House to take the statements set forth in the Petition into consideration, and insert in the present Land Bill a clause providing for blocks of Land to be reserved through the colony for Educational purposes.  
Ordered to lie on the Table.
3. PAPERS.—Mr. O'Shanassy, by command of His Excellency the Governor, presented—  
War with America.—Copy of a Despatch from the Secretary of State relative to the disposal of the Naval Forces of Great Britain in the event of War, and urging the completion of certain measures of defence required in this Colony; also intimating that the Troops sent to New Zealand shall be forthwith returned.  
War with America.—Copy of a Circular Despatch from the Secretary of State, stating that the Question which threatened a War with the United States has been amicably settled: but pointing out the necessity of prompt and effectual preparation against contingencies.  
Severally ordered to lie on the Table.

4. SANDHURST ELECTION PETITION.—Mr. Mollison, Chairman of “The Committee of Elections and Qualifications,” brought up the following resolutions from the Committee, viz. :—

That James Joseph Casey, Esq., who was returned by the Returning Officer as elected for the electoral district of Sandhurst on the 10th day of August, 1861, was not duly elected.

That Robert Frederick Howard, Esq., was duly elected for the said electoral district at the said election.

Resolutions read, and ordered to be printed, together with the Proceedings of the Committee and Minutes of Evidence.

5. DEATH OF H.R.H. PRINCE ALBERT.—Mr. O’Shanassy moved, pursuant to notice, That a Select Committee be appointed, consisting of Mr. Haines, Mr. Mollison, Mr. Verdon, Mr. Heales, and the Mover, to prepare an Address of Condolence to Her Majesty on the lamented decease of His Royal Highness the Prince Consort.

Question—put and resolved in the affirmative.

Ordered—That the said Committee do retire immediately.

Mr. O’Shanassy brought up a Draft Report which was read, and is as follows :—

*To Her Most Gracious Majesty the Queen.*

MAY IT PLEASE YOUR MAJESTY :

We, Your Majesty’s dutiful and loyal subjects, the Members of the Legislative Assembly in Parliament assembled, desire to convey to Your Majesty the assurance of our sincere attachment to Your Majesty’s throne and person.

We have learned with the most profound regret the irreparable loss sustained by Your Majesty, your illustrious family, and your people, in the death of His late Royal Highness the Prince Consort, and, although we have been precluded by distance from an earlier manifestation of our feelings, we now approach Your Majesty with the sincere expression of our heartfelt sympathy and condolence.

We desire, as Australians, to unite this expression of our feeling with the universal grief which has been exhibited throughout the Empire, and we fondly cherish the hope that the sympathy thus evinced by all Your Majesty’s subjects may tend to alleviate, while it cannot remove, the affliction which it has pleased an all-wise Providence to ordain.

We trust that Your Majesty may long be spared to rule over your people, and to console and guide your family, now mourning the loss of a father so wise, so good, and so enlightened; and we devoutly pray that Your Majesty may, after such a bereavement, find strength to perform all your duties, as a parent and a Sovereign, with that confidence which is imparted to those who, like Your Majesty, reverence and rely upon Almighty God.

Mr. O’Shanassy moved, That the above Address be agreed to and adopted by the Assembly.

Question—put and resolved in the affirmative.

Ordered—That the said Address be transmitted to the Legislative Council, with a Message requesting their concurrence therein.

6. DISTILLATION.—Capt. Mac Mahon moved, pursuant to notice, That this House will, on Friday next, resolve itself into a Committee of the whole to consider the propriety of adopting the following resolutions :—

(1.) That it is expedient to consolidate and amend the laws affecting distillation and brewing in Victoria, and the sale of fermented and spirituous liquors in certain cases.

(2.) That licenses be granted for the following purposes, and fees therefor be paid according to the annexed scale :—

For every license to keep and use still for distillation of spirits	... £10	0	0
For every license to keep and use still for medical, chemical, assay, photographic, or scientific purposes, or for distilling perfumes, or for the manufacture of pyroligneous acid, naphtha, or other manufacture where a still is necessary, and in which no spirits are made	... ..	2	0
For every license to keep and use a still for distillation of brandy from grapes, for the purpose of fortifying wines	... ..	5	0
For every license to keep and use a still for the distillation of brandy from grapes, for sale or exportation	... ..	10	0

(3.) That the following rates of duty shall be paid, levied, and collected on spirits hereafter distilled in Victoria, viz. :—

(a.) Upon spirits distilled from malt, grain, roots, grapes, or wine, six shillings per gallon.

(b.) Upon spirits distilled from sugar, treacle, molasses, beer, or ale, eight shillings per gallon.

(4.) That a Bill be brought in to carry out the above mentioned purposes.

Debate ensued.

Question—put and resolved in the affirmative.

7. SUPPLY—ESTIMATES FOR 1862.—Mr. Lalor reported from the Committee of Supply a certain resolution, which was read, and is as follows :—

12th March.

Resolved—That the sum hereinafter mentioned be granted to Her Majesty to defray the charge for the first six months of the year 1862 for the service hereunder specified, being—

### I.—CHIEF SECRETARY.

DIVISION No. 19.

#### EDUCATION.

(To provide for existing Establishments.)

Subdivision No. 1.

#### NATIONAL BOARD.

Salaries and Departmental Contingencies of Board ...	£	s.	d.	£	s.	d.
Salaries to Teachers ... ..	2,050	0	0	15,450	0	0

17,500 0 0

Subdivision No. 2.

#### DENOMINATIONAL BOARD.

Salaries and Departmental Contingencies of Board ...	£	s.	d.	£	s.	d.
Salaries of Teachers ... ..	3,422	0	0	41,578	0	0

45,000 0 0

The aforesaid sums to be expended by both Boards under the following conditions, viz. :—

1. That no school, except for the instruction of the deaf and dumb, or blind, receive aid if the average attendance of pupils shall be below twenty, unless such aid be granted with the assent of the Governor in Council, given in each special case ; and that in any such special case the aid granted shall not exceed the average amount per pupil of the aid granted to other schools.
2. That no new school, within three miles of any school receiving aid from the revenue, shall receive aid from this grant, unless there shall have been in the school last established an average attendance of forty pupils during the six months immediately following the date of its establishment.
3. That no school in connection with any denomination shall be established or revived by the Denominational Board within three miles of any school in connection with the same denomination ; and no school shall be established or revived by the National Board within three miles of a school already receiving aid from the National Board, unless there shall have been for the previous six months at such school receiving aid an average attendance of one hundred pupils.

Total, Division No. 19 ... ..	£	s.	d.	62,500	0	0
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And the said resolution having been read a second time, Mr. Haines moved, That this resolution be recommitted to the Committee of Supply.

Debate ensued.

Question—put.

Assembly divided.

Ayes, 32.

Mr. Aspinall,	Mr. McDonald,
Mr. K. E. Brodribb,	Mr. Mollison,
Mr. W. A. Brodribb,	Mr. Nicholson,
Mr. Cohen,	Mr. Orkney,
Mr. Cummins,	Mr. O'Grady,
Mr. Don,	Mr. O'Shanassy,
Mr. Duffy,	Mr. Reid,
Dr. Evans,	Mr. Riddell,
Mr. Haines,	Mr. J. T. Smith,
Mr. Ireland,	Mr. W. C. Smith,
Mr. Jones,	Mr. Tucker,
Mr. Kirk,	Mr. Wilson,
Mr. Lalor,	Mr. Wood.

Tellers.

Dr. Mackay,	Mr. Bennett,
Capt. Mac Mahon,	Mr. Johnston.

And so it was resolved in the affirmative.

Noes, 26.

Mr. Berry,	Mr. Nixon,
Mr. Brooke,	Mr. O'Connor,
Mr. J. Davies,	Mr. Ramsay,
Mr. Denovan,	Mr. Richardson,
Mr. Francis,	Mr. Service,
Mr. Frazer,	Mr. Sinclair,
Mr. Gillies,	Mr. Sullivan,
Mr. Grant,	Mr. Verdon,
Mr. Gray,	Mr. Weeks,
Mr. Heales,	Mr. Wright,
Dr. Hedley,	
Mr. Houston,	
Mr. McCann,	
Mr. McLellan,	

Tellers.

Mr. Humffray,
Mr. B. G. Davies.

8. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.  
Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to a certain resolution.  
Ordered—That the said Report be received to-morrow.  
Mr. Lalor also acquainted the House that he was directed to move that he have leave to sit again.  
Resolved—That this House will, to-morrow, again resolve itself into the said Committee.
9. PASSENGERS ACT AMENDMENT BILL.—Mr. Speaker reported that he had this day received a letter from the Clerk of the Parliaments, which he read, and is as follows:—  
Parliament Houses,  
18th March, 1862.  
SIR,  
I do myself the honor to report, in accordance with the 21st Joint Standing Order of both Houses, that the following clerical error has been discovered in the Bill intituled “*An Act to amend an Act, intituled, ‘An Act to regulate the conveyance of Passengers ‘to Victoria,’*” viz., in Clause I. line 4, the word “to” has been inserted in the original Bill.  
I have the honor to be,  
Sir,  
Your most obedient Servant,  
(Signed) G. W. RUSDEN,  
Clerk of the Parliaments.  
The Honorable the Speaker.  
Mr. Wood moved, That the word “to” referred to in the above letter, be omitted from Clause I. of this Bill.  
Question—That the word proposed to be omitted stand part of the clause—put and negatived.  
Ordered—That a Message be transmitted to the Legislative Council, requesting their concurrence in the said amendment.
10. ELECTORAL ACT SUSPENSION BILL.—The Order of the Day for the consideration of the amendments made by the Committee of the whole in this Bill, having been read, and the amendment made in Clause III. of this Bill having been read a second time,  
Mr. Wood moved, That the words “first mentioned” be inserted after the first word “said” in the said amendment.  
Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.  
And the several amendments made prior to those contained in Clause V. of this Bill were read a second time and agreed to by the Assembly.  
And the amendments made in Clause V. of this Bill having been read a second time.  
Mr. Wood moved, as an amendment, That the words “electoral province or district,” in the last line but one of the proviso made to this clause, be omitted, with a view to insert instead thereof the word “division.”  
Debate ensued.  
Motion, by leave, withdrawn.  
And the said amendments in Clause V. were agreed to by the Assembly.  
And the several other amendments in this Bill were read a second time, and agreed to by the Assembly.  
Mr. Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported, and the Clerk of Assembly having noted the amendment made on the consideration of the Report—Bill, on the motion of Mr. Wood, read a third time and *passed*.  
Mr. Wood moved, That the following be the title of the Bill:—  
“*An Act to suspend the operation of certain enactments relating to Registration of Parliamentary Electors and for other purposes.*”  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.
11. DISCHARGE OF ORDER OF THE DAY.—The following Order of the Day was read and discharged:—  
“*Distillation—Resolutions to be considered in Committee.*”
12. GOLD EXPORT DUTY EXEMPTION BILL.—Mr. Haines moved, That this Bill be now read a second time.  
Question—put and resolved in the affirmative.  
Bill read a second time.  
Mr. Haines moved, That this Bill be now committed to a Committee of the whole Assembly.  
Question—put and resolved in the affirmative.  
And on the further motion of Mr. Haines, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
Mr. Speaker resumed the Chair; Mr. Lalor reported that the Committee had agreed to the Bill without amendment.  
Mr. Speaker 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 Mr. Haines, read a third time and *passed*.

Mr. Haines moved, That the following be the title of the Bill:—

*“An Act to authorize the Exportation from the Colony of Victoria, free of  
“ Customs’ duty, of Gold not being the produce of the said colony and for  
“ other purposes.”*

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.

13. CROWN LANDS SALE AND OCCUPATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

Mr. Speaker resumed the Chair; and Mr. Lalor 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 this House will, to-morrow, again resolve itself into the said Committee.

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

*“Consolidated Revenue Bill—Second reading,”*

*“Tax on Bank Notes Bill—Second reading,”* until Friday, 21st March instant;

*“Crown Lands Sale and Occupation Bill—Message of His Excellency the Governor to be taken into consideration,”* until Tuesday, 25th March instant;

*“Preferable Lien on Crops Bill—To be further considered in Committee,”*

*“Bills of Sale Bill—Consideration of Report,”* until Friday, 21st March instant.

*“Aliens Bill—To be further considered in Committee,”*

*“Church Act Amendment Bill—Second reading,”*

*“Game Preservation Bill—To be further considered in Committee,”*

*“Inspector of Pounds—Motion for Address—To be considered in Committee,”*

*“Pleuro-Pneumonia in Cattle Act Amendment Bill—Second reading,”*

*“Dr. Thomson—Report from Select Committee—To be taken into consideration,”* until Thursday, the 27th March instant;

*“Hawkers Act Amendment Bill—To be further considered in Committee,”* until Thursday, the 20th March instant;

*“Equity Jurisdiction Bill—Second reading,”* and

*“Markets Bill—Second reading,”* until Thursday, the 27th March instant.

15. MRS. RYAN.—Mr. Lalor moved, pursuant to notice, That the case of the widow of the late Mr. Ryan, of the Survey Department, be referred to the Committee appointed to enquire into “Claims for Compensation.”

Question—put and resolved in the affirmative.

Assembly adjourned at twenty-five minutes past eleven o’clock until four o’clock to-morrow.

FRANs. MURPHY,  
*Speaker.*



## VICTORIA.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 64.

WEDNESDAY, 19TH MARCH, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. RETURN TO WRIT.—Mr. Speaker 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 Electoral District of Grenville, by which it appeared that Mark Morell Pope was duly elected in pursuance thereof.
3. ASSENT TO BILLS.—A Message from His Excellency the Governor, by the Usher of the Legislative Council :—  
MR. SPEAKER,  
His Excellency the Governor desires the immediate attendance of this Honorable House in the Legislative Council.  
Accordingly Mr. Speaker, with the House, went to the Legislative Council, when His Excellency was pleased to give the Royal Assent to the several public Bills following, viz. :—  
“ *An Act to amend an Act intituled, ‘ An Act to consolidate and amend the Laws affecting the Chinese emigrating to or resident in Victoria.’*”  
“ *An Act to amend an Act intituled, ‘ An Act to regulate the Conveyance of Passengers to Victoria.’*”  
And also to the private Bill following, viz. :—  
“ *An Act to enable the Melbourne and Suburban Railway Company to sell their Undertaking and Property and for other purposes.*”
4. MELBOURNE AND HOBSON'S BAY RAILWAY ACT AMENDMENT BILL.—Mr. Lalor brought up a Special Report from this Committee.  
Ordered to lie on the Table.
5. NEW MEMBER SWORN.—Robert Frederick Howard, Esq., was sworn and took his Seat as Member for the Electoral District of Sandhurst.
6. DEATH OF H. R. H. PRINCE ALBERT.—A Message from the Legislative Council by the Clerk Assistant of the Council :—  
MR. SPEAKER,  
The Legislative Council inform the Legislative Assembly that, as the Legislative Council had adopted an Address of Condolence to Her Majesty on the loss sustained by Her Majesty on the decease of H. R. H. the Prince Consort before a Message was received desiring their concurrence with the Address adopted by the Legislative Assembly, the Council are precluded from concurring with that Address.  
(Signed) MATTHEW HERVEY,  
Acting President.  
Legislative Council Chamber,  
Melbourne, 19th March, 1862.
- Mr. O'Shanassy thereupon moved, That the Address agreed to by this House yesterday, be presented to His Excellency the Governor by Mr. Speaker and such Members of the Assembly as choose to attend, and that His Excellency be requested to transmit the same to Her Majesty's Principal Secretary of State for the Colonies, for presentation to Her Majesty the Queen.
7. PETITION.—Mr. Cohen presented a petition from Frederick Armand Powlett, Esq., of Melbourne, praying the House to take his case, as set forth in the petition, into consideration, and do therein as should be deemed just and proper.  
Ordered to lie on the Table.

8. CROWN LANDS SALE AND OCCUPATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

Mr. Speaker resumed the Chair; and Mr. Lalor reported that a question of Order had arisen in the Committee as to the mode of considering amendments relating to time, proposed to be made in a proposed amendment to Clause LXIX. of this Bill, viz., whether the amendments should be considered with regard to the length of time, or whether they should be treated as ordinary amendments.

And discussion having ensued,

Mr. Speaker ruled, that if a blank occurred in the proposed amendment, and if it be proposed to fill up that blank with various dates, then the rule of the Assembly respecting the longest time would apply; but, as in this case there was no blank, the amendments should be put in the ordinary manner.

Mr. Speaker then left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration of this Bill.

Mr. Speaker took the Chair; Mr. Lalor reported that he was compelled to leave the Chair in consequence of disorder prevailing in the Committee.

Mr. Speaker having called upon Members to resume the business of the Committee in an orderly manner, and having offered a suggestion, left the Chair, and the Assembly again resolved itself into a Committee of the whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair; Mr. Lalor 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 this House will, on Friday, 21st March instant, again resolve itself into the said Committee.

9. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until Friday, 21st March instant:—

“*Supply—Resolution to be reported.*”

“*Supply—To be further considered in Committee.*”

10. MR. P. S. TOMLINS.—Mr. Jones moved, pursuant to notice, That the petition of Mr. Tomlins be referred to the Committee now sitting on “Claims for Compensation.”

Question—put and resolved in the affirmative.

Assembly adjourned at fourteen minutes past eleven o'clock until four o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
Speaker.

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 65.

THURSDAY, 20TH MARCH, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. NEW MEMBER.—Mark Morell Pope, Esq., was introduced and sworn, and took his seat as Member for the Electoral District of Grenville.
3. PETITIONS.—Mr. Wood presented a Memorial from the Local Patrons and others interested in the National School in the Warrnambool district, urging upon this House the desirability of granting to the National Board such funds as should enable it to pay full salaries to its Teachers.  
Ordered to lie on the Table.  
Mr. Snodgrass presented a Petition from certain merchants and others interested in the promotion of the pastoral and general interests of the colony, praying this House to rescind the resolution imposing a duty upon Sheepwash Tobacco.  
Ordered to lie on the Table.  
Mr. Wood presented a Memorial from certain inhabitants in the district of Warrnambool in public meeting assembled for the purpose of taking into consideration the system of education at present pursued in the colony, praying the House to take the statements set forth in the petition into consideration and pass a law by which the education of the young should be conducted under one combined national system.  
Ordered to lie on the table.
4. COMPLAINT.—Complaint being made to the House by A. A. O'Connor, Esq., one of the Members for Grenville, of an article in the *Tribune* newspaper (published at Ballaarat), of Tuesday, 18th March, 1862, printed and published by Henry John Turner, imputing improper conduct to him, in breach of the privileges of this House.  
The said paper was delivered in, and the paragraph complained of read.  
Mr. O'Connor moved, That the printer and publisher of the *Tribune*, Henry John Turner, do attend this House on Thursday, 27th March instant.  
Debate ensued.  
Question—put and resolved in the affirmative.
5. REAL PROPERTY BILL (2).—The Order of the Day for the second reading of this Bill having been read, on the motion of Mr. Ireland, the Message from His Excellency the Governor, received 11th March instant, was read by the Clerk.  
Mr. Ireland then raised a question of Order, that the Bill now proposed to be read a second time was not the Bill recommended by such Message.  
And the same question having been debated,  
Mr. Speaker ruled that the title of the Bill introduced by Mr. Service on this subject being the same as that referred to in the Message, he did not consider there was any question of order for him to rule upon.  
Whereupon Mr. Wood moved, That this Bill not having been introduced in accordance with the provisions of the Constitution Act, cannot now be entertained.  
Debate ensued.  
Question—put and negatived.  
Mr. Service moved, That this Bill be now read a second time.  
Debate ensued.  
Mr. Wood moved, That this debate be now adjourned.  
Debate continued.  
Question—That this debate be now adjourned—put and negatived.  
Debate further continued.

And the House having continued to sit till after twelve of the clock,

FRIDAY, 21st MARCH, 1862.

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

Mr. Service moved, That this Bill be now committed to a Committee of the whole Assembly.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—that the Message of His Excellency the Governor, presented to this House on the 11th instant, be referred to the said Committee.

Mr. Service then moved, That Mr. Speaker do now leave the Chair, and the Assembly resolve itself into a Committee of the whole to consider this Bill.

Question—put and resolved in the affirmative.

Whereupon Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole accordingly.

Mr. Speaker resumed the Chair ; Mr. Lalor reported that he was directed to request the opinion of the Speaker as to the propriety of merely reading the Marginal Notes to this Bill.

Mr. Speaker ruled that if there be a general concurrence in the Committee that it be not necessary to read the Clauses through, then it will be competent merely to read the Marginal Notes.

Mr. Speaker left the Chair, and the Assembly again resolved itself into a Committee of the whole for the further consideration of this Bill.

Mr. Speaker resumed the Chair ; Mr. Lalor having reported that the Committee had gone through the Bill, and agreed to the same without amendment.

The Assembly ordered the same to be read a third time, Thursday, 27th March instant, and take precedence of all business on that day.

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

“ *Contractors and Workmen Lien Bill—Second reading,*” until Thursday, 3rd April next ;

“ *Scotch Solicitors and Procurators Admission Bill—Second reading,*” until Thursday, 27th March instant ;

“ *Justices Law Administration Bill—To be further considered in Committee,*” until Tuesday, 25th March instant ;

“ *Refreshment Rooms—Consideration of Report—Resumption of debate,*”

“ *Insolvency Bill—Second reading,*”

“ *Hawkers Act Amendment Bill—To be further considered in Committee,*” until Thursday, 27th March instant.

7. ADJOURNMENT.—Mr. McCann moved, That this House do now adjourn.

Debate ensued.

Question—put and negatived.

8. ADJOURNMENT.—Mr. Heales moved, by leave of the Assembly, That the House at its rising this day, do adjourn until Tuesday next.

Question—put and resolved in the affirmative.

9. MALMSBURY BRIDGE COMPANY.—Mr. Tucker moved, by leave of the Assembly, That this Committee have leave to hold a sitting this day.

Question—put and resolved in the affirmative.

Assembly adjourned at two minutes past five o'clock, a.m., until four o'clock on Tuesday next.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 66.

TUESDAY, 25TH MARCH, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. RESIGNATION OF SEAT.—Mr. Speaker announced that he had this day received a letter from D. R. Flint, Esq., which he read to the Assembly, and is as follows:—

Mount Benson, South Australia,  
14th March, 1862.

DEAR SIR,  
Being about to remove to an adjoining colony, I beg most respectfully to resign my seat in the Legislative Assembly of Victoria. Trusting you will be pleased to accept the same,

I remain, Sir, yours,  
(Signed) DANIEL RATCLIFFE FLINT.

To the Hon. Sir Francis Murphy,  
Speaker of the Legislative Assembly of Victoria.

3. ISSUE OF WRIT.—Mr. Speaker also announced that he had this day issued a Writ for the election of a Member to serve for the electoral district of Ararat, in the room of D. R. Flint, Esq., resigned.
4. DEATH OF H.R.H. PRINCE ALBERT.—Mr. Speaker announced that in pursuance with the resolution of this House, he, with several Members of the Legislative Assembly, had presented to His Excellency the Governor the Address agreed to by this House, on the 18th March instant, and that His Excellency had been pleased to give the following reply thereto.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY.

I will take care that your loyal and dutiful Address is laid before the Queen at the earliest opportunity.

I concur in the hope you have expressed in it, that the affectionate sympathy of all classes of Her Majesty's subjects, together with their universal appreciation of the virtues of His Royal Highness Prince Albert, may, when the first paroxysm of grief has subsided, avail in some degree to console Her Majesty for the irreparable loss, which not alone Herself and Her Royal Children, but the whole Empire, has sustained in the untimely death of Her Illustrious Consort.

(Signed) HENRY BARKLY.

Government Offices,  
Melbourne, 21st March, 1862.

5. PAPERS.—Mr. O'Shanassy presented by command of His Excellency the Governor—  
Government Botanist.—Annual Report of the Government Botanist and Director of the Botanic Garden.

Ordered to lie on the Table.

Mr. O'Shanassy presented—

Government Employés in Hobson's Bay.—Reply to question put by Mr. Nixon 25th February last, for a report of the number of men and boats employed in the Government service in Hobson's Bay, defining the nature of the duties performed by the different boats' crews, also the number of hours the police boats' crews are on duty night and day, with the amount of daily pay it is proposed to give to each boat's crew.

Ordered to lie on the Table.

Mr. Wood presented by command of His Excellency the Governor—

County Court—Proclamation creating a County Court at Smythesdale.

County Court—Proclamation transferring County Court from Buckland to Morse's Creek.

District Court of Mines—Proclamation establishing Court of Mines at Morse's Creek.

Severally ordered to lie on the Table.

6. DISCHARGE OF ORDER OF THE DAY.—On the motion of Mr. O'Connor, the following Order of the Day was read and discharged:—

“*Complaint—Henry John Turner, printer and publisher of the ‘Ballaarat Tribune,’ to attend this House on Thursday next.*”

7. PETITIONS.—Mr. Humffray presented a Petition from Robert Lewis, styling himself chairman of public meeting of the inhabitants of Ballaarat, praying this House would pass the Real Property Bill introduced by the Honorable Member for Ripon and Hampden during the present session, in accordance with the principles of the Act of the Legislature of South Australia, referred to in the Petition, with such amendments as to this House might seem meet.

Ordered to lie on the Table.

Mr. McLellan presented a Petition from certain residents, landowners, miners, and others in the district of Ararat, praying the House to pass the Bill referred to in the Petition into Law with all convenient despatch, for the relief and benefit of all classes in this community.

Ordered to lie on the Table.

Mr. Haines presented a Petition from the Catholics of Portland, praying the House to extend its protection to the Petitioners, and guarantee their rights of conscience, imperilled by certain clauses referred to in the Petition.

Ordered to lie on the Table.

Mr. Service presented a Petition from certain farmers, landholders, and others, residing in the districts of Ballaarat and Learmonth, in public meeting assembled, praying the House would pass the Real Property Bill introduced by the Honorable Member for Ripon and Hampden during the present session, in accordance with the principles of the Act of the Legislature of South Australia, referred to in the Petition, with such amendments as to this House might seem meet.

Ordered to lie on the Table.

8. GOLD EXPORT DUTY EXEMPTION BILL.—Mr. Wood, by leave of the Assembly, moved, That a Message be sent to the Legislative Council, requesting that the Bill intituled “*An Act to authorise the Exportation from the Colony of Victoria free of Customs duty of Gold not being the produce of the said Colony and for other purposes,*” transmitted in mistake to the Legislative Council on the 19th instant, be returned to the Legislative Assembly, and that the Bill passed by the Legislative Assembly and now certified by the Clerk of the Assembly be substituted in lieu thereof.

Question—put and resolved in the affirmative.

9. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Eighteenth Report from this Committee.

Ordered to lie on the Table and to be printed.

10. ADJOURNMENT.—Mr. Berry moved, That this House do now adjourn.

Debate ensued.

Question—put and negatived.

11. MESSAGE FROM THE LEGISLATIVE COUNCIL.—The following Message from the Legislative Council, by the Clerk Assistant of the Council:—

MR. SPEAKER,

The Legislative Council return to the Legislative Assembly the printed copy of the Bill, intituled “*An Act to authorise the Exportation from the Colony of Victoria free of Customs duty of Gold not being the produce of the said Colony and for other purposes,*” in the manner requested by the Legislative Assembly, and acquaint the Legislative Assembly that the Legislative Council have substituted the Bill received this day with the same title in place of the Bill returned.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
Melbourne, 25th March, 1862.

12. TAX ON BANK NOTES BILL.—Mr. Haines moved, That this Bill be now read a second time. On the motion of Mr. Loader, the Petition presented to this House on the 12th February last from the Bankers of Victoria was read by the Clerk.

Debate ensued.

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

Mr. Haines moved, That this Bill be now committed to a Committee of the whole Assembly.

Question—put and resolved in the affirmative.

And on the further motion of Mr. Haines, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.

Mr. Speaker resumed the Chair, and Mr. Lalor 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 this House will to-morrow again resolve itself into the said Committee.

13. **CROWN LANDS SALE AND OCCUPATION BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.
- Mr. Speaker resumed the Chair, and Mr. Lalor 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 this House will to-morrow again resolve itself into the said Committee.
14. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under:—
- “Crown Lands Sale and Occupation Bill—Message of His Excellency the Governor to be taken into consideration,”*
- “Supply—Resolution to be reported,”*
- “Supply—To be further considered in Committee,”*
- “Lands Titles Registration Bill—Second reading—Resumption of debate,”*
- “Gold Mining Leases Bill—Second reading,”* and
- “Lands Titles Registration Bill (2)—Second reading,”* until to-morrow ;
- “Civil Service Bill—Second reading,”* until Friday, 28th March instant ;
- “Distillation—Resolutions to be considered in Committee,”* until to-morrow ;
- “Consolidated Revenue Bill—Second reading,”* until Tuesday, 1st April next ;
- “Preferable Lien on Crops Bill—To be further considered in Committee,”* and
- “Justices Law Administration Bill—To be further considered in Committee,”* until to-morrow.
15. **BILLS OF SALE BILL.**—On the motion of Mr. Anderson the Assembly agreed to the amendments made by the Committee of the whole in this Bill.
- Mr. Speaker 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 Mr. Anderson, read a third time and *passed*.
- Mr. Anderson moved, That the following be the title of the Bill:—*“An Act to prevent Frauds upon Creditors by secret Bills of Sale of personal chattels.”*
- Question—put and resolved in the affirmative.
- Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.
16. **MAIN MURRAY ROAD, SANDHURST.**—Mr. Edwards, moved, pursuant to notice, That a Select Committee be appointed to enquire into and report upon the circumstances connected with certain purchasers of land on the Main Murray Road, at Sandhurst, such Committee to consist of Mr. B. G. Davies, Mr. Denovan, Mr. Frazer, Mr. Hood, Mr. Johnston, Mr. Lalor, Dr. Macadam, Mr. Sullivan, Mr. Weeks, Mr. Snodgrass, Mr. W. C. Smith, and the Mover ; with power to send for persons and papers, three to form a quorum.
- Question—put and resolved in the affirmative.
17. **FISHERIES ACT AMENDMENT BILL.**—Mr. L. L. Smith moved, pursuant to notice, That he have leave to bring in a Bill to amend an Act, intituled, *“An Act for the Protection of the Fisheries of Victoria.”*
- Question—put and resolved in the affirmative.
- Ordered—That Mr. L. L. Smith and Mr. Richardson do prepare and bring in the Bill.
- Mr. L. L. Smith then brought up a Bill, intituled, *“A Bill to amend an Act intituled “An Act for the Protection of the Fisheries of Victoria,”* 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, 8th April next.
18. **MR. W. H. WRIGHT.**—Mr. A. J. Smith moved, pursuant to notice, That the Petition of W. H. Wright, Esq., formerly Chief Commissioner of Gold Fields and Crown Lands Commissioner of the Wimmera district, be referred to the Select Committee now sitting on *“Claims for Compensation.”*
- Question—put and resolved in the affirmative.
19. **MRS. R. SMITH.**—Mr. Edwards moved, pursuant to notice, That the Petition of Mrs. Ronald Smith be referred for consideration to the Committee now sitting on *“Claims for Compensation.”*
- Question—put and resolved in the affirmative.
20. **LEONARD MASON.**—Dr. Hedley moved, pursuant to notice, That the Keeper of Her Majesty's Gaol at Pentridge do, on Tuesday next, bring Leonard Mason in safe custody to the Select Committee appointed by this House to enquire into the allegations contained in the Petition of Patrick Coady Buckley, in order to his being examined as a witness, and so from time to time as often as his attendance shall be necessary ; and that Mr. Speaker do issue his warrant accordingly.
- Question—put and resolved in the affirmative.

Assembly adjourned at twenty-four minutes to twelve o'clock until four o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 67.

WEDNESDAY, 26TH MARCH, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. RESIGNATION OF SEAT.—Mr. Speaker announced that he had this day received a letter from W. A. Brodrigg, Esq., which he read to the Assembly, and is as follows :—  

To the Honorable  
The Speaker of the Legislative Assembly, Melbourne.

Brockly, Brighton,  
26th March, 1862.

Sir,  
I beg to place in your hands the resignation of my seat as Member for the electoral district of Brighton.

I have the honor to be, Sir,  
Your most obedient Servant,  
(Signed) Wm. A. BRODRIGG.
3. ISSUE OF WRIT.—Mr. Speaker also announced that he had this day issued a Writ for the election of a Member to serve for the said electoral district of Brighton, in the place of the said W. A. Brodrigg.
4. ROADS AND BRIDGES COMMITTEE.—Mr. McLellan moved, by leave of the Assembly, That the name of Mr. Ramsay be added to this Committee in the place of Mr. Flint resigned. Question—put and resolved in the affirmative.
5. MAIN MURRAY ROAD COMMITTEE.—Mr. Edwards moved, by leave of the Assembly, That the evidence taken before the Committee of the Legislative Assembly on this subject in the session 1859–60, be referred to this Committee. Question—put and resolved in the affirmative.
6. PAPERS.—Mr. Gavan Duffy presented—  

Commons.—Reply to question put by Mr. K. E. Brodrigg, 5th March instant, for a Return showing—

  - (1.) The number of Commons proclaimed under the Nicholson Land Act, specifying the area of each Common, and distinguishing the class.
  - (2.) The amount received by the Government from Commoners since the proclamation of such Commons.
  - (3.) The names of Pastoral Tenants who have been wholly, and of those partially dispossessed of their runs by such proclamation.
  - (4.) The amount of license fee or assessment returned to such pastoral tenants on account of such reductions of their runs.
  - (5.) Whether any attempt has been made to ascertain that the conditions required by the law before proclamations of Commons have been complied with.
  - (6.) Also, the number of Licenses which have been taken out on each Common and amount of fees received for each.

Ordered to lie on the Table.
7. MR. HENNELLE'S COMMITTEE.—Mr. Hood, Chairman, brought up the Report from this Committee.  

Ordered to lie on the Table, and, together with the Evidence and Proceedings of the Committee, to be printed.
8. TAX ON BANK NOTES BILL —The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.



Mr. Speaker resumed the Chair ; and Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Assembly ordered the same to be taken into consideration Friday, 28th March instant.—Bill as amended to be printed.

9. CROWN LANDS SALE AND OCCUPATION BILL.—The Order of the Day for the consideration in Committee of the whole Assembly of the Message from His Excellency the Governor having been read—On the motion of Mr. Gavan Duffy, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration thereof. Mr. Speaker resumed the Chair ; Mr. Lalor reported that the Committee had come to a certain resolution.

Ordered—That the Report be received to-morrow.

10. CROWN LANDS SALE AND OCCUPATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

Mr. Speaker resumed the Chair, and Mr. Lalor 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 this House will on Friday, 28th March instant, again resolve itself into the said Committee.

11. DISTILLATION.—The Order of the Day for the consideration in Committee of the whole Assembly of the propriety of adopting the following resolutions :—

(1.) That it is expedient to consolidate and amend the laws affecting distillation and brewing in Victoria, and the sale of fermented and spirituous liquors in certain cases.

(2.) That licenses be granted for the following purposes, and fees therefor be paid according to the annexed scale :—

For every license to keep and use still for distillation of spirits ...	£10 0 0
For every license to keep and use a still for medical, chemical, assay, photographic, or scientific purposes, or for distilling perfumes, or for the manufacture of pyroligneous acid, naphtha, or other manufacture where a still is necessary, and in which no spirits are made ...	2 0 0
For every license to keep and use a still for distillation of brandy from grapes, for the purpose of fortifying wines ...	5 0 0
For every license to keep and use a still for the distillation of brandy from grapes, for sale or exportation ...	10 0 0

(3.) That the following rates of duty shall be paid, levied, and collected on spirits hereafter distilled in Victoria, viz. :—

(a.) Upon spirits distilled from malt, grain, roots, grapes, or wine, six shillings per gallon.

(b.) Upon spirits distilled from sugar, treacle, molasses, beer, or ale, eight shillings per gallon.

(4.) That a Bill be brought in to carry out the above mentioned purposes. having been read—

On the motion of Mr. Anderson, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole accordingly.

And the House having continued to sit till after twelve of the clock—

THURSDAY, 27<sup>TH</sup> MARCH, 1862.

Mr. Speaker resumed the Chair, and Mr. Lalor reported that the Committee had agreed to certain resolutions.

Ordered—That the said Report be received Friday, 28th March instant.

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

“*Supply—Resolution to be reported,*” and

“*Supply—To be further considered in Committee,*” until Friday, 28th March instant ;

“*Lands Titles Registration Bill—Second reading—Resumption of debate,*” until Wednesday, 2nd April next ;

“*Gold Mining Leases Bill—Second reading,*”

“*Lands Titles Registration Bill (2)—Second reading,*”

“*Preferable Lien on Crops Bill—To be further considered in Committee,*” and

“*Justices Law Administration Bill—To be further considered in Committee,*” until Tuesday, 1st April next.

13. EAST COLLINGWOOD IMPROVEMENT BILL.—Mr. Don moved, pursuant to notice, That this Bill be now read a second time.  
Question—put and resolved in the affirmative —Bill read a second time.
14. STATE AID TO RELIGION.—Mr. Frazer moved, pursuant to notice, That there be laid upon the Table a Return stating the gross amount paid to each religious denomination in the form of State Aid, since the passing of the Constitution Act ; also, the name of each clergyman, and the amount paid to him from the State Aid fund since the passing of the same Act.  
Debate ensued.  
Mr. Heales moved, That this debate be now adjourned until Friday, 28th March instant.  
Question—put and resolved in the affirmative.
15. LOUISA DUNSTONE.—Mr. Levey moved, pursuant to notice given by Dr. Owens, That the Petition of Louisa Dunstone be referred to the Committee now sitting on “Claims for Compensation.”  
Question—put and resolved in the affirmative.
16. CHARLOTTE EDWARDS.—Mr. Frazer moved, pursuant to notice, That the Petition of Charlotte Edwards, presented to this House on the 9th of April, 1861, be referred to the Committee on “Gold Prospecting.”  
Question—put and resolved in the affirmative.
17. MR. F. A. POWLETT.—Mr. Snodgrass moved, pursuant to notice given by Mr. Cohen, That the Petition of F. A. Powlett, presented to this House, 19th March instant, be referred to the Committee now sitting on “Claims for Compensation.”  
Question - put and resolved in the affirmative.

Assembly adjourned at four minutes to one o'clock until four o'clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 68.

THURSDAY, 27<sup>TH</sup> MARCH, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Nineteenth Report from this Committee.  
Ordered to lie on the Table and to be printed.
3. ANDERSON'S PRE-EMPTIVE RIGHT COMMITTEE.—Mr. Snodgrass moved, by leave of the Assembly, That he have leave to present a Progress Report from this Committee.  
Question—put and resolved in the affirmative.  
Mr. Snodgrass then brought up a Progress Report from this Committee.  
Ordered to lie on the Table and to be printed.
4. LICENSING ACTS AMENDMENT BILL.—Mr. Edwards moved, by leave of the Assembly, That this Committee have leave to hold sittings on Mondays and Saturdays.  
Question—put and resolved in the affirmative.
5. PETITIONS.—Mr. Richardson presented a Petition from certain residents of Colac and neighborhood, praying that the Bill for the simplification of the Transfer of Real Property might meet with the favorable consideration of this House, and be speedily adopted and passed into law for this colony.  
Ordered to lie on the Table.  
The following Petitions praying the House to extend its protection to the petitioners, and guarantee their rights of conscience, imperilled by certain clauses referred to in the Petition, were presented as under:—  
By Mr. Mollison, from the Catholics of Hamilton.  
By Mr. McLellan, from the Catholics of Barkly.  
Severally ordered to lie on the Table.  
Mr. Nixon presented a Petition from certain inhabitants of Victoria, praying the House to appoint a Committee of Enquiry into the subject of the complaint made by Mr. Gordon, and to afford him such further and other redress as to this House might seem meet.  
Ordered to lie on the Table.  
Mr. Nixon moved, That this Petition be now read by the clerk.  
Question—put and negatived.
6. REAL PROPERTY BILL.—Mr. Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported.  
Mr. Service moved, That this Bill be now read a third time.  
Debate ensued.  
Question—That this Bill be now read a third time—put and resolved in the affirmative.  
Question—That this Bill do now pass—put and resolved in the affirmative.  
Mr. Service moved, That the following be the title of the Bill :—  
“ *An Act to simplify the Laws relating to the transfer and encumbrance of Freehold and other Interests in Land.*”  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.

7. ALIENS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

Mr. Speaker resumed the Chair; and Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Assembly ordered the same to be taken into consideration Tuesday, 1st April next.—Bill as amended to be printed.

8. GAME PRESERVATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

And the House having continued to sit till after twelve of the clock—

FRIDAY, 28TH MARCH, 1862.

Mr. Speaker resumed the Chair; and Mr. Lalor having reported that the Committee had gone through the Bill, and agreed to the same with amendments, the Assembly ordered the same to be taken into consideration Thursday, 3rd April next.—Bill as amended to be printed.

9. PLEURO-PNEUMONIA IN CATTLE BILL.—Dr. Hedley moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.

Bill read a second time.

Dr. Hedley moved, That this Bill be now committed to a Committee of the whole Assembly.

Question—put and resolved in the affirmative.

And, on the further motion of Dr. Hedley, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.

Mr. Speaker resumed the Chair, and Mr. Snodgrass having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Assembly ordered the Bill to be read a third time.

Mr. Speaker having reported that the Chairman of the Committee had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of Dr. Hedley, read a third time and *passed*.

Dr. Hedley moved, That the following be the title of the Bill :—

*“ An Act to amend an Act intituled ‘ An Act to prevent the further spread of the  
“ Disease in Cattle called Pleuro-pneumonia.’ ”*

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.

10. DR. THOMSON'S COMMITTEE.—The Order of the Day for the consideration of the Report from this Select Committee having been read—Mr. Snodgrass moved, That in the opinion of this House suitable employment should be offered to Dr. Thomson by the Executive Government; or, in the event of its being found impracticable to carry out this recommendation, some adequate provision should be made for a gentleman who has unquestionably devoted many of the best years of his life to the promotion of the public interests.

Debate ensued.

Question—put and resolved in the affirmative.

11. LAPSED ORDER OF THE DAY.—The following Order of the Day was read and lapsed :—  
*“ Scotch Solicitors and Procurators Admission Bill—Second reading.”*

12. REFRESHMENT ROOMS COMMITTEE.—The Order of the Day for the consideration of the Report from this Committee having been read—

Mr. Snodgrass moved, That the tender of Mr. James Walsh for the Parliament Stables be accepted for six months, subject to the supervision of the Comptroller.

Debate ensued.

Question—put and resolved in the affirmative.

Mr. Snodgrass moved, That in consequence of the abolition of his office, this House recommends the case of Mr. Taylor, late stablekeeper, to the favorable consideration of the Government.

Question—put and resolved in the affirmative.

Mr. Snodgrass moved, That the Comptroller do carry out the suggestions of the Commissioners of Audit, with regard to keeping a public property book, and the preparation of lists of unserviceable articles, as conveyed in their report to the Government.

Question—put and resolved in the affirmative.

Mr. Snodgrass moved, That the rule already arrived at with reference to the exclusion of strangers from the Smoking and Dining Rooms be strictly enforced, except in the case of ex-members of Parliament.

Debate ensued.

Question—put and resolved in the affirmative.

13. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—
- “ *Building Act Extension Bill—Second reading,*” and
  - “ *Gold Export Duty Act Amendment Bill—Second reading,*” until Thursday, 10th April next ;
  - “ *Medical Practitioners Bill—To be further considered in Committee,*” until Thursday, 3rd April next ;
  - “ *Colonial Wines Sale Bill—To be further considered in Committee,*” until Thursday, 10th April next ;
  - “ *Quartz Reefs Drainage Bill—Second reading,*” until Thursday, 3rd April next ;
  - “ *Weights and Measures Bill—To be further considered in Committee,*” and
  - “ *Church Act Amendment Bill—Second reading,*” until Thursday, 10th April next ;
  - “ *Inspector of Pounds—Motion for Address—To be considered in Committee,*” until Thursday, 3rd April next ;
  - “ *Equity Jurisdiction Bill—Second reading,*” until this day ;
  - “ *Markets Bill—Second reading,*” and
  - “ *Insolvency Bill—Second reading,*” until Thursday, 3rd April next ; and
  - “ *Hawkers Act Amendment Bill—To be further considered in Committee,*” until Thursday, 10th April next.

14. **CROWN LANDS SALE AND OCCUPATION BILL.**—Mr. Lalor reported from a Committee of the whole, a certain resolution, which was read and is as follows :—
- 26th March.*

Resolved—That in accordance with the Message of His Excellency the Governor, transmitted to this House 4th February last, provision be made in the Crown Lands Sale and Occupation Bill for the appropriation of monies out of the Consolidated Revenue to provide for Assisted Immigration to Victoria.

And the said resolution having been read a second time was agreed to by the Assembly.

15. **ANTI-COLLISION DIAL.**—Mr. Denovan moved, pursuant to notice given by Dr. Owens, That the Petition of C. J. Perry, presented to this House on the subject of the Anti-Collision Dial, October 23rd, 1861, be printed.
- Question—put and resolved in the affirmative.

Assembly adjourned at ten minutes to one o'clock until four o'clock p.m. this day.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

No. 69.

FRIDAY, 28<sup>TH</sup> MARCH, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITION.—Mr. Denovan presented a Petition from certain inhabitants of Sandhurst praying the House to refuse its assent to any Bill that authorises the opening of Public Houses on the Sunday, or in any way affords increased facilities for obtaining intoxicating drinks.  
Ordered to lie on the Table.
3. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until after the consideration of the 3rd Order for to-day :—  
“ *Civil Service Bill—Second reading,*”  
“ *Tax on Bank Notes Bill—Consideration of Report.*”
4. CROWN LANDS SALE AND OCCUPATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.  
Mr. Speaker resumed the Chair, and Mr. Lalor 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 this House will on Tuesday, 1st April next, again resolve itself into the said Committee.
5. TAX ON BANK NOTES BILL.—On the motion of Mr. Haines the Assembly agreed to the amendments made by the Committee of the whole in this Bill.  
Mr. Speaker 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 Mr. Haines, read a third time and *passed*.  
Mr. Haines moved, That the following be the title of the Bill :—  
“ *An Act to impose a Tax on Bank Notes.*”  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.
6. CIVIL SERVICE BILL.—Mr. O'Shanassy moved, That this Bill be now read a second time.  
Debate ensued.  
Question—put and resolved in the affirmative.  
Bill read a second time.  
Mr. O'Shanassy moved, That this Bill be now committed to a Committee of the whole Assembly.  
Question—put and resolved in the affirmative.  
And on the further motion of Mr. O'Shanassy, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
Mr. Speaker resumed the Chair, and Mr. Lalor 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 this House will on Tuesday, 1st April next, again resolve itself into the said Committee.

5. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 1st April next:—

“ *Supply—Resolution to be reported,*”

“ *Supply—To be further considered in Committee,*”

“ *Distillation—Resolutions to be reported,*”

“ *State Aid to Religion—Motion for Return—Resumption of debate,*” and

“ *Equity Jurisdiction Bill—Second reading.*”

Assembly adjourned at seven minutes to twelve o'clock until four o'clock on Tuesday next.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 70.

TUESDAY, 1ST APRIL, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Twentieth Report from this Committee.  
Ordered to lie on the Table and to be printed.
3. PETITIONS.—Mr. Francis presented a Memorial from Richard Davis, requesting the House would fulfil the promise of reward, conveyed by the advertisement first alluded to in the Memorial.  
Ordered to lie on the Table.  
Mr. Hood presented a Petition from the Catholics of Belfast, praying this House to extend its protection to the petitioners, and guarantee their rights of conscience imperilled by the Clauses referred to in the Petition.  
Ordered to lie on the Table.  
Mr. Francis presented a Petition from Charles F. Nicholls, praying this House would take his case as set forth in the Petition into consideration.  
Ordered to lie on the Table.  
Mr. Weeks presented a Memorial from certain dairymen, farmers, miners, tradesmen, and others resident in the agricultural and mining divisions in the district of Beechworth, in reference to commonages in that district.  
Ordered to lie on the Table.
4. CROWN LANDS SALE AND OCCUPATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

And the House having continued to sit till after twelve of the clock—

WEDNESDAY, 2ND APRIL, 1862.

Mr. Speaker resumed the Chair ; Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same with amendments,

Mr. Gavan Duffy moved, That this Bill be now recommitted to the Committee with a view of considering certain amendments in Clauses I., IV., V., XII., XIX., XXII., XXVI., XXXI., XXXVII., XLIII., LXI., LXII., LXV., LXVI., LXXVI., LXXXI., and XCIV., and two new clauses.

Debate ensued.

Mr. Berry moved, That this debate be now adjourned.

Question—That this debate be now adjourned—put.

Assembly divided.

Ayes, 7.	Tellers.	Noes, 18.	Tellers.
Mr. Edwards,	Mr. Sullivan.	Mr. Bennett,	Mr. Mollison,
Mr. Foott,	Tellers.	Mr. Cummins,	Mr. O'Shanassy,
Mr. Gillies,	Mr. Berry,	Mr. Gavan Duffy,	Mr. Richardson,
Mr. Ramsay,	Mr. Denovan.	Mr. Haines,	Mr. Riddell,
		Mr. Hood,	Mr. Tucker,
		Mr. Ireland,	Mr. Wood.
		Mr. Levey,	
		Capt. Mac Mahon,	Tellers.
		Mr. McCann,	Mr. Anderson,
		Mr. McDonald,	Mr. Johnston.

And so it passed in the negative.

Mr. Edwards moved, That this House do now adjourn.

Question—That this House do now adjourn—put.



Assembly divided.

Ayes, 7.	
Mr. Edwards,	Mr. Sullivan.
Mr. Foott,	<i>Tellers.</i>
Mr. Gray,	Mr. Denovan,
Mr. Ramsay,	Mr. Gillies.

Noes, 19.	
Mr. Bennett,	Mr. McDonald,
Mr. Gavan Duffy,	Mr. Mollison,
Dr. Evans,	Mr. O'Shanassy,
Mr. Haines,	Mr. Richardson,
Mr. Hood,	Mr. Riddell,
Mr. Ireland,	Mr. Tucker,
Mr. Levey,	Mr. Wood.
Mr. Loader,	<i>Tellers.</i>
Capt. Mac Mahon,	Mr. Anderson,
Mr. McCann,	Mr. Johnston.

And so it passed in the negative.

Mr. Edwards moved, That this debate be now adjourned.

Debate ensued.

Question—That this debate be now adjourned—put.

Assembly divided.

Ayes, 7.	
Mr. Denovan,	Mr. Sullivan.
Mr. Edwards,	<i>Tellers.</i>
Mr. Gray,	Mr. Berry,
Mr. Ramsay,	Mr. Gillies.

Noes, 21.	
Mr. Bennett,	Capt. Mac Mahon,
Mr. Cummins,	Mr. McCann,
Mr. Gavan Duffy,	Mr. McDonald,
Dr. Evans,	Mr. Mollison,
Mr. Haines,	Mr. O'Shanassy,
Mr. Hood,	Mr. Richardson,
Mr. Howard,	Mr. Tucker,
Mr. Ireland,	Mr. Wood.
Mr. Lalor,	<i>Tellers.</i>
Mr. Levey,	Mr. Anderson,
Mr. Loader,	Mr. Johnston.

And so it passed in the negative.

Question—That this Bill be now recommitted to a Committee of the whole Assembly, for the consideration of certain amendments in Clauses I., IV., V., XII., XIX., XXII., XXVI., XXXI., XXXVII., XLIII., LXI., LXII., LXV., LXVI., LXXVI., LXXXI., XCIV., and two new clauses—put and resolved in the affirmative.

Whereupon Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the re-consideration of these clauses.

Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had made progress, and that he was directed to move, That the Committee may have leave to sit again.

Resolved—That this House will this day again resolve itself into the said Committee.

5. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until this day:—

“Civil Service Bill—To be further considered in Committee.”

“Supply—Resolution to be reported.”

“Supply—To be further considered in Committee.”

“Distillation—Resolutions to be reported.”

“Consolidated Revenue Bill—Second reading.”

“Gold Mining Leases Bill—Second reading.”

“Lands Titles Registration Bill (2)—Second reading.”

“Preferable Lien on Crops Bill—To be further considered in Committee.”

“Justices Law Administration Bill—To be further considered in Committee.”

“Aliens Bill—Consideration of Report.”

“State Aid to Religion—Motion for Return—Resumption of debate.”

“Equity Jurisdiction Bill—Second reading.”

6. SUPPLY OF VOTES AND PROCEEDINGS TO MECHANICS' INSTITUTES, &c.—Mr. Edwards moved, pursuant to notice, That a copy of the “Votes and Proceedings,” and other printed Papers laid on the Table of the Legislative Assembly, be issued to Mechanics' Institutes and Reading Rooms on application to the Clerk of the Assembly; the applicant to state some place or person in Melbourne where, or with whom the papers may be left.

Question—put and resolved in the affirmative.

7. MR. BRYANT.—Mr. Lalor moved, pursuant to notice, That the name of Mr. Francis be inserted on the Committee on Mr. Bryant's case, in place of that of Mr. Gillespie, resigned.

Question—put and resolved in the affirmative.

8. EDUCATION.—Mr. Mollison moved, pursuant to notice, That the Petition presented on the 27th instant, from the Rev. John O'Connell and other of the Roman Catholic residents of Hamilton, be taken into consideration when the resolution of the Committee of Supply on the Education Vote is reported to the House.

Question—put and resolved in the affirmative.

Assembly adjourned at twenty-one minutes past two o'clock until four o'clock p.m., this day.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 71.

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 WEDNESDAY, 2ND APRIL, 1862.

1. **Assembly met pursuant to adjournment.**—Mr. Speaker took the Chair.
2. **ADJOURNMENT.**—Mr. Berry moved, That this House do now adjourn.  
Debate ensued.  
Question—put and negatived.
3. **PAPERS.**—Mr. Gavan Duffy presented, by command of His Excellency the Governor—  
Crown Lands Sales Act—Proclamation altering Farmers' Common, Upper Plenty.  
Ordered to lie on the Table.
4. **MESSAGE FROM THE LEGISLATIVE COUNCIL.**—The following Message from the Legislative Council by the Clerk-Assistant of the Council :—  
MR. SPEAKER,  
The Legislative Council return to the Legislative Assembly a Bill, intituled, "*An Act to amend the Laws relating to the Customs,*" and inform the Legislative Assembly that they have agreed to the same with amendments, with which they desire the concurrence of the Legislative Assembly.  
(Signed) MATTHEW HERVEY,  
Legislative Council Chamber, Acting President.  
Melbourne, 2nd April, 1862.
5. **MR. HINES'S COMMITTEE.**—Mr. Wood, Chairman, brought up the Report from this Committee.  
Ordered to lie on the Table, and, together with the Minutes of Evidence and Proceedings of the Committee, to be printed.
6. **PETITION.**—Mr. Denovan presented a Petition from the Total Abstainers and other colonists of Victoria, resident at Eagle Hawk and its vicinity, praying this House to refuse its assent to any Bill that authorises the opening of Public Houses on Sunday, or in any way affords increased facilities for obtaining intoxicating drinks.  
Ordered to lie on the Table.
7. **CROWN LANDS SALE AND OCCUPATION BILL.**—The Order of the Day for the further re-consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further re-consideration thereof.

And the House having continued to sit until after twelve of the clock—

THURSDAY, 3RD APRIL, 1862.

Mr. Speaker resumed the Chair, and Mr. Lalor 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 this House will on Friday, 4th April instant, again resolve itself into the said Committee.

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

- “ *Distillation—Resolutions to be reported,*”
- “ *Civil Service Bill—To be further considered in Committee,*”
- “ *Supply—Resolution to be reported,*”
- “ *Supply—To be further considered in Committee,*”
- “ *Consolidated Revenue Bill—Second reading,*”
- “ *Gold Mining Leases Bill—Second reading.*”
- “ *Lands Titles Registration Bill (2)—Second reading,*”
- “ *Preferable Lien on Crops Bill—To be further considered in Committee,*”
- “ *Justices Law Administration Bill—To be further considered in Committee,*”
- “ *Lands Titles Registration Bill—Second reading—Resumption of debate,*”
- “ *Aliens Bill—Consideration of Report,*” until Friday, 4th April instant ;
- “ *State Aid to Religion—Motion for Return—Resumption of debate,*” until this day ; and
- “ *Equity Jurisdiction Bill—Second reading,*” until Tuesday, 8th April instant.

9. **MR. R. DAVIS.**—Mr. Francis moved, pursuant to notice, That the Petition of Richard Davis, presented to this House 1st April instant, be referred to the Committee sitting on “Claims for Compensation.”

Debate ensued.

Motion, by leave, withdrawn.

10. **POLICE FORCE PETITION.**—Mr. B. G. Davies moved, pursuant to notice, That a Petition emanating from a large number of the Police Force recently presented to the Chief Secretary be laid on the Table of this House.

Debate ensued.

Motion, by leave, withdrawn.

Assembly adjourned at ten minutes to two o'clock until four o'clock p.m. this day.

FRANs. MURPHY,  
*Speaker.*

VICTORIA.  

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VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.No. 72.  

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THURSDAY, 3RD APRIL, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair; and having, at twenty-five minutes to five o'clock, counted the House and a quorum of members not being present, Mr. Speaker adjourned the House without question being first put until four o'clock p.m. to-morrow.

FRAN<sup>s</sup> MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 73.

FRIDAY, 4TH APRIL, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITION.—Mr. Gray presented a Petition from certain Members of the United Church of England and Ireland and others residing in the district of Heathcote, praying this House that for the reasons set forth in the Petition this House would not allow the Licensed Victuallers Acts Amendment Bill to pass into law.

Ordered to lie on the Table.

3. NORTH GRENVILLE ELECTION.—Mr. Speaker announced that the Clerk of the Assembly had been served with a subpoena, issued out of the Supreme Court of the Colony, requiring him to appear on Friday, the 11th day of April instant, at Ballaarat, there to give evidence touching a certain information to be preferred against Paul Keating and Edward Hayes, in cases of personating voters, and to produce on such trial the Writ dated 15th July, 1861, for holding an election for the electoral district of North Grenville, the official rolls and roll used at said election by the returning officer and his deputies for the Buninyong division of said district; also the appointments and declarations of William Henry Bacchus, as returning officer, of Thomas J. Finlay, as deputy returning officer, and of John Adams and Alexander McLennon, as scrutineers at said election for said Buninyong division, and all other writings, books, and documents in his possession or relating to the prosecution therein.

On the motion of Mr. Ireland, leave was given to the clerk to attend, in pursuance of the said subpoena.

4. COMPLAINT—THE "ARGUS" NEWSPAPER.—Complaint being made to the House of a printed newspaper intituled the *Argus*, dated Friday, 4th April, 1862, printed and published by George Dill, at the Argus office, Collins-street, Melbourne, for Wilson and Mackinnon, proprietors, as containing a scandalous libel on Mr. Frazer, a member of this House, in breach of the privileges of the House. The said paper was delivered in and the paragraphs complained of were read.

Mr. Frazer moved, That the article contained in the *Argus* of this day on the subject of the Police Committee, and more particularly in reference to Mr. Frazer, is a scandalous breach of the privileges of this House.

Debate ensued.

Question—put and resolved in the affirmative.

On the motion of Mr. Frazer, the Assembly ordered that the said George Dill do attend this House on Wednesday next.

5. PAPERS.—Mr. O'Shanassy presented, by command of His Excellency the Governor—  
Exploration Expedition.—Letter from Commander Norman, reporting the return of the *Victoria* from the Gulf of Carpentaria; together with Reports and Correspondence.

Ordered to lie on the Table.

6. CROWN LANDS SALE AND OCCUPATION BILL.—The Order of the Day for the further reconsideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further reconsideration thereof.

And the House having continued to sit until after twelve of the clock—

SATURDAY, 5<sup>TH</sup> APRIL, 1862.

Mr. Speaker resumed the Chair: Mr. Lalor reported that the Committee had agreed to further amendments in this Bill.

Mr. Gavan Duffy then moved, that this Bill be now re-committed to a Committee of the whole Assembly, for the reconsideration of Clauses II., XII., XVIII., new Clause D., new Clause E., XXI., XXIII., XXVI., XXVIII., XXIX., XXXVII., XL., XLII., XLVI., XLVII., XLIX., new Clauses H., S., I., J., LXVII., LXVIII., new Clause L., new Clause after CX., and the 2nd, 3rd, 6th, and 9th Schedules.

Question—put and resolved in the affirmative.

And, on the further motion of Mr. Gavan Duffy, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole accordingly.

Mr. Speaker resumed the Chair; Mr. Lalor having reported that the Committee had agreed to further amendments in this Bill, the Assembly ordered the same to be taken into consideration on Tuesday, 8th April instant; Bill as amended to be printed.

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

“*Distillation—Resolutions to be reported,*”

“*Civil Service Bill—To be further considered in Committee,*”

“*Supply—Resolution to be reported,*”

“*Supply—To be further considered in Committee,*”

“*Consolidated Revenue Bill—Second reading,*”

“*Gold Mining Leases Bill—Second reading,*”

“*Lands Titles Registration Bill (2)—Second reading,*”

“*Preferable Lien on Crops Bill—To be further considered in Committee,*”

“*Justices Law Administration Bill—To be further considered in Committee,*”

“*Lands Titles Registration Bill—Second reading—Resumption of debate,*”

“*Aliens Bill—Consideration of Report,*” until Tuesday, 8th April instant;

“*Contractors and Workmen Lien Bill—Second reading,*”

“*Medical Practitioners Bill—To be further considered in Committee,*”

“*Quartz Reefs Drainage Bill—Second reading,*”

“*Game Preservation Bill—Consideration of Report,*”

“*Inspector of Founds—Motion for Address—To be considered in Committee,*”

“*Markets Bill—Second reading,*” until Thursday, 10th April instant;

“*Insolvency Bill—Second reading,*”

“*State Aid to Religion—Motion for Return—Resumption of debate,*” until Tuesday, 8th April instant.

8. COMMONS.—Mr. K. E. Brodribb moved, pursuant to notice, That the Returns relating to Commons recently laid on the Table of this House be printed.

Question—put and resolved in the affirmative.

Assembly adjourned at twenty-two minutes past two o'clock until four o'clock on Tuesday next.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 74.

TUESDAY, 8TH APRIL, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. RETURN TO WRIT.—Mr. Speaker 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 Electoral District of Brighton, from which it appeared that George Higinbotham, Esq., was duly elected in pursuance of such Writ.
3. NEW MEMBER SWORN.—George Higinbotham, Esq., was then introduced, and took the oath and his seat as Member for the Electoral District of Brighton.
4. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—Mr. Mollison brought up a resolution from this Committee, which was read, and is as follows, viz. :—  
“That Mr. David Reid, a Member of the House, having been requested to attend and give evidence before this Committee, refuses to attend.”

Ordered to be printed.

Mr. Reid was heard in his place, and then withdrew.

Whereupon Mr. Mollison moved, That Mr. David Reid be ordered to attend and give evidence before the said Committee at their next meeting.

Debate ensued.

Mr. Lalor moved, That this debate be now adjourned until to-morrow.

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

5. PETITION.—Mr. Gavan Duffy presented a Petition from certain Catholics of Tower Hill, praying the House to extend its protection to the Petitioners, and guarantee their rights of conscience imperilled by certain clauses referred to in the Petition.

Ordered to lie on the Table.

Mr. Wright presented a Petition from A. Rodgers, styling himself Chairman of the Municipal Council of Beechworth, praying the House to make provision in the Land Bill to ensure the area within a radius of seven instead of five miles of Beechworth and townships similarly situated, as a Common for the inhabitants of such towns respectively.

Ordered to lie on the Table.

6. PAPERS.—Mr. Gavan Duffy presented, by command of His Excellency the Governor—  
Crown Lands Sales Act—Proclamation establishing Farmers' Common at Yulecart and Audley.

Ordered to lie on the Table.

7. MESSAGES FROM HIS EXCELLENCY THE GOVERNOR.—The following Messages from His Excellency the Governor received and read :—

HENRY BARKLY,  
*Governor.**Message No. 13.*

In pursuance of the provisions of the Act 18 and 19 Victoria, cap. 55, the Governor recommends an appropriation of the Consolidated Revenue, to the extent of three-fourths of the income to be received for the sale, rent, and license of Crown lands, for the repayment of the Railway Loan, for expenditure on Main Roads and Bridges, and in aid of the district rates of Local Boards.

HENRY BARKLY,  
Governor.

Message No. 14.

In pursuance of the provisions of the Act 18 and 19 Vic., cap. 55, the Governor recommends that for the better carrying out of a Bill to repeal certain Acts relating to Insolvent Estates, and to create a Court of Insolvency for the administration of the Law relating to Insolvent Debtors and their Estates, an appropriation be made of the Consolidated Revenue for the salaries of the Commissioners and Ministerial and other officers to be appointed under the said Bill.

Mr. Francis, by leave of the Assembly, moved, That Message No. 13 be taken into consideration in connection with an amendment proposed to be made in new Clause W of the Crown Lands Sale and Occupation Bill.

Question—put and resolved in the affirmative.

8. GOVERNOR'S SALARY REDUCTION BILL.—Mr. O'Shanassy moved, pursuant to notice, That he have leave to bring in a Bill to alter the sum appropriated to the payment of the salary and allowances of the Governor.

Question—put and resolved in the affirmative.

Ordered—That Mr. O'Shanassy and Mr. Haines do prepare and bring in the Bill.

Mr. O'Shanassy then brought up a Bill, intituled, "*A Bill to alter the sum appropriated to the payment of the salary and allowances of the Governor,*" 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.

9. CROWN LANDS SALE AND OCCUPATION BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole upon this Bill having been read—Mr. Gavan Duffy moved, That the several amendments be now taken into consideration.

Debate ensued.

Question—put and resolved in the affirmative.

Amendments made to and inclusive of new Clause E were read and agreed to by the Assembly.

New Clause Q being read—Mr. Lalor moved, That the following words be inserted after the word "Act" in the fourth line thereof, viz.:—"and every person who at the time of the passing of this Act shall be in the actual occupation of any land."

Debate ensued.

Question—That the words proposed to be inserted be so inserted—put and negatived.

New Clause Q read and agreed to.

New Clause R being read—

Question—That the Assembly agree with the Committee in the above amendment—put and negatived.

Amendments in Bill, from new Clause R to and inclusive of amendments in Clause XXIX., read and agreed to by the Assembly.

New Clause W read.

Mr. Francis moved, That the word "net" be inserted before the word "moneys" in the third line of this proposed clause.

Question—That the word proposed to be inserted be so inserted—put and resolved in the affirmative.

Mr. Service moved, That the words "during the first nine months of the year" be omitted from line 9 of this clause.

Debate ensued.

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

Assembly divided.

Ayes, 42.

Mr. Anderson,	Capt. Mac Mahon,
Mr. Aspinall,	Mr. McCann,
Mr. Bennett,	Mr. McDonald,
Mr. K. E. Brodribb,	Mr. Mollison,
Mr. Cohen,	Mr. Nicholson,
Mr. Cummins,	Mr. Orkney,
Mr. J. Davies,	Mr. O'Connor,
Mr. Gavan Duffy,	Mr. O'Grady,
Dr. Evans,	Mr. O'Shanassy,
Mr. Francis,	Mr. Pyke,
Mr. Gray,	Mr. Reid,
Mr. Haines,	Mr. Richardson,
Dr. Hedley,	Mr. Riddell,
Mr. Higinbotham,	Mr. Sullivan,
Mr. Hood,	Mr. Tucker,
Mr. Howard,	Mr. Wilson,
Mr. Ireland,	Mr. Weeks,
Mr. Johnstor,	Mr. Wood.
Mr. Kyte,	
Mr. Lalor,	<i>Tellers.</i>
Mr. McCulloch,	Mr. Levey,
Dr. Mackay,	Mr. W. C. Smith.

Noes, 22.

Mr. Berry,	Dr. Owens,
Mr. Brooke,	Mr. Pope,
Mr. Denovan,	Mr. Ramsay,
Mr. Don,	Mr. Service,
Mr. Edwards,	Mr. J. T. Smith,
Mr. Foott,	Mr. Verdon,
Mr. Frazer,	Mr. Woods,
Mr. Gillies,	Mr. Wright.
Mr. Heales,	
Mr. Houston,	<i>Tellers.</i>
Mr. Lambert,	Dr. Macadam,
Mr. Levi,	Mr. L. L. Smith.

And so it was resolved in the affirmative.



Mr. Gray moved, That the following words be added to the said new clause, viz., "Provided that such regulations may embrace provisions for the issuing of land warrants to emigrants who shall pay their own passage from the United Kingdom to this Colony each land warrant representing a sum of money therein stated which sum the holder of such warrant paying such warrant into any land office shall be credited with as if he had paid the same in cash and the issue of such warrants shall be deemed an application of so much money as they represent to the purpose of assisted emigration within the meaning of this clause."

Debate ensued.

Question—That the words proposed to be added be so added—put and negatived.

Mr. Francis moved, That Mr. Speaker do now leave the Chair, and the Assembly resolve itself into a Committee of the whole to consider His Excellency's Message, No. 13, and an amendment to be proposed in new Clause W.

Question—put and resolved in the affirmative.

Whereupon Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole accordingly.

And the House having continued to sit till after twelve of the clock—

WEDNESDAY, 9TH APRIL, 1862.

Mr. Speaker resumed the Chair.

Question—That the Assembly agree with Clause W—put and resolved in the affirmative.

Mr. Kyte moved, That this debate be now adjourned.

Debate ensued.

Question—That this debate be now adjourned—put.

Assembly divided.

Ayes, 18.	
Mr. Denovan,	Dr. Owens,
Mr. Don,	Mr. Pope,
Mr. Edwards,	Mr. Ramsay,
Mr. Gray,	Mr. Sinclair,
Mr. Heales,	Mr. Verdon.
Mr. Houston,	
Mr. Kyte,	
Mr. Lambert,	
Mr. Levi,	
Mr. McCann,	Mr. Berry,
Mr. Nixon,	Mr. L. L. Smith.

*Tellers.*

Noes, 45.	
Mr. Anderson,	Mr. Mollison,
Mr. Aspinall,	Mr. Nicholson,
Mr. Bennett,	Mr. Orkney,
Mr. K. E. Brodrigg,	Mr. O'Connor,
Mr. Cohen,	Mr. O'Grady,
Mr. Cummins,	Mr. O'Shanassy,
Mr. J. Davies,	Mr. Reid,
Mr. Gavan Duffy,	Mr. Richardson,
Dr. Evans,	Mr. Riddell,
Mr. Foott,	Mr. Service,
Mr. Francis,	Mr. J. T. Smith,
Mr. Frazer,	Mr. W. C. Smith,
Mr. Gillies,	Mr. Snodgrass,
Mr. Haines,	Mr. Tucker,
Dr. Hedley,	Mr. Wilson,
Mr. Higinbotham,	Mr. Weeks,
Mr. Hood,	Mr. Wood,
Mr. Jones,	Mr. Woods.
Mr. Kirk,	
Mr. Lalor,	
Mr. Loader,	
Mr. McCulloch,	
Dr. Mackay,	
Capt. Mac Mahon,	Mr. Johnston,
Mr. McDonald,	Mr. Levey.

*Tellers.*

And so it passed in the negative.

Amendments in Clauses from XXXIV. to XLVII., both inclusive, read and agreed to.

New Clause I being read—

Mr. Gavan Duffy moved, That the words "except blackwood" be inserted after the word "timber" in the fourth line of this clause.

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That the Assembly agree with this new clause as so amended—put and resolved in the affirmative.

Amendments made in clauses from new Clause H to new Clause J, both inclusive, read and agreed to.

Amendment made in Clause LIX. being read—

Mr. Gray moved, That such amendment be amended by leaving out all the words after the word "all," in the second line, and inserting instead thereof the following words, viz., "and each of such managers shall be empowered by himself or by any other person thereunto by him duly authorised to impound all animals found trespassing upon such commons and shall be taken otherwise to have in respect of such common the authority of Crown Land Commissioner under this Act."

Debate ensued.

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

Assembly divided.

Ayes, 38.

Mr. Anderson,	Capt. Mac Mahon,
Mr. Bennett,	Mr. McDonald,
Mr. K. E. Brodribb,	Mr. Mollison,
Mr. Cohen,	Mr. Nicholson,
Mr. J. Davies,	Mr. Orkney,
Mr. Gavan Duffy,	Mr. O'Grady,
Dr. Evans,	Mr. O'Shanassy,
Mr. Francis,	Mr. Reid,
Mr. Haines,	Mr. Riddell,
Dr. Hedley,	Mr. Service,
Mr. Higinbotham,	Mr. J. T. Smith,
Mr. Hood,	Mr. W. C. Smith,
Mr. Ireland,	Mr. Snodgrass,
Mr. Jones,	Mr. Tucker,
Mr. Kirk,	Mr. Wilson,
Mr. Lalor,	Mr. Wood.
Mr. Levi,	
Mr. Loader,	<i>Tellers.</i>
Mr. McCulloch,	Mr. Levey,
Dr. Mackay,	Mr. Johnston.

*Tellers.*

And so it was resolved in the affirmative.

Question—That the Assembly do agree with the Committee in the amendment in this clause—put and resolved in the affirmative.

Amendment made in Clause LXI. read.

Mr. Gavan Duffy moved, That such amendment be amended by leaving out the word "Common" and inserting instead thereof the words "Commons or Farmers' Common within the meaning of the Act of the Parliament of Victoria, numbered CXVII."

Question—That the word proposed to be omitted stand part of the amendment—put and negatived.

Question—That the words proposed to be inserted in the place of the word omitted be so inserted—put and resolved in the affirmative.

Question—That the Assembly do agree with this amendment as so amended—put and resolved in the affirmative.

Amendments made in Clauses from LXII. to LXVIII, both inclusive, read and agreed to.

Amendment made in Clause LXIX. read.

Mr. Service moved, That such amendment be amended by leaving out the words "seventy-one" and inserting the words "sixty-eight" instead thereof.

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

Assembly divided.

Ayes, 33.

Mr. Anderson,	Mr. McDonald,
Mr. Aspinall,	Mr. Mollison,
Mr. Bennett,	Mr. Nicholson,
Mr. K. E. Brodribb,	Mr. O'Connor,
Mr. Cohen,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Dr. Evans,	Mr. Reid,
Mr. Haines,	Mr. Riddell,
Dr. Hedley,	Mr. J. T. Smith,
Mr. Hood,	Mr. Snodgrass,
Mr. Ireland,	Mr. Tucker,
Mr. Jones,	Mr. Wilson,
Mr. Kirk,	Mr. Wood.
Mr. Levey,	
Mr. Loader,	<i>Tellers.</i>
Mr. McCulloch,	Mr. Pyke,
Dr. Mackay,	Mr. Johnston.
Capt. Mac Mahon,	

*Tellers.*

And so it passed in the negative.

Question—That the words proposed to be inserted in the place of the words omitted be so inserted—proposed.

Mr. Snodgrass moved, That the words "sixty-eight," proposed to be inserted in the place of the words omitted, be omitted, with a view to insert instead thereof the word "seventy."

Debate ensued.

Mr. Heales moved, That this debate be now adjourned.

Debate continued.

Noes, 27.

Mr. Berry,	Mr. O'Connor,
Mr. Brooke,	Dr. Owens,
Mr. Cummins,	Mr. Pope,
Mr. Denovan,	Mr. Ramsay,
Mr. Don,	Mr. Richardson,
Mr. Edwards,	Mr. Sinclair,
Mr. Foott,	Mr. Verdon,
Mr. Frazer,	Mr. Weeks,
Mr. Grant,	Mr. Woods,
Mr. Gray,	Mr. Wright.
Mr. Heales,	
Mr. Houston,	
Mr. Kyte,	<i>Tellers.</i>
Mr. Lambert,	Dr. Macadam,
Mr. Nixon,	Mr. L. L. Smith.

*Tellers.*

Dr. Macadam,  
Mr. L. L. Smith.

Noes, 34.

Mr. Berry,	Dr. Macadam,
Mr. Brooke,	Mr. Nixon,
Mr. J. Davies,	Mr. Orkney,
Mr. Denovan,	Dr. Owens,
Mr. Don,	Mr. Pope,
Mr. Foott,	Mr. Ramsay,
Mr. Francis,	Mr. Richardson,
Mr. Frazer,	Mr. Service,
Mr. Gillies,	Mr. Sinclair,
Mr. Grant,	Mr. W. C. Smith,
Mr. Gray,	Mr. Verdon,
Mr. Heales,	Mr. Weeks,
Mr. Higinbotham,	Mr. Woods,
Mr. Houston,	Mr. Wright.
Mr. Kyte,	
Mr. Lalor,	<i>Tellers.</i>
Mr. Lambert,	Mr. Edwards,
Mr. Levi,	Mr. L. L. Smith.

*Tellers.*

Question—That this debate be now adjourned—put.  
Assembly divided.

Ayes, 24.  
Mr. Brooke, Dr. Owens,  
Mr. Don, Mr. Pope,  
Mr. Edwards, Mr. Ramsay,  
Mr. Foott, Mr. Service,  
Mr. Frazer, Mr. Sinclair,  
Mr. Gillies, Mr. L. L. Smith,  
Mr. Grant, Mr. Verdon,  
Mr. Gray, Mr. Weeks,  
Mr. Heales, Mr. Wright.  
*Tellers.*  
Mr. Denovan,  
Mr. Nixon, Mr. Berry.

Noes, 45.  
Mr. Anderson, Capt. Mac Mahon,  
Mr. Aspinall, Mr. McCann,  
Mr. Bennett, Mr. McDonald,  
Mr. K. E. Brodribb, Mr. Mollison,  
Mr. Cohen, Mr. Nicholson,  
Mr. Cummins, Mr. Orkney,  
Mr. B. G. Davies, Mr. O'Connor,  
Mr. J. Davies, Mr. O'Grady,  
Mr. Gavan Duffy, Mr. O'Shanassy,  
Dr. Evans, Mr. Pyke,  
Mr. Francis, Mr. Reid,  
Mr. Haines, Mr. Riddell,  
Dr. Hedley, Mr. J. T. Smith,  
Mr. Higinbotham, Mr. W. C. Smith,  
Mr. Hood, Mr. Snodgrass,  
Mr. Humffray, Mr. Tucker,  
Mr. Ireland, Mr. Wilson,  
Mr. Jones, Mr. Wood,  
Mr. Kirk, Mr. Woods.  
*Tellers.*  
Mr. Loader, Mr. Johnston,  
Dr. Macadam, Mr. Levey,  
Mr. McCulloch,  
Dr. Mackay,

And so it passed in the negative.

Question—That the words first proposed to be inserted in the place of the words omitted be so inserted—put.

Assembly divided.

Ayes, 33.  
Mr. Berry, Dr. Macadam,  
Mr. Brooke, Mr. Nixon,  
Mr. B. G. Davies, Mr. Orkney,  
Mr. J. Davies, Dr. Owens,  
Mr. Denovan, Mr. Pope,  
Mr. Don, Mr. Ramsay,  
Mr. Foott, Mr. Service,  
Mr. Francis, Mr. Sinclair,  
Mr. Frazer, Mr. W. C. Smith,  
Mr. Gillies, Mr. Verdon,  
Mr. Grant, Mr. Weeks,  
Mr. Gray, Mr. Woods,  
Mr. Heales, Mr. Wright.  
*Tellers.*  
Mr. Edwards,  
Mr. Lambert, Mr. L. L. Smith,  
Mr. Levi,

Noes, 36.  
Mr. Anderson, Mr. McCann,  
Mr. Aspinall, Mr. McDonald,  
Mr. Bennett, Mr. Mollison,  
Mr. K. E. Brodribb, Mr. Nicholson,  
Mr. Cohen, Mr. O'Connor,  
Mr. Cummins, Mr. O'Grady,  
Mr. Gavan Duffy, Mr. O'Shanassy,  
Dr. Evans, Mr. Pyke,  
Mr. Haines, Mr. Reid,  
Dr. Hedley, Mr. Riddell,  
Mr. Hood, Mr. J. T. Smith,  
Mr. Humffray, Mr. Snodgrass,  
Mr. Ireland, Mr. Tucker,  
Mr. Jones, Mr. Wilson,  
Mr. Kirk, Mr. Wood.  
*Tellers.*  
Mr. Johnston,  
Dr. Macadam, Mr. Levey,  
Mr. McCulloch,  
Dr. Mackay,  
Capt. Mac Mahon,

And so it passed in the negative.

Mr. Denovan moved, That the word "seventy," proposed to be inserted in the place of the words omitted, be omitted, with a view to insert instead thereof the words "sixty-nine."

Question—That the word "seventy," proposed to be inserted be so inserted—put and resolved in the affirmative.

Mr. Gavan Duffy moved, That the following words, viz., "except for temporary purposes as hereinafter provided," be omitted from the last line of this amendment.

Debate ensued.

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

Assembly divided.

Ayes, 27.  
Mr. Berry, Dr. Macadam,  
Mr. Brooke, Mr. Nixon,  
Mr. Cummins, Mr. Pope,  
Mr. Denovan, Mr. Ramsay,  
Mr. Foott, Mr. Service,  
Mr. Francis, Mr. Sinclair,  
Mr. Gillies, Mr. L. L. Smith,  
Mr. Grant, Mr. Verdon,  
Mr. Gray, Mr. Weeks,

Noes, 42.  
Mr. Aspinall, Mr. McCann,  
Mr. Bennett, Mr. McDonald,  
Mr. Brodribb, Mr. Mollison,  
Mr. Cohen, Mr. Nicholson,  
Mr. B. G. Davies, Mr. Orkney,  
Mr. J. Davies, Mr. O'Connor,  
Mr. Don, Mr. O'Grady,  
Mr. Gavan Duffy, Mr. O'Shanassy,  
Dr. Evans, Mr. Pyke,

Mr. Heales, Mr. Wright.  
Mr. Higinbotham,  
Mr. Houston, *Tellers.*  
Mr. Lalor,  
Mr. Lambert, Mr. Edwards,  
Mr. Levi, Dr. Owens.

Mr. Haines, Mr. Reid,  
Dr. Hedley, Mr. Riddell,  
Mr. Hood, Mr. J. T. Smith,  
Mr. Humffray, Mr. W. C. Smith,  
Mr. Ireland, Mr. Snodgrass,  
Mr. Jones, Mr. Tucker,  
Mr. Kirk, Mr. Wilson,  
Mr. Kyte, Mr. Wood,  
Mr. Levey, Mr. Woods.  
Mr. Loader, *Tellers.*  
Mr. McCulloch,  
Dr. Mackay, Mr. Anderson,  
Capt. Mac Mahon, Mr. Johnston.

And so it passed in the negative.

Question—That the Assembly do agree with this amendment as so amended—put and resolved in the affirmative.

And the several other amendments made by the Committee in this Bill were read and agreed to by the Assembly.

On the motion of Mr. Gavan Duffy, the Assembly ordered the following amendments to be made in this Bill, viz.:—

Clause I., line 16, omit from “thereof” to the end.

Clause X., line 21, omit “in the office of” and insert “with.”

Clause XIII., line 44, after the word “proclamation” insert “shall distinguish the area by a name and.”

Clause LXVI., after “no common” insert “except in the case of farmers’ commons as hereinbefore provided.”  
last line omit “more than.”

Clause LXXVI., line 28, after the word “runs” insert “in any of the districts into which the colony has been heretofore divided in connection with the occupation thereof for pastoral purposes.”

line 29, after the word “run” insert “in such district.”  
Clause XCII., line 22, omit “one-half as the said board may determine” and insert “an extent sufficient according to the estimate of the said board to carry all the year round five thousand sheep or one thousand two hundred and fifty head of cattle.”

Fourth Schedule, alter the title of the Act cited into “Land Act, 1862.”

Eighth Schedule, similar amendment.

On the motion of Mr. Snodgrass, the Assembly ordered that the word “year” in the first line of clause XCII. be omitted, and the words “years 1860 or” be inserted instead thereof.

On the motion of Mr. Anderson, the Assembly ordered that the word “one” be omitted from the third line of new clause O.

On the motion of Mr. Kyte, the Assembly ordered that the words “and sixpence” be omitted from the 2nd and 3rd lines of Clause LXXII. of this Bill.

On the motion of Mr. Gray, the Assembly ordered that the words “in the same area” be omitted from the 6th line of Clause XXVI. of this Bill.

On the motion of Mr. Gray, the Assembly ordered that the following words, viz., “their heirs or assigns,” be inserted after the word “Act,” in the 3rd line of Clause LVIII. of this Bill.

On the motion of Mr. Anderson, the following new Clause was read a first and second time, and ordered to be added to this Bill to stand in place of new Clause R., struck out:—

No person shall become entitled to a lease of any allotment under the provisions of the last preceding section unless he produce his title deeds for the perusal of a solicitor to be appointed by the Governor in Council and upon approval of the title by him and payment of the taxed costs out of pocket of investigating the same and of such fee to the said solicitor as the Governor in Council may appoint (which fee the said solicitor is hereby empowered to retain for his own use and benefit) such person shall be entitled to obtain a certificate in the form contained in the sixth schedule to this Act.

Mr. Snodgrass moved that the following clause be read a first time, viz.:—

“No lands shall be included within any agricultural area wherever situated within two miles from any railway station township containing according to the last census one hundred inhabitants navigable river or one half mile from any land purchased previous to the passing of this Act.”

Debate ensued.

Question—put and negatived.

On the motion of Mr. Anderson the Assembly ordered that the word “as” be inserted in the 6th line of Clause CIX. of this Bill.

Mr. Cummins moved, That the word “twelve” be omitted from line 12, new clause Q, with a view to insert instead thereof the words “twenty-four.”

Question—That the word proposed to be omitted stand part of the clause—put and resolved in the affirmative.

Mr. Gray moved, That the word “thirty” be omitted from the 10th line of Clause XLII. with a view to insert instead thereof the word “forty.”

Debate ensued.

Question—That the word proposed to be omitted stand part of the Clause—put and resolved in the affirmative.

Mr. Gray moved, That the word “one” be omitted from the 12th line of Clause XLII., and the word “three” inserted instead thereof.

Question—That the word proposed to be omitted stand part of the Clause—put and resolved in the affirmative.

Mr. Speaker having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported, and that the Clerk of the Assembly had noted the amendments made on the consideration of the Report—Mr.

Gavan Duffy moved, That this Bill be now read a third time.

Question—That this Bill be now read a third time—put.

Assembly divided.

Ayes, 45.

Mr. Anderson,	Dr. Mackay,
Mr. Aspinall,	Capt. MacMahon,
Mr. Bennett,	Mr. McCann,
Mr. Brodribb,	Mr. McDonald,
Mr. Cohen,	Mr. Mollison,
Mr. Cummins,	Mr. Nicholson,
Mr. J. Davies,	Mr. Orkney,
Mr. Gavan Duffy,	Mr. O'Connor,
Dr. Evans,	Mr. O'Grady,
Mr. Francis,	Mr. O'Shanassy,
Mr. Haines,	Mr. Reid,
Dr. Hedley,	Mr. Richardson,
Mr. Higinbotham,	Mr. Riddell,
Mr. Hood,	Mr. Service,
Mr. Humffray,	Mr. J. T. Smith,
Mr. Ireland,	Mr. W. C. Smith,
Mr. Johnston,	Mr. Snodgrass,
Mr. Jones,	Mr. Tucker,
Mr. Kirk,	Mr. Wilson,
Mr. Kyte,	Mr. Wood.
Mr. Levi,	<i>Tellers.</i>
Mr. Loader,	Mr. Pyke,
Mr. McCulloch,	Mr. Levey.

Noes, 23.

Mr. Berry,	Mr. Pope,
Mr. Denovan,	Mr. Ramsay,
Mr. Foott,	Mr. Sinclair,
Mr. Frazer,	Mr. L. L. Smith,
Mr. Gillies,	Mr. Verdon,
Mr. Grant,	Mr. Weeks,
Mr. Gray,	Mr. Woods,
Mr. Heales,	Mr. Wright.
Mr. Houston,	
Mr. Lambert,	<i>Tellers.</i>
Dr. Macadam,	Mr. Don,
Mr. Nixon,	Mr. Edwards.
Dr. Owens,	

And so it was resolved in the affirmative.—Bill read a third time.

Mr. L. L. Smith moved, That the following proposed clause be read a first time, viz. :—

“Every selector of any allotment of land under this Bill shall be entitled either to purchase the fee of the whole allotment at the price of one pound for each acre or fractional part of an acre therein or receive a lease on the terms herein contained. Every such lease shall be for a term of eight years at a rent payable yearly in advance of two shillings and sixpence for each acre or fractional part of an acre so demised and shall contain the usual conditions and covenants for the payment of rent and also a covenant from Her Majesty to the lessee his executors administrators and assigns that upon the expiration of four annual payments of two shillings and sixpence per acre the lessee may demand a grant in fee for one half of his allotment and may demand a grant of the remaining moiety when the whole amount due for said allotment has been paid in accordance with the provisions hereinbefore contained.”

Debate ensued.

Question—put and negatived.

Mr. Humffray moved, That the following proposed clause be read a first time, viz. :—

“It shall be lawful for the Governor in the name and on behalf of Her Majesty to grant without any charge or consideration any Crown lands either in fee simple or for any less estate to any persons as trustees for and on behalf of any hospital asylum infirmary or other charitable institution or to any municipal council or other elective body corporate in order that the rents issues and profits of such lands may be applied (as the case may be) by such trustees for the support maintenance or extension of such hospital asylum infirmary or charitable institution or by such municipal council or body corporate for all or any of the purposes which such municipal council or body corporate is or shall be by law authorised to carry out and such trustees municipal council or body corporate (as the case may be) from time to time may demise any lands so granted to them for any period not exceeding \_\_\_\_\_ years from the date of such demise but shall not dispose of any such lands for any greater estate.”

Question—put and resolved in the affirmative.

Mr. Humffray moved, That the clause be now read a second time.

Debate ensued.

Motion, by leave, withdrawn.

Mr. Gray moved, That the following proposed Clause be now read a first time, viz. :—

“No Crown grant nor treasurer's receipt for the purchase money shall issue to any person selecting such lands until *twelve* months shall have elapsed after the date of such selection and until such *twelve* months shall have elapsed it shall not be lawful for such

selector to sell convey lease mortgage charge nor encumber to agree then or at any future time to sell convey lease mortgage charge or encumber the same or any part thereof and every attempt or agreement so to dispose of or affect the same shall be illegal and void Provided always that if the said selector shall die within the said *twelve* months the Crown grant for the said land or for so much of it as may be paid for shall issue to the executor or administrator of the said selector who shall dispose of the same as personal assets of the deceased and the lease of the portion if any still unpurchased shall also vest in the said executor or administrator to be disposed of in the like manner."

Question—put and resolved in the affirmative.

Mr. Gray moved, That this proposed Clause be now read a second time.

Debate ensued.

Question—put and negatived.

Mr. Gray moved, That Clause O be struck out of the Bill.

Question—That Clause O proposed to be struck out stand part of the Bill—put and resolved in the affirmative.

Mr. McCann moved, That the following proposed clause be read a first time, viz.:—

"Until one-eighth part of any agricultural area has been selected as aforesaid it shall be lawful for any person a selector of land within such area or his legal representative residing therein to depasture upon the adjacent Crown lands any number of cattle not exceeding the rate of one head of cattle or horses for every ten acres so selected Provided such selector shall first give to the pastoral licensee of such land notice that he is about to depasture said cattle upon the said land and shall describe such cattle by brand or otherwise Provided also that he shall pay to the said pastoral licensee if demanded a fee in advance for each quarter of a year for the depasturing of such cattle equivalent to the rent in this Act charged to such pastoral licensee for like cattle Provided also that such cattle shall not be afflicted with any infectious disease."

Debate ensued.

Question—put and negatived.

Mr. Gavan Duffy moved, That the words "forty-ninth" in the 2nd and 3rd lines of Clause XLVI. be omitted, with a view to insert instead thereof, the word "fiftieth."

Question—That the words proposed to be omitted stand part of the clause—put and negatived.

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

Mr. Gavan Duffy moved—That the words "forty-ninth" be omitted from the last line of Clause XLVII., with a view to insert the word "fiftieth" instead thereof.

Question—That the words proposed to be omitted stand part of the clause—put and negatived.

Question—That the word proposed to be inserted in the place of the words omitted be so inserted—put and resolved in the affirmative.

Question—That this Bill do now pass—put and resolved in the affirmative.

Mr. Gavan Duffy moved, That the following be the title of the Bill :—

*"An Act to consolidate and amend the Laws relating to the Sale and Occupation of Crown Lands."*

Question—put and resolved in the affirmative.

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

10. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until this day :—

*"Distillation—Resolutions to be reported."*

*"Civil Service Bill—To be further considered in Committee."*

*"Supply—Resolution to be reported."*

*"Supply—To be further considered in Committee."*

*"Consolidated Revenue Bill—Second reading."*

*"Gold Mining Leases Bill—Second reading."*

*"Lands Titles Registration Bill (2)—Second reading."*

*"Preferable Lien on Crops Bill—To be further considered in Committee."*

*"Justices Law Administration Bill—To be further considered in Committee."*

*"Lands Titles Registration Bill—Second reading—Resumption of debate."*

*"Fisheries Bill—Second reading."*

*"Equity Jurisdiction Bill—Second reading."*

*"Aliens Bill—Consideration of Report."*

*"Insolvency Bill—Second reading."*

*"State Aid to Religion—Motion for Return—Resumption of debate."*

Assembly adjourned at twenty minutes past six o'clock a.m. until four o'clock p.m. this day.

FRANs. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 75.

WEDNESDAY, 9TH APRIL, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—Mr. O'Shanassy presented a Petition from certain inhabitants of the municipality of FitzRoy, praying the House to take the statements in the Petition into consideration, and to pass a law erecting the municipality of FitzRoy into a separate Electoral District, enabling the electors of the said municipality to elect one representative forthwith, and after the dissolution of the present Parliament conferring equal representation on the districts of FitzRoy and East Collingwood.  
Petition read and ordered to lie on the Table.  
Mr. Lalor presented a Petition from Eliza Johns Taylor, of Ballarat, widow, praying the House would take into favorable consideration the case of the petitioner as set forth in the Petition.  
Ordered to lie on the Table.  
Mr. McCann presented a Petition from certain Members of the United Church of England and Ireland, and of other Christian Churches, residing in the parish of Ballan, praying this House, for the reasons set forth in the Petition, would not allow the Licensed Publicans Act Amendment Bill to pass into law.  
Ordered to lie on the Table.
3. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Twenty-first Report from this Committee.  
Ordered to lie on the Table and to be printed.
4. YARRA BEND LUNATIC ASYLUM COMMITTEE.—Mr. Don, having obtained leave of the Assembly, presented the Third Progress Report from this Committee.  
Ordered to lie on the Table, and, together with the accompanying Evidence, to be printed.
5. ADJOURNMENT.—Mr. O'Shanassy moved, pursuant to *amended* notice, That the House, at its rising this day, do adjourn until Tuesday, 29th April instant.  
Question—put and resolved in the affirmative.
6. COMPLAINT.—The Order of this House, made on Friday, the 4th April instant—That George Dill do attend this House on Wednesday next—having been read, Mr. Speaker enquired of the Serjeant-at-Arms if Mr. Dill was in attendance, when that officer having called Mr. Dill in the lobbies returned and informed Mr. Speaker that Mr. Dill was not in attendance—and further informed Mr. Speaker that the Order of the House had been duly served upon Mr. Dill by Mr. Pearce, his assistant—whereupon Mr. Pearce was called in and examined by Mr. Speaker as follows :—  
Did you serve upon the publisher of the *Argus* the Order of this House just read by the clerk?—I did.  
Where did you serve it?—At his office.  
Was that the newspaper office?—Yes, in Collins-street.  
On what day did you serve it?—On Saturday.  
Did you serve it upon him personally?—I did.  
Did he make any communication to you with regard to it?—Not the slightest.  
He made no observation?—No observation.  
Is he in attendance to-day?—No.  
Mr. Pearce having withdrawn—  
Mr. Frazer moved, That George Dill having been ordered to attend this House this day, and not attending in obedience to such order, is guilty of a contempt; and that he be sent for in the custody of the Serjeant-at-Arms; and that Mr. Speaker do issue his warrant accordingly.  
Debate ensued.  
Question—put and resolved in the affirmative.

7. GOVERNOR'S SALARY BILL.—Mr. O'Shanassy moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative, with the concurrence of fifty-four Members, being more than an absolute majority of the whole number of the Members of the Legislative Assembly.

Bill read a second time.

Mr. O'Shanassy moved, That this Bill be committed to a Committee of the whole Assembly.

Question—put and resolved in the affirmative.

And on the further motion of Mr. O'Shanassy, Mr. Speaker left the Chair and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.

Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had gone through the Bill and agreed to the same without amendment.

Mr. Speaker 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 Mr. O'Shanassy, read a third time, with the concurrence of fifty-two Members, being more than an absolute majority of the whole number of the Members of the Assembly, and passed.

Mr. O'Shanassy moved, That the following be the title of the Bill:—

*“An Act to alter the sum appropriated to the payment of the salary and allowances of the Governor.”*

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.

8. ADJOURNMENT.—Mr. O'Shanassy moved, That this House do now adjourn.

Question—put and resolved in the affirmative.

Whereupon the House, at a quarter past five o'clock, adjourned until four o'clock on Tuesday, 29th April instant.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*



## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 76.

TUESDAY, 29TH APRIL, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. RETURN TO WRIT.—Mr. Speaker announced that he had received a return to the writ he had issued for the election of a Member to serve for the electoral district of Ararat, from which it appeared that Tharp Mountain Girdlestone had been duly elected in pursuance of the said writ.
3. NEW MEMBER SWORN.—Tharp Mountain Girdlestone was then introduced and took the oath and his seat as Member of the Assembly.
4. MESSAGE FROM THE LEGISLATIVE COUNCIL.—The following Message from the Legislative Council by the Clerk Assistant of the Council :—  
 MR. SPEAKER,  
 The Legislative Council transmit to the Legislative Assembly a Bill, intituled, "*An Act for regulating Schools of Anatomy,*" with which they desire the concurrence of the Legislative Assembly.  
 (Signed) MATTHEW HERVEY,  
 Acting President.  
 Legislative Council Chamber,  
 Melbourne, 29th April, 1862.
5. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Twenty-second Report from this Committee.  
 Ordered to lie on the Table and to be printed.
6. PAPERS.—The Chief Secretary presented, by command of His Excellency the Governor—  
 Criminal Statistics.—Returns of the number of persons taken into custody by the Victorian Police Force during the year 1860, showing offence, total number, sex, age, country, religion, education, occupation, and how disposed of.  
 Ordered to lie on the Table.  
 Mr. Anderson presented—  
 Immigration.—Return showing the relationship of the persons sent for from the United Kingdom by persons resident in Victoria, during the year 1861, under the Immigration Regulations of 30th July, 1861; out of the vote of £25,000.  
*Diana*.—Reply to question put by Mr. Loader, 8th April instant, for copies of the correspondence in his department relating to the rescue of the master and crew of the English ship *Augusta* by the Bremen barque *Diana*.  
 Severally ordered to lie on the Table.  
 Dr. Evans presented by command of His Excellency the Governor—  
 Electric Telegraph.—Report of the General Superintendent of Electric Telegraph on the advancement and condition of his department, for the year ending 31st December, 1861.  
 Ordered to lie on the Table.
7. PETITIONS.—Mr. Denovan presented a Petition from John Steele, styling himself Moderator of the Presbytery of Castlemaine, in connection with the General Assembly of the Presbyterian Church of Victoria, praying the House would take the statements set forth in the Petition into consideration, and strike out from the Licensed Publicans Act Amendment Bill the clause that permits houses to open for sale of liquors on the Lord's Day.  
 Ordered to lie on the Table.  
 Mr. Service presented a Petition from the Total Abstiners and other Colonists of Lake Learmonth, and the surrounding district, praying the House to refuse assent to any Bill that authorises the opening of Public Houses on the Sunday, or in any way affords increased facilities for obtaining intoxicating drinks.  
 Ordered to lie on the Table.

8. CONTEMPT.—The Serjeant-at-Arms having informed the House that he had George Dill, printer and publisher of the *Argus* newspaper, in his custody, by virtue of Mr. Speaker's Warrant ;

Mr. Frazer moved, That the Attorney-General be requested to assume the general conduct of the proceedings on behalf of this House, in the matter of the complaint against Mr. Dill.

Debate ensued.

Question—put and resolved in the affirmative.

Mr. Ireland then moved, That George Dill be now brought to the Bar of this House, the Serjeant-at-Arms having taken him into custody.

Question—put and resolved in the affirmative.

Mr. Dill was then brought to the Bar by the Serjeant-at-Arms and examined by Mr. Speaker as follows:—

What is your name?—George Dill.

Are you the publisher of the *Argus* newspaper?—I beg to state that I come here by compulsion, and any questions I may answer is under protest.

Are you the publisher of the *Argus*?—I am.

Was there an Order of this House served upon you to attend here on the 9th instant?—I forget the date, I got one; I received the Order.

You did not attend;—I did not.

Have you any reason to give or explanation to offer for your non-attendance?—

I decline to answer that question.

Mr. Dill was then directed to retire in the custody of the Serjeant-at-Arms; and having retired,

Mr. Ireland moved, That the said George Dill, having been guilty of a contempt of this House, be, for his said offence, committed to the custody of the Serjeant-at-Arms of the Legislative Assembly, and that Mr. Speaker do issue his Warrant accordingly.

Debate ensued.

Question—put and resolved in the affirmative.

Mr. Ireland then moved, That George Dill be again brought to the Bar and interrogated by Mr. Speaker with reference to the publication of the libellous article contained in the *Argus* newspaper of the 4th instant, but that all fees consequent upon this second proceeding be remitted by this Assembly.

Question—put and resolved in the affirmative.

The Serjeant-at-Arms having again brought the said George Dill to the Bar of the House—on the motion of Mr. Ireland the article contained in the *Argus*, of the 4th April instant, was then read by the Clerk, and is as follows:—

“It would be perhaps too curious a speculation to inquire what has made the member for Creswick so enthusiastic a reformer of our police system. It would be as impertinent as to ask on what grounds the Police Committee itself was appointed, at whose instigation, and to serve what purpose. This at least the country ought to be content to know, that it is under a sort of double police guardianship and a twofold detective system. There is the regular police force, under the chief commissioner; and there are the amateur detectives, under Mr. Frazer. And there should be a good deal of consolation in the knowledge that the professional policemen are themselves the objects of the *surveillance* of a sort of vigilance committee, which appears to be perpetually sitting, under the chairmanship of the member for Creswick. There is a sense of poetical justice in such an arrangement, which ought to satisfy every democratic requirement. That the guardians themselves should be guarded, the inspectors inspected, and the detectives subject in their own turn to detection, are facts full of pleasant reflection for those who make policemen and detectives necessary, as well as for those who hold to the great doctrine that “the people should govern the people.” There is but one further step to take to make our system identical with that of the pure American model: we want only that our judges should be chosen by those whom they are appointed to judge.

As an arrangement intended to promote either the discipline of the regular police or the objects for which policemen are appointed, it must be admitted that the system which permits Mr. Frazer to be a sort of inspector-general of the heads of the police department, is open to some objection. It may be asked, for instance, what qualification Mr. Frazer has for such a post, beyond the accidental one that he is a delegate of certain of the people of the district of Creswick. It cannot be supposed that this gentleman has any title to this office, beyond such as may arise from the natural antipathies of men of his class to everything that looks like a constable. But some inscrutable destiny has made Mr. Frazer chairman of the Police Committee, and in that capacity, which appears to be never-ending, Mr. Frazer is pleased to exercise a supervision over the whole police department of the colony—to take care that this constable is not a rogue, and that superintendent a tyrant, and generally to look after the honesty and good behaviour of those who are retained by the state for looking after the honesty and good behaviour of others.

It is alleged, in excuse for this somewhat irregular irruption of unpaid detectives over the force, that the police are disorganized, and almost in a state of open mutiny. But whence do we learn of this disorganization, and how has it been promoted? That

there is a certain disorganization at the present time in the police force, is not to be denied. The very existence of Mr. Frazer, in his capacity of redresser-general of all police wrongs, is a proof of it. That the men are disaffected, is a notorious fact; but they are disaffected, first, because of the reductions in their pay, and, secondly, because of Mr. Frazer and the officious and totally uncalled-for meddling of the Police Committee and its members and directors. There is no disorganization which cannot be accounted for on one or other of these grounds. Apart from the very natural feeling of soreness engendered in the minds of the men by the reduction of their pay, there is no other cause of disaffection but Mr. Frazer, and the perfectly well-known influence of which he is merely the puppet and the rude instrument. What he and his friends have done, is, in fact, first to create the disaffection, and then make it a ground of accusation against some one else who is obnoxious to himself and his friends. Is there not ample evidence of this in the *animus* which breathes through such a speech as that of Mr. Frazer on Wednesday evening—in the repetition, within the walls of the House, of all the base calumnies which have been made to circulate without—in the advocacy of the case of every dismissed and degraded policeman, against the legitimate authority of the chief commissioner—and in such a grossly indecent motion as that of Mr. Davies, the other evening?

There is nothing that we desire so fervently as that the author of all the disorganization in the police force shall meet his due punishment; but in the meantime we protest against the members of the House being privileged to interfere between the legal head of the police and the men under his command. Every honest and decent man in the country is interested in maintaining the discipline of the police; and there is nothing which is more likely to destroy that discipline than the interference of such a man as the member for Creswick. The Police Committee has no more control over the Chief Commissioner, or over his acts, than has Mr. Speaker's wig or the clock under the gallery; and it is grossly unconstitutional that it should take notice, through its chairman, of matters happening in the current police administration. The House itself has no right to interfere in any question of discipline between the appointed head of the department and the men under his control, and for whom he alone is responsible. There is a special and sufficient law, regulating the bounds of the Chief Commissioner's authority, and laying down distinctly the position of each officer and man in the force. Under this law, Captain Standish is bound to take notice of such cases of insubordination as that which has formed the subject of so many questions in the House, and he has no option but to do so in the manner provided, that is to say, by the appointment of a board of enquiry. Where is the hardship of the case, and who is it that pretends to be aggrieved? The two sergeants who are now upon their trial (and on whose case, so long as that trial is pending, we shall forbear to comment), are charged with a breach of discipline; and it is for their accuser to prove the charge by all the means in his power. In exercising his right of claiming a board of inquiry in this matter, the Chief Commissioner of Police has not availed himself of any privilege which is not open to the meanest constable under his orders. Every man in the force has an equal right in this respect,—a right which Mr. Frazer's *protégés* did not dare to claim, but preferred rather to address a "round-robin" to the Chief Secretary, in a manner which must be held to be subversive of all discipline among any well-regulated body of men.

Mr. Frazer alleges that the men have some grievances. Why is it, then, that they have not claimed redress in the manner provided by law? What has induced them to prefer laying their complaints before a member of the House to placing them before a board of enquiry? For that member to get up in his place, and insinuate that the gentlemen appointed to investigate the charge of insubordination are personal friends of Captain Standish, is a proceeding as vile and cowardly as any member of the House can be guilty of. What officer of the public is safe from this kind of attack on the part of some privileged ruffian whom accident may have pitchforked into the House? The simple question before the public is, whether members of the House are to be permitted to interfere with a purely executive office, such as that of the Chief Commissioner of Police—whether they are to be allowed to indulge their private grudges, or to serve their personal interests, by the persecution of an officer against whom there appears no accuser, and, therefore, no accusation. As for the police, it will continue to remain disorganized, so long as there is interposed an authority between that of its responsible chief and his men—an authority which is above law, and which knows no limit, and incurs no responsibility. It will be impossible, either to retain a decent body of men in the police service of the country, or to have any man of spirit or honesty at its head, if it is in the power of such as Mr. Frazer to constitute himself a court of appeal to every malcontent policeman in the force."

Mr. Dill was then examined as follows:—

*By Mr. Speaker.*—George Dill you have already stated that you are the publisher of the *Argus* newspaper?—Yes.

Did you publish the number of the *Argus* in which is contained the leading article which has been just read by the Clerk?—Yes.

Are you aware that that reflects upon a Member of this House and upon one of its Committees and upon the House generally?—I decline to answer.

Have you any explanation to offer in regard to that?—I decline to answer.

*By Mr. Levey.*—Do you wish to retract or apologise for that article?—Not the slightest.

Do you wish to name the writer of that article?—I was not asked,

Then if I ask you will you give the name of the author of that article?—Ask me.

Then I ask the name of the author of that article?—I refuse to give it.

Mr. Dill was then directed by Mr. Speaker to withdraw in the custody of the Serjeant-at Arms, and having withdrawn,

Mr. Ireland moved, That the said George Dill having published in the said *Argus* newspaper the said libellous article is guilty of a contempt and breach of the privileges of this House, and that he be, for his said offence, committed to the custody of the Serjeant-at-Arms of the Legislative Assembly, and be kept in such custody for the space of one calendar month, unless this House shall sooner order his discharge, or unless the present Parliament of Victoria be sooner prorogued, or unless the said Legislative Assembly be sooner dissolved, and that Mr. Speaker do issue his Warrant accordingly.

Debate ensued.

Question—put and resolved in the affirmative.

9. CUSTOMS ACT AMENDMENT BILL.—On the motion of Mr. Anderson the several amendments made by the Legislative Council in this Bill were read and are as follow :—

Clause III., line 21, leave out “rates and charges,” and insert in lieu thereof “registration fees.”

Clause VI., line 2 (page 2), leave out “deliver to the collector or other proper officer a bill of entry.”

„ line 5, leave out “and.”

„ same line, leave out “rates,” and insert in lieu thereof “registration fee.”

„ line 6, after “goods” leave out all words to end of clause.

Leave out Clause VII.

Clause VIII., line 29, after “collector” insert “or other proper officer.”

„ line 30, after “collector” insert “or officer.”

Leave out Clause IX.

*Insert new Clause A.*

The one hundredth section of “*The Customs Act 1857*” shall be and the same is hereby repealed and there shall be allowed upon the exportation of wine coffee chicory tea sugar and rice imported into the colony a drawback of the duty paid thereon Provided always that proof be made to the satisfaction of the collector of customs that the full duties due on importation had been paid and that such goods had been duly exported.

*Insert new Clause B.*

The sixty-fifth and sixty-sixth sections of “*The Customs Act 1857*” shall be and the same are hereby repealed.

*Insert new Clause C.*

If the importer proprietor or consignee of any goods shall not within four days (exclusive of Sundays and holidays) after the arrival of the ship importing the same (if such ship be a sailing vessel) or within one day (exclusive of Sundays and holidays) after the arrival of the ship importing the same (if such ship be a steam vessel) make perfect entry or entry by bill of sight of such goods or if having made such entry he shall not land such goods within such four days or one day (as the case may be) or within such further period as the commissioner shall direct the officers of customs may convey such goods to the Queen’s warehouse and whenever the cargo of any ship shall have been discharged within such four days or one day (as the case may be) with the exception only of a small quantity of goods the officers of customs may forthwith convey such remaining goods to the Queen’s warehouse and also at any time after the arrival of such ship may convey any small packages or parcels of goods therein to the Queen’s warehouse there to remain for due entry during the remainder of such four days or one day (as the case may be) and if the duties and registration fees due upon any goods so conveyed to the Queen’s warehouse shall not be paid within one month afterwards or within such further period as the commissioner may direct together with all charges of removal and warehouse rent and freight such goods may be sold either for home use or for exportation and the produce thereof applied first to the payment of duties registration fees and charges next of freight and the overplus if any shall be paid to the importer proprietor or consignee of the goods on his application for the same but if he does not make such application the said overplus shall be paid into the Treasury to abide his claim on his appearing and making good his claim thereto and if such goods or any of them shall be of a perishable nature the commissioner may forthwith direct sale thereof and apply the proceeds in like manner Provided always that for this purpose if the importing ship and goods be liable to the performance of quarantine the time for entry and landing of such goods shall be computed from the time at which such ship and goods shall have been released from quarantine.

Alteration of the 100th section of the *Customs Act*.

Repeal of *Customs Act* sec. 65, 66.

Within what time goods to be entered and landed.

*Insert new Clause D.*

If the importer proprietor or consignee of any goods or his agent shall not within four days (exclusive of Sundays and holidays) after the arrival of the ship importing the same (if such ship be a sailing vessel) or within one day (exclusive of Sundays and holidays) after the arrival of the ship importing the same (if such ship be a steam vessel) enter and land such goods the master or owner of such ship may immediately upon the expiration of such period unless a longer period is specified in the bills of lading or charter party of affreightment for the discharge of her cargo or any part thereof enter and land such goods notwithstanding the same may have been previously entered by the importer proprietor or consignee thereof.

Master of ship may enter goods after such time.

*Insert new Clause E.*

If any period after the arrival or report of any ship is specified in the bills of lading or charter party of affreightment for the discharge of her cargo or any part thereof and the importer proprietor or consignee of such goods or his agent shall neglect to enter and land the same within such period the master or owner of such ship may immediately on the expiration of such period enter and land such goods notwithstanding the same may have been previously entered by the importer proprietor or consignee thereof.

Or after time named in bill of lading.

*Insert new Clause F.*

Whenever any goods shall remain on board any importing ship beyond the period of fourteen days after the arrival of such ship or beyond such further period as the commissioner may allow such ship shall be detained by the proper officer of customs until all expenses of watching or guarding such goods beyond such fourteen days or such further time if any allowed as aforesaid not exceeding ten shillings per diem and of removing the goods or any of them to the Queen's warehouse (in case the officers shall so remove them) be paid.

Expense of guarding unentered goods to be paid.

*Insert new Clause G.*

Where by the said Act any person is required to state the value of any goods such value shall be estimated at and taken to be the value at the port of entry.

Value of goods

*Insert new Clause H.*

Whenever any goods liable to duties of customs shall be entered and landed by the master or owner of the importing ship under the provisions hereinbefore contained and the freight registration fees charges of removal or warehouse rent (if any) shall be in arrear for one month after such entry shall have been made such goods on the written application of such master or owner or his agent shall after one month's notice in the *Government Gazette* be sold either for home use or for exportation and the produce thereof shall be applied as nearly as may be in the same manner as the produce of goods conveyed to the Queen's warehouse and sold as hereinbefore directed.

Dutiable goods may be sold for freight.

*Insert new Clause I.*

Whenever any goods not liable to duties of customs shall be entered and landed by the master or owner of the importing ship under the provisions hereinbefore contained and the freight registration fees charges of removal or warehouse rent (if any) shall be in arrear for one month after such landing such goods may after one month's notice in the *Government Gazette* be sold by the master or owner of the said ship or his agent and the produce thereof shall be applied as nearly as may be in the same manner as the produce of goods conveyed to the Queen's warehouse and sold as hereinbefore directed.

Free goods may be sold for freight.

On the motion of Mr. Anderson the several amendments made in Clause III., and in Clause VI., lines 2 and 5, were read a second time and agreed to.

On the motion of Mr. Anderson the amendments to leave out all the words after "goods," in line 6 of Clause VI., and to leave out Clause VII., of this Bill, were disagreed to.

On the motion of Mr. Anderson the several amendments in Clause VIII., to leave out Clause IX., and to insert new Clauses A and G, were read a second time and agreed to.

And on the further motion of Mr. Anderson the several amendments to insert new Clauses B, C, D, E, F, H, I, were disagreed to.

Ordered—That the said Bill be returned to the Legislative Council, with a Message acquainting the Council that the Assembly had agreed to some and disagreed to others of the said amendments.

9. MUNICIPALITIES ACT AMENDMENT BILL.—Mr. Wood moved, pursuant to notice, That he have leave to bring in a Bill to amend the Law relating to Municipal Institutions.

Question—put and resolved in the affirmative.

Ordered—That Mr. Wood and Mr. Anderson do prepare and bring in the Bill.

10. CHAIRMAN OF COMMITTEES.—Mr. O'Shanassy moved, That in consequence of the illness of Mr. Lalor, Mr. W. C. Smith be appointed Chairman of Committees of the whole Assembly for this evening.

Question—put and resolved in the affirmative.

11. **DISTILLATION.**—The Chairman of Committees of the whole Assembly for this day reported from a Committee of the whole certain resolutions, which were read, and are as follow :—

*Resolved—*

- (1.) That it is expedient to consolidate and amend the laws affecting distillation and brewing in Victoria, and the sale of fermented and spirituous liquors in certain cases.
- (2.) That licenses be granted for the following purposes, and fees therefor be paid according to the annexed scale :—

For every license to keep and use a still for distillation of spirits ...	£10 0 0
For every license to keep and use a still for medical, chemical, assay, photographic, or scientific purposes, or for distilling perfumes, or for the manufacture of pyroligneous acid, naphtha, or other manufacture where a still is necessary, and in which no spirits are made ... ..	2 0 0
For every license to keep and use a still for distillation of brandy from grapes, for the purpose of fortifying wines ... ..	5 0 0
For every license to keep and use a still for the distillation of brandy from grapes, for sale or exportation ... ..	10 0 0

- (3.) That the following rates of duty shall be paid, levied, and collected on spirits hereafter distilled in Victoria, viz. :—

- (a.) Upon spirits distilled from malt, grain, roots, grapes, or wine, six shillings per gallon.
- (b.) Upon spirits distilled from sugar, treacle, molasses, beer, or ale, eight shillings per gallon

- (4.) That a Bill be brought in to carry out the above mentioned purposes.

And the said resolutions 1 and 2 were severally read a second time and agreed to by the Assembly.

And the said resolution 3 having been read a second time—

Mr. Francis moved, That the word “hereafter” be omitted from the above resolution.

Debate ensued.

Question—That the word proposed to be omitted stand part of the resolution—put and negatived.

Mr. Service moved, That the word “six” be omitted from the third line of the said resolution and the word “ten” inserted instead thereof.

Debate ensued.

Question—That the word proposed to be omitted stand part of the resolution—put. Assembly divided.

Ayes, 46.	
Mr. Anderson,	Mr. McCulloch,
Mr. Berry,	Capt. Mac Mahon,
Mr. Brooke,	Mr. McCann,
Mr. Cohen,	Mr. McDonald,
Mr. J. Davies,	Mr. McLellan,
Mr. Don,	Mr. Mollison,
Mr. Gavan Duffy,	Mr. Nixon,
Mr. Edwards,	Mr. Orkney,
Dr. Evans,	Mr. O'Grady,
Mr. Francis,	Mr. O'Shanassy,
Mr. Frazer,	Mr. Richardson,
Mr. Gillies,	Mr. Riddell,
Mr. Girdlestone,	Mr. A. J. Smith,
Mr. Gray,	Mr. J. T. Smith,
Mr. Haines,	Mr. L. L. Smith.
Mr. Heales,	Mr. Sullivan,
Mr. Higinbotham,	Mr. Tucker,
Mr. Hood,	Mr. Wood,
Mr. Houston,	Mr. Woods,
Mr. Howard,	Mr. Wright.
Mr. Humffray,	<i>Tellers.</i>
Mr. Ireland,	
Mr. Lambert,	Mr. Levey,
Mr. Loader,	Mr. W. C. Smith.

Noes, 5.	
Mr. Denovan,	<i>Tellers.</i>
Mr. Pope,	Mr. Service,
Mr. Weeks,	Mr. Levi.

And so it was resolved in the affirmative.

On the motion of Mr. Anderson, the Assembly agreed to the 3rd resolution as so amended.

And, on the further motion of Mr. Anderson, resolution 4 was read a second time and agreed to.

12. **EAST COLLINGWOOD IMPROVEMENT BILL.**—Mr. Don moved, pursuant to notice, That the East Collingwood Improvement Bill be referred for consideration and report to a Select Committee, to consist of Mr. Johnston, Mr. Pope, Mr. Cummins, Mr. Kyte, Dr. Hedley, Mr. Heales, Mr. Mollison, Mr. Edwards, and the Mover ; three to form a quorum.

Mr. Edwards moved that the words "Mr. Graham Berry" be inserted after the words "Mr Edwards".

Question—that the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That the East Collingwood Improvement Bill be referred for consideration and report to a Select Committee, to consist of Mr. Johnston, Mr. Pope, Mr. Cummins, Mr. Kyte, Dr. Hedley, Mr. Heales, Mr. Mollison, Mr. Edwards, Mr. Graham Berry, and the Mover; three to form a quorum—put and resolved in the affirmative.

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

- "Civil Service Bill—To be further considered in Committee,"
- "Supply—Resolution to be reported,"
- "Supply—To be further considered in Committee," until to-morrow.
- "Consolidated Revenue Bill—Second reading," until Tuesday, 6th May next.
- "Gold Mining Leases Bill—Second reading," until to-morrow.
- "Lands Titles Registration Bill (2)—Second reading," until Tuesday, 6th May next.
- "Preferable Lien on Crops Bill—To be further considered in Committee," until Friday, 2nd May next.
- "Justices Law Administration Bill—To be further considered in Committee," until to-morrow.
- "Lands Titles Registration Bill—Second reading—Resumption of debate," until Tuesday, 6th May next.
- "Privilege—Mr. Reid—Motion respecting—Resumption of debate," until to-morrow.
- "Fisheries Bill—Second reading," until Thursday, 8th May next.
- "Equity Jurisdiction Bill—Second reading," until Thursday, 1st May next.
- "Aliens Bill—Consideration of Report," until to-morrow.
- "Insolvency Bill—Second reading,"
- "State Aid to Religion—Motion for Return—Resumption of debate,"
- "Building Act Extension Bill—Second reading,"
- "Gold Export Duty Act Amendment Bill—Second reading,"
- "Colonial Wines Sale Bill—To be further considered in Committee,"
- "Weights and Measures Bill—To be further considered in Committee,"
- "Church Act Amendment Bill—Second reading," until Thursday, 8th May next.
- "Hawkers Act Amendment Bill—To be further considered in Committee," until Thursday, 1st May next.
- "Contractors and Workmen Lien Bill—Second reading,"
- "Medical Practitioners Bill—To be further considered in Committee,"
- "Quartz Reefs Drainage Bill—Second reading," until Thursday, 8th May next.
- "Game Preservation Bill—Consideration of Report," until Friday, 2nd May next.
- "Inspector of Pounds—Motion for Address—To be considered in Committee,"
- "Markets Bill—Second reading," until Thursday, 8th May next.

Assembly adjourned at twenty-five minutes past eleven o'clock until four o'clock to-morrow.

FRANs. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 77.

WEDNESDAY, 30TH APRIL, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—The following Petitions against the Licensed Publicans Acts Amendment Bill, and especially against the clause authorising the opening of public houses on Sundays, were presented as under :—
  - By Mr. Wood, from Peter Duff, styling himself chairman of a public meeting of inhabitants of Warrnambool.
  - By Mr. McCulloch, from the members of Chalmers' Church, Melbourne.
  - By Mr. J. T. Smith, from certain members of the United Church of England and Ireland and others residing in the district of Essendon.
  - By Mr. McCulloch, from the ministers and elders of the Presbytery of Melbourne of the Presbyterian Church of Victoria.
  - By Mr. Heales, from certain residents in the district of Wahgunyah.
  - By Mr. Service, from the congregations worshipping at Minersrest and Coghill's Creek Presbyterian Churches.
 Severally ordered to lie on the Table.  
 Mr. Frazer presented a Memorial from John Manning, trusting that the time had come when this House would combine generosity with justice, by indemnifying the Memorialist in such manner as in its wisdom might think just.  
 Ordered to lie on the Table.
3. MESSAGE FROM THE LEGISLATIVE COUNCIL.—The following Message from the Legislative Council by the Clerk-Assistant of the Council.
 

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the Bill, intituled, "*An Act to amend an Act intituled 'An Act for granting Duties of Customs upon Gold exported from Victoria,'*" without amendment.

(Signed)                      MATTHEW HERVEY,  
 Acting President.

Legislative Council Chamber,  
 Melbourne, 30th April, 1862.
4. DISTILLATION BILL.—Mr. Anderson, in pursuance of the Order of this House, brought up a Bill, intituled, "*A Bill to consolidate and amend the law relating to the distillation, rectifying, and compounding of spirits to the granting a duty upon spirits distilled in Victoria, and to regulate the brewing of beer, and the sale of fermented and spirituous liquors 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, 6th May next.
5. CHAIRMAN OF COMMITTEES.—Mr. O'Shanassy, by leave of the Assembly, moved, That Mr. W. C. Smith do take the Chair in all Committees of the whole Assembly this day.  
 Question—put and resolved in the affirmative.
6. CIVIL SERVICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.  
 Mr. Speaker resumed the Chair, and Mr. W. C. Smith 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 this House will, on Friday, 2nd May next, again resolve itself into the said Committee.



7. GOLD MINING LEASES BILL.—Mr. Wood moved, That this Bill be now read a second time.  
 Debate ensued.  
 Question—put and resolved in the affirmative—Bill read a second time.  
 Mr. Wood moved, That this Bill be now committed to a Committee of the whole Assembly  
 Question—put and resolved in the affirmative.  
 And on the further motion of Mr. Wood, Mr. Speaker left the Chair, and the Assembly  
 resolved itself into a Committee of the whole for the consideration of this Bill.  
 Mr. Speaker resumed the Chair, and Mr. W. C. Smith 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 this House will, on Friday, 2nd May next, again resolve itself into the  
 said Committee.
8. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration  
 of the following Orders of the Day be postponed as under :—  
 “ *Supply—Resolution to be reported,*”  
 “ *Supply—To be further considered in Committee,*” until Friday, 2nd May next ;  
 “ *Justices Law Administration Bill—To be further considered in Committee,*” until  
 Tuesday, 6th May next ;  
 “ *Aliens Bill—Consideration of Report,*” until to-morrow.”
9. MELBOURNE AND HOBSON'S BAY RAILWAY ACT AMENDMENT BILL.—Mr. Anderson moved,  
 pursuant to notice, That the Select Committee of the Legislative Assembly, on the  
 “Melbourne and Hobson's Bay Railway Act Amendment Bill,” be revived, and that  
 the revived Committee have leave to print any evidence taken before them.  
 Question—put and resolved in the affirmative.
10. MR. HINES.—Mr. Woods moved, pursuant to *amended* notice, That this House will, on  
 Thursday, 8th May next, resolve itself into a Committee of the whole, to consider the  
 report from the Select Committee on Mr. Hines' case.  
 Question—put and resolved in the affirmative.
11. LAPSED ORDER OF THE DAY.—The following Order of the Day was read and lapsed :—  
 “ *Privilege—Mr. Reid—Motion respecting—resumption of debate.*”
- Assembly adjourned at twenty minutes past eleven o'clock until four o'clock to-morrow.

FRAN<sup>s</sup> MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 78.

THURSDAY, 1ST MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PAPERS.—Mr. O'Shanassy presented, by command of His Excellency the Governor—  
Exploration Expedition.—Report of Commander Norman, of H.M.C.S. *Victoria*, together with copy of his Journal on the late Expedition to the Gulf of Carpentaria.  
Ordered to lie on the Table.  
Mr. O'Shanassy also presented—  
Lunatic Asylum.—Reply to Question put by Dr. Hedley, 3rd April, 1862, for a Return showing the districts from which patients have been received into the Lunatic Asylum during the past three years; the number in each year from each district, distinguishing those who have been permanently resident in Melbourne from those who have been received after a temporary stay only in that city, assigning the latter to the district in which they were previously resident.  
Ordered to lie on the Table.
3. PETITION.—Mr. Verdon presented a Petition from certain members of the United Church of England and Ireland and others, residing in the parish of Williamstown, praying that the House, for the reasons set forth in the Petition, would not allow the Licensed Victuallers Acts Amendment Bill to pass into law.  
Ordered to lie on the table.  
Mr. Higinbotham presented a Petition from certain inhabitants of Brighton, praying the House to refuse assent to any Bill that authorises the opening of public houses on the Sunday, or in any way affords increased facilities for obtaining intoxicating drinks.  
Ordered to lie on the table.
4. PRIVILEGE.—Mr. Speaker acquainted the House that the Serjeant-at-Arms had an important communication to make to the House.

Whereupon the Serjeant-at-Arms informed the House that about six o'clock on the previous evening he had been served with a Writ to produce the body of Mr. George Dill in the Supreme Court, with the cause of his being taken and detained, and also with certain Notices, and that he had not made any return to the said Writ considering it his duty in the first place to receive the instructions of the House; and he delivered the said Writ and Notices in at the Table where the same were read and are as follow :—

*In the Supreme Court.*

I, George Dill, of Great Collins-street, in the City of Melbourne, printer, but now a prisoner in the House of the Legislative Assembly of the Colony of Victoria, make oath and say :—

1. That I was on the twenty-ninth day of April, One thousand eight hundred and sixty-two, arrested by William George Palmer, then and still being the Serjeant-at-Arms of the Legislative Assembly of the Colony of Victoria, and was conveyed in custody by the said Serjeant-at-Arms to the Bar of the Legislative Assembly.
2. That the paper writing exhibited to me at the time of making this my affidavit, and marked A, is a true copy of the warrant by virtue of which I was so arrested and conveyed.
3. That on being placed at the Bar of the said Assembly I was asked certain questions, and was ultimately removed from the Bar of the said House.
4. That on such removal I was conveyed in custody by the said Serjeant-at-Arms to a certain apartment in the Parliament Houses, and detained therein by the said Serjeant-at-Arms at his prisoner.
5. That while so imprisoned, two paper writings, copies of which are exhibited to me at the time of making this my affidavit, and marked respectively B and C were delivered to me.

6. That the said last mentioned paper writings are true copies of the warrants by virtue of which I am detained in custody by the said Serjeant-at-Arms.  
 7. That I am not detained for any other cause than those set forth in the said last mentioned paper writings or warrants.

Sworn at the City of Melbourne, in the Colony of Victoria, this thirtieth day of April, One thousand eight hundred and sixty-two before me  
 (Signed) GEORGE ASHE ELLIS, } (Signed) GEO. DILL.  
 A Commissioner of the Supreme Court of the Colony of Victoria for taking affidavits.

*In the Supreme Court.*

I, Matthew William Taylor, of number one hundred and seven, Collins-street west, in the city of Melbourne, gentleman, one of the attorneys of this Honorable Court, make oath and say:—

1. That George Dill, of Great Collins-street, in the city of Melbourne, printer, was, on the twenty-ninth day of April, One thousand eight hundred and sixty-two, arrested by William George Palmer, then and still being the Serjeant-at-Arms of the Legislative Assembly of the Colony of Victoria, and is still detained in custody by him.
2. That I applied to the said Serjeant-at-Arms to be allowed to inspect the warrants under which the said George Dill is detained in custody, and the paper writings exhibited to me at the time of making this, my affidavit, and marked A, B, and C, are true copies of such warrants.

Sworn at Melbourne, in the Colony of Victoria, this thirtieth day of April, One thousand eight hundred and sixty-two, before me,  
 (Signed) GEORGE ASHE ELLIS, } (Signed) MATTHEW W. TAYLOR.  
 A Commissioner of the Supreme Court of the Colony of Victoria for taking affidavits.

*In the Supreme Court. } Victoria, by the Grace of God, of the United Kingdom of  
 } Great Britain and Ireland, Queen, Defender of the Faith.*

To William George Palmer, Serjeant-at-Arms of the Legislative Assembly of the Colony of Victoria,

GREETING:

We Command you that you have in our Court before us, at the Court House, La Trobe-street, in the City of Melbourne, immediately after the receipt of this Writ, the body of George Dill, being detained under your custody, as is said, together with the day and cause of the taking and detaining the said George Dill by whatever name the said George Dill may be called, to undergo and receive all and singular such matters and things as our Court shall then and there consider of him in that behalf, and have you then there this Writ.

Witness His Honor Sir William Foster Stawell, Knight, Our Chief Justice of Our Supreme Court of the colony of Victoria, at Melbourne, the thirtieth day of April, in the year of our Lord One thousand eight hundred and sixty-two, and in the twenty-fifth year of Our reign.

(L. s.) (Signed) H. S. CHAPMAN.

*In the Supreme Court.*

WHEREAS on the thirtieth day of April, in the year of our Lord One thousand eight hundred and sixty-two, by virtue of a *fiat* of this Honorable Court, signed by His Honor Mr. Justice Chapman, this Honorable Court did issue a Writ of *habeas corpus ad subjiciendum*, directed to William George Palmer, Serjeant-at-Arms of the Legislative Assembly of the Colony of Victoria, commanding him to bring the body of George Dill before the Supreme Court of the Colony of Victoria, at the Court House, La Trobe-street, in the City of Melbourne, immediately, to undergo and receive all and singular such matters and things as Our Court should then and there consider of him in that behalf:

Now take notice, that by virtue of the said Writ this Honorable Court will be moved at the Supreme Court House, La Trobe-street, Melbourne, on Saturday next, the third day of May, One thousand eight hundred and sixty-two, at eleven o'clock in the forenoon, that the said George Dill may be discharged out of custody as to the commitments by which he is now detained in the custody of the said William George Palmer.

Dated 30th April, 1862.

Yours, &c.,  
 (Signed) MATTHEW WM. TAYLOR,  
 Attorney for the said George Dill.

To WILLIAM GEORGE PALMER,  
 Serjeant-at-Arms, &c., &c.

Mr. Ireland then moved, That the Serjeant-at-Arms of this House be directed to make a return to the writ, that he took the body of the said George Dill by virtue of a certain warrant under the hand and seal of Mr. Speaker, by the authority of the Legislative Assembly, for a contempt and a breach of privilege of the House; and that he holds the body of the said George Dill by virtue of two several warrants, one of which is under the hand, and the other of which is under the hand and seal of Mr. Speaker, and by the authority of the Legislative Assembly.

Question—put and resolved in the affirmative.

5. MESSAGES FROM THE LEGISLATIVE COUNCIL.—The following Messages from the Legislative Council, by the Clerk-Assistant of the Council :—

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the Bill, intituled, "*An Act to simplify the Laws relating to the transfer and encumbrance of Freehold and other Interests in Land,*" with amendments, with which they desire the concurrence of the Legislative Assembly.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
Melbourne, 1st May, 1862.

6. REAL PROPERTY BILL.—And the said amendments were read, and are as follow :—

Clause III., after line 20 (page 2), insert "sworn valuator shall mean any person appointed by the Governor in Council to value land under this Act."

Clause V., line 42, leave out "the."

" " line 45, leave out "land," insert "lands."

Clause VI., line 46, after "three" insert "or more."

Clause IX., line 3, after "solicitor" insert "or be in partnership with or employed by any barrister, attorney, or solicitor."

Clause XXXII., line 48, leave out "hereon," and insert "thereon."

Clause XLV., line 53, after "annuity" insert "or rent charge."

Clause LXVI., line 22, leave out "registrar," and insert "register" instead thereof.

Clause LXXXVI., line 20, leave out "date," and insert "day" instead thereof.

Clause LXXXVII., line 29, leave out "intestate estates," and insert "the estates of deceased persons" instead thereof.

" " line 38, leave out "intestate estates," and insert "the estates of deceased persons" instead thereof.

Clause LXXXIX., line 57, leave out "one of his deputies," and insert "any assistant registrar" instead thereof.

Clause XCI., line 11, leave out "other."

" " line 19, after "entered" insert "and the Registrar-General may with the like consent dispense with the production of the grant or certificate of title hereinbefore required to be surrendered prior to the registration of a devisee or heir at law upon the transmission of an estate of freehold."

" " line 19, after "transfer" insert "transmission."

" " line 21, after "dealing" insert "or deriving."

Clause XCII., line 30, leave out "Intestate Estates," and insert "the Estates of deceased persons" instead thereof.

Clause CIX., line 3, leave out "19th Vict., No. XX.," and insert "1856" instead thereof.

Clause CXX., line 24, leave out "to the Treasurer of the said Colony."

" line 25, leave out "the said Treasurer thereupon and upon the receipt of a Warrant under the hand of the Governor countersigned by the Chief Secretary of the said Colony shall pay."

" line 27, after "costs" insert "shall be paid."

" line 28, leave out "charge the same" and insert "be charged" instead thereof.

" line 30, leave out "in such Warrant then the Treasurer shall charge."

" line 31, leave out "to the account" and insert "shall be paid out" instead thereof.

" line 30, leave out "shall repay."

" line 31, after "advanced" insert "shall be repaid."

Insert new Clause A, to follow Clause CXXVII. :—

"Every sworn valuator shall within fourteen days of the date of his appointment and before performing any duties under this Act take the following oath before the Registrar-General who is hereby authorised to administer the same :—

"I do solemnly swear that I will faithfully and honestly and to the best of my skill and ability make any valuation required of me under the provisions of the *Real Property Act.*"

Clause CXXX., line 38, after "seal" insert "purporting to be."

Clause CXXXII., line 58, after "orders" insert "in like manner as at present."

Schedule P, last line but 2, leave out "salutary," and insert "statutory" instead thereof.

And the said several amendments were read a second time and agreed to by the Assembly.

Ordered—That the said Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly had agreed to the said several amendments.

MR. SPEAKER,

The Legislative Council return the *Customs Act Amendment Bill* to the Legislative Assembly and inform the Legislative Assembly that by a clerical error an amendment made by the Legislative Council in the Bill was omitted in the amendments attached to the Bill when originally returned to the Legislative Assembly, viz:—

After Clause VI., insert new Clause A1.

“No Bill of Entry shall be available as a Warrant for the landing delivery or or warehousing of any goods unless there shall be written upon the face of it a receipt signed by the Collector or other proper officer for the registration fees payable on the goods enumerated in such bill of entry specifying the amount of such fees.”

With which amendment the Council desire the concurrence of the Legislative Assembly, and therefore the Legislative Council request the Legislative Assembly to reconsider their disagreement with the amendment made by the Legislative Council in Clause VI., line 6 of the Bill, viz. :—

Clause VI., line 6, after “goods” leave out all words to the end of the clause.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
Melbourne, 1st May, 1862.

CUSTOMS ACT AMENDMENT BILL.—And the said amendment to insert the said new clause was read a second time and agreed to by the Assembly.

Mr. Anderson moved, That the Assembly do not insist in their disagreement to the amendment of the Legislative Council to leave out all words after “goods” in line 6, Clause VI.

Question—put and resolved in the affirmative.

Ordered—That the said Bill be returned to the Legislative Council, with a Message acquainting them that they have agreed to the amendments proposed to be made by this Message.

MR. SPEAKER,

The Legislative Council return to the Legislative Assembly a Bill, intituled, “*An Act to suspend the operation of certain enactments relating to registration of Parliamentary Electors and for other purposes,*” and inform the Legislative Assembly that they have agreed to the same with amendments, with which they desire the concurrence of the Legislative Assembly.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
29th April, 1862.

REGISTRATION ACT AMENDMENT BILL.—And the said amendments were read, and are as follow :—

Clause VIII., line 54, leave out “province or electoral district,” and insert in lieu thereof “division in which the revision court shall be held.”

„ line 55, leave out “the revision,” and insert in lieu thereof “such.”

And the said amendments were read a second time and agreed to by the Assembly.

Ordered—That the said Bill be returned to the Legislative Council with a Message, acquainting them that the Legislative Assembly had agreed to the several amendments made by the Legislative Council in this Bill.

7. PAPERS.—Mr. O'Shanassy presented.

Sergeant Reid.—Reply to questions put this day by Mr. L. L. Smith, respecting the case of Sergeant Reid, of the Police—

Ordered to lie on the Table, and to be referred to the Police Force Committee.

8. DRAINAGE—SANDHURST DISTRICT.—Mr. Denovan moved, pursuant to notice, for leave to bring in a Bill to provide for the drainage of certain Goldfields within the Sandhurst Mining District.

Debate ensued.

Motion, by leave, withdrawn.

9. JUDGES OF COUNTY COURTS, &C., OFFICE REGULATION.—Mr. Mollison moved, pursuant to amended notice, That this House will to-morrow resolve itself into a Committee of the whole, for the purpose of considering the following resolution :—

That it is desirable to regulate by law the tenure of office, salaries, and retiring allowances of the Judges of the Courts of Mines, and of County Courts, and that an Address be presented to His Excellency the Governor requesting him to recommend a special appropriation for the purposes of these resolutions.

Question—put and resolved in the affirmative.

10. MELBOURNE AND GEELONG CORPORATION ACTS AMENDMENT BILL.—On the motion of Mr. Loader, pursuant to notice given by Mr. Bennett, the several amendments made by the Select Committee to which this Bill was referred, to insert new Clause C., and in Clauses XV., XVIII., XIX., XX., XXI., XXII., to insert new Clause A., and in Clause XXVI., were read a second time and agreed to.  
Amendments made in Clause XXX. having been read,  
On the motion of Mr. McCann the Assembly disagreed to the amendments made by the Select Committee in this clause.  
Mr. Mollison moved, That the further consideration of these amendments be postponed until Thursday, 8th May instant.  
Question—put and resolved in the affirmative.
11. MESSAGE FROM THE LEGISLATIVE COUNCIL.—The following Message from the Legislative Council, by the Clerk-Assistant of the Council :—  
MR. SPEAKER,  
The Legislative Council acquaint the Legislative Assembly that they have agreed to the Bill, intituled, "*An Act to amend an Act intituled an Act to prevent the further spread of the Disease in Cattle called Pleuro-pneumonia,*" without amendment.  
(Signed) MATTHEW HERVEY,  
Acting President.  
Legislative Council Chamber,  
Melbourne, 1st May, 1862.
12. SELECT COMMITTEES.—Dr. Owens moved, pursuant to notice, That a Return be laid on the Table of this House, showing the number of Select Committees appointed during the last Parliament, the objects for which obtained, and the result of each Committee; the names of members of each, and the number of days each member attended; the number of days of sitting, and the days on which there was no quorum; the number of witnesses examined on each, and the cost in each case of allowances to witnesses; the number in which evidence was taken, and the cost of printing connected with each; and the actual or approximate total cost of each Committee.  
Question—put and resolved in the affirmative.
13. MR. HENNELLE.—Mr. Kyte moved, pursuant to notice, That this House will, on Thursday next, resolve itself into a Committee of the whole to take into consideration the Report of the Select Committee on Mr. Hennelle's case.  
Question—put and resolved in the affirmative.
14. CASTLEMAINE AND SANDHURST—WATER SUPPLY—Mr. Denovan moved, pursuant to amended notice, That a Select Committee be appointed to enquire into and report upon the practicability and expense of conveying water from the River Coliban to Castlemaine and Sandhurst; such Committee to consist of Mr. Tucker, Mr. Houston, Mr. Johnston, Mr. Verdon, Dr. Macadam, Mr. Service, Mr. Heales, Mr. Francis, Dr. Owens, Mr. O'Shanassy, Mr. Lalor, and the Mover, with power to call for persons and papers; three to form a quorum.  
Debate ensued.  
Question—put and resolved in the affirmative.
15. COMMON SCHOOLS BILL.—Mr. Heales moved, pursuant to notice, That he have leave to bring in a Bill for the better management and establishment of Common Schools in Victoria.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Heales and Mr. Sinclair do prepare and bring in the Bill.  
Mr. Heales then brought up a Bill, intituled, "*A Bill for the better Management and Establishment of Common Schools in Victoria,*" 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 Thursday, 8th May inst.
16. ROADS AND BRIDGES COMMITTEE.—Mr. Anderson moved, pursuant to notice given by Mr. Gavan Duffy, That Mr. Tucker and Mr. Duffy be excused from attendance on the Committee on Roads and Bridges, and that Mr. Service and Mr. Johnston be appointed members of the said Committee; and that Mr. O'Grady be appointed a member of such Committee in the place of Mr. Gillespie, no longer a member of this House.  
Question—put and resolved in the affirmative.
17. MR. GEORGE YOUNG.—Mr. Ramsay moved, pursuant to amended notice, That a Select Committee be appointed to enquire into and report to this House on the claim of George Young; such Committee to consist of Mr. Levey, Mr. Wood, Mr. Humffray, Mr. Howard, Mr. Wright, Dr. Evans, Mr. B. G. Davies, and the Mover, with power to send for persons and papers, three to form a quorum.  
Debate ensued.  
Question—put and resolved in the affirmative.

18. **NEWSPAPERS BILL.**—Mr. Frazer moved, pursuant to notice, That he have leave to bring in a Bill to consolidate and amend the Laws relating to Newspapers.  
 Question—put and resolved in the affirmative.  
 Ordered—That Mr. Frazer and Mr. McLellan do prepare and bring in the Bill.  
 Mr. Frazer then brought up a Bill, intituled, “*A Bill to consolidate and amend the Laws relating to Newspapers,*” 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 Wednesday, 7th May instant.
19. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Assembly ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 6th May instant :—  
 “*Equity Jurisdiction Bill—Second reading.*”  
 “*Hawkers Act Amendment Bill—To be further considered in Committee.*”
20. **ALIENS BILL.**—On the motion of Mr. Levey, the Assembly agreed to the amendments made by the Committee of the whole in this Bill.  
 Mr. Speaker 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 Mr. Levey, read a third time and *passed*.  
 Mr. Levey moved, That the following be the title of the Bill :—  
 “*An Act to amend the Law relating to Aliens.*”  
 Question—put and resolved in the affirmative.  
 Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.

Assembly adjourned at twenty-five minutes past nine o'clock until four o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 79.

FRIDAY, 2ND MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.

2. PETITIONS.—The following Petitions against the Licensed Publicans Acts Amendment Bill, and especially against the clause which proposes to allow trading on Sundays, were presented as under:—

- By Mr. Nicholson, from certain members of the United Church of England and Ireland and others residing in the parish of Sandhurst.
- By Mr. Service, from the Congregation of the Richmond Presbyterian Church.
- By Mr. Nicholson, from certain members of the United Church of England and Ireland and others residing in the parish of Kilmore.
- By Mr. Nicholson, from certain members of the United Church of England and Ireland and others residing in the parish or district of Emerald Hill.
- By Mr. Nicholson, from certain members of the United Church of England and Ireland and others residing in the parish or district of St. Johns, Melbourne.
- By Mr. Haines, from certain members of the United Church of England and Ireland residing in the parish of St. James, Melbourne, and others.
- By Mr. Haines, from certain members of the United Church of England and Ireland and others residing at Cheltenham, in the district of Brighton.
- By Mr. Haines, from certain members of the United Church of England and Ireland and others residing in the parish of Brighton.
- By Mr. Haines, from certain members of the United Church of England and Ireland and others residing in Gipsy Village, parish of Brighton.

Severally ordered to lie on the Table.

3. MR. GEORGE DILL.—Mr. Ireland moved, That the Serjeant-at-Arms be authorised to allow George Dill, now a prisoner in his custody, to go at large on his parole that he will render himself into the custody of the said Serjeant-at-Arms on the morning of the day which shall be fixed by the Supreme Court, or a Judge thereof, for the argument upon the writ of *habeas corpus* which has been served upon the Serjeant-at-Arms.

Debate ensued.

Question—put and resolved in the affirmative.

4. MR. W. C. SMITH.—Mr. O'Shanassy moved, by leave of the Assembly, that Mr. W. C. Smith do take the Chair in all Committees of the whole Assembly this day.

Question—put and resolved in the affirmative.

5. CIVIL SERVICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

Mr. Speaker resumed the Chair, and Mr. W. C. Smith having reported that there was not a quorum of members present in the Committee, Mr. Speaker counted the House, and a quorum of members not being present, Mr. Speaker, at eighteen minutes to eight o'clock, adjourned the House, without question being first put, until four o'clock on Tuesday next.

FRAN<sup>s</sup> MURPHY,  
*Speaker.*



## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 80.

TUESDAY, 6TH MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PAPERS.—Mr. O'Shanassy presented by command of His Excellency the Governor—  
National Education—Rule.  
Health Officer—Report for the Year ending 31st December, 1861.  
Severally ordered to lie on the Table.  
Mr. O'Shanassy also presented—  
Pleuro-pneumonia—Copy of Correspondence with the Government of New South  
Wales on the subject of the state of the Law on the subject of Pleuro-pneumonia.  
Read and ordered to lie on the Table.
3. PETITIONS.—Mr. Brodribb presented a Petition from certain Inhabitants of St. Kilda and  
vicinity, praying the House would not pass the Licensed Victuallers Acts Amendment  
Bill into Law.  
Ordered to lie on the Table.  
Mr. Ramsay presented a Petition from certain Members of the Municipal Council, Merchants,  
Bankers, Storekeepers and others resident at Maldon, praying the House to consider the  
statements set forth in the Petition and confirm and approve of the decision arrived at by  
the Honorable Mr. Mitchell in favor of the Maldon route as that of the main road from  
Castlemaine to Maryborough.  
Petition read and ordered to lie on the Table.
4. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—Dr. Owens, from The Committee  
of Elections and Qualifications, brought up certain resolutions, which were read and are  
as follow :  
That Mr. David Reid, who was returned as elected by the Returning Officer for  
the Electoral District of the Murray, was not duly elected, and  
That Mr. John Orr was duly elected for the said Electoral District.  
That the opposition made to the Petition by the sitting Member was vexatious.  
Resolutions read and ordered to lie on the Table, and, together with the Minutes of  
Evidence and Proceedings of the Committee, to be printed.  
Dr. Owens also brought up from The Committee of Elections and Qualifications the following  
resolution :—  
That in the opinion of this Committee leave ought to be given by the House to  
Mr. Reid and all other persons entitled so to do to question the election of Mr. Orr by  
Petition within fourteen days.  
Resolution read and ordered to be printed, and taken into consideration to-morrow.
5. PENSIONS COMMITTEE.—Mr. Wood, by leave of the Assembly, moved, That a Message be  
transmitted to the Legislative Council, requesting that leave be given to the Hon. Mr.  
Fellows to attend and give evidence before this Committee.  
Question—put and resolved in the affirmative.
6. MAIN MURRAY ROAD COMMITTEE.—Mr. Edwards, Chairman, brought up the Report from  
this Committee.  
Ordered to lie on the Table, and, together with the Proceedings of the Committee and  
Minutes of Evidence, to be printed.
7. CHAIRMAN OF COMMITTEES.—Mr. O'Shanassy moved, by leave of the Assembly, That Dr.  
Macadam do take the Chair of all Committees of the whole Assembly this day.  
Question—put and resolved in the affirmative.
8. CIVIL SERVICE BILL.—The Order of the Day for the further consideration of this Bill in  
Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the  
Assembly resolved itself into a Committee of the whole for the further consideration  
thereof.  
Mr. Speaker resumed the Chair; and Dr. Macadam reported that the Committee had gone  
through the Bill, and agreed to the same with amendments.  
Mr. O'Shanassy moved, That Mr. Speaker do now leave the Chair, and the Assembly  
resolve itself into a Committee of the whole for the reconsideration of this Bill.  
Question—put and resolved in the affirmative.



11. **SUPPLY.**—The Order of the Day for the Committee of Supply having been read, Mr. Haines moved, That Mr. Speaker do now leave the Chair and the Committee resolve itself into the Committee of Supply.  
Mr. Verdon moved, That all the words after the word "That" be omitted with a view to insert instead thereof the words "in the opinion of this House, it is expedient that the House should be assured by the Government that adequate provision has been made for the public expenditure proposed for the year before proceeding with the consideration of the Estimates."  
Debate ensued.  
Amendment, by leave, withdrawn.  
Question—That Mr. Speaker do now leave the Chair, and the Assembly resolve itself into the Committee of Supply—put and resolved in the affirmative.  
Whereupon Mr. Speaker left the Chair, and the Assembly resolved itself into the Committee of Supply.  
Mr. Speaker resumed the Chair; Dr. Macadam reported that the Committee had agreed to certain resolutions.  
Ordered—That the report be received to-morrow.  
Dr. Macadam also reported that he was directed to move, That the Committee may have leave to sit again.  
Resolved—That this House will to-morrow again resolve itself into the said Committee.
12. **SIGNALS BILL.**—Dr. Owens moved, pursuant to notice, That he have leave to bring in a Bill to amend an Act intituled "*An Act to consolidate and amend the laws relating to Steam Navigation and to Boats and Lights to be carried and the Signals to be made by sea-going vessels.*"  
Question—put and resolved in the affirmative.  
Ordered—That Dr. Owens and Mr. Houston do prepare and bring in the Bill.  
Dr. Owens then brought up a Bill, intituled, "*A Bill to amend an Act intituled 'An Act to consolidate and amend the laws relating to Steam Navigation and to Boats and Lights to be carried and the Signals to be made by sea-going vessels,'*" 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 Friday, 9th May instant.
13. **MR. SUPERINTENDENT WINCH.**—Dr. Owens moved, pursuant to notice, That the papers in the case of Mr. Superintendent Winch, relative to defalcations or irregularities at the Richmond Police Depôt, also the Evidence and Report of the Commission of Enquiry, together with the decision of the Government thereon, laid on the Table of this House on the 17th December last, be referred to the Committee now sitting on the Police Force.  
Question—put and resolved in the affirmative.
14. **DISCHARGE OF ORDERS OF THE DAY.**—The following Orders of the Day were read and ordered to be discharged :—  
"*Lands Titles Registration Bill (2)—Second reading,*"  
"*Lands Titles Registration Bill—Second reading—Resumption of debate.*"
15. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—  
"*Gold Mining Leases Bill—To be further considered in Committee,*"  
"*Preferable Lien on Crops Bill—To be further considered in Committee,*" until to-morrow ;  
"*Consolidated Revenue Bill—Second reading,*" until Tuesday, 13th May instant ;  
"*Distillation Bill—Second reading,*"  
"*Justices Law Administration Bill—To be further considered in Committee,*"  
"*Game Preservation Bill—Consideration of Report,*"  
"*Judges of Courts of Mines and County Courts—Resolution to be considered in Committee,*" until to-morrow ;  
"*Equity Jurisdiction Bill—Second reading,*"  
"*Hawkers Act Amendment Bill—To be further considered in Committee,*" until Friday, 9th May instant.

Assembly adjourned at twenty-five minutes to twelve o'clock until four o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
Speaker.

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 81.

WEDNESDAY, 7TH MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—Mr. Riddell presented a Petition from certain Members of the United Church of England and Ireland and others residing in the district of Bacchus Marsh, praying the House would not allow the Licensed Publicans Act Amendment Bill to pass into law.  
Ordered to lie on the Table.  
Mr. Nicholson presented a Petition from the Members of the United Church of England and Ireland and others residing in the districts of Seymour, Avenel, Longwood, and Euroa, praying the House would not allow the Licensed Publicans Act Amendment Bill to pass into law.  
Ordered to lie on the Table.  
Mr. Cummins presented a Petition from Henry Dowling, praying this House to take the statements set forth in the Petition into favorable consideration.  
Ordered to lie on the Table.  
Mr. Hood presented a Petition from Robert Bennett, styling himself Mayor and Chairman of a Public Meeting of the Inhabitants of Melbourne and its vicinity, praying the House to reject the Licensed Victuallers Act Amendment Bill when again brought under consideration.  
Petition read and ordered to lie on the Table.
3. CHAIRMAN OF COMMITTEES.—Mr. O'Shanassy, by leave of the Assembly, moved, That Dr. Macadam do take the Chair in the Committee of Supply and in all Committees of the whole Assembly this day.  
Question—put and resolved in the affirmative.
4. SUPPLY—ESTIMATES FOR 1862.—Dr. Macadam reported from the Committee of Supply certain resolutions, which were read, and are as follows:—  
*14th March.*  
Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the charges for the year 1862 for the services hereunder specified, being—

## VI.—COMMISSIONER OF PUBLIC WORKS.

DIVISION No. 59.

## WORKS AND BUILDINGS.

(No. 1.)—Subdivision No. 14.

## POST OFFICES AND TELEGRAPH STATIONS.

1. Towards the New Post Office at Melbourne ...	15,000	0	0		
2. Towards the New Post Office at Melbourne ...	709	12	10		
3. New Buildings throughout the country, including Repairs and Additions to existing buildings ...	10,000	0	0		
4. Furniture and Fittings for Post Offices and Electric Telegraph Stations throughout the country ...	1,200	0	0		
	26,909	12	10		

(No. 2.)—Subdivision No. 15.

## FENCES AND REPAIRS TO FENCES, ETC.

1. Fencing Public Buildings and Lands ...	3,000	0	0		
2. Fencing Police Reserves ...	1,500	0	0		
3. Cemeteries ...	2,000	0	0		
	6,500	0	0		

VI.—COMMISSIONER OF PUBLIC WORKS—*continued.*

(No. 3.)—Subdivision No. 16.

RENTS AND FURNITURE, ETC.		£	s.	d.	£	s.	d.
1. Rents of Public Offices and Buildings ...	...	13,000	0	0			
2. Fittings and Furniture for Public Offices, &c., including Repairs ...	...	4,000	0	0			
		17,000	0	0			

(No. 4.)—Subdivision No. 18.

MISCELLANEOUS.		£	s.	d.
1. Repairs and other works, at the Parliament Houses, including Fittings and Furniture ...	...	1,500	0	0
2. Drainage, &c., of Parliament Houses, Treasury, Printing Office, and Reserves ...	...	3,500	0	0
3. Repairs and additions to Public Works and Buildings, including laying on gas and water...	...	5,000	0	0
4. Repairs and additions to Buildings, Fencing, Tree Guards, and works, Botanic Gardens, Melbourne	...	600	0	0
5. For Public Offices at Portland ...	...	750	0	0
6. Towards Artesian Well at Queenscliff ...	...	400	0	0

And the said resolutions were read a second time and agreed to by the Assembly.

5. SUPPLY.—The Order of the Day for the Committee of Supply having been read, Mr. Haines moved, That Mr. Speaker do now leave the Chair, and the Assembly resolve itself into the Committee of Supply,

Mr. Service moved as an amendment, That all the words after the word "That" be omitted with a view to insert instead thereof the words "whilst this House approves of the desire of the Government to reduce the large annual expenditure for advertising in the public newspapers, it regards with apprehension the introduction of any system of economy based on an arbitrary restriction of Government advertisements to particular journals to the exclusion of others; and is of opinion that, till some other system than that hitherto in operation be submitted to, and approved of by this House, the Melbourne Daily Newspapers should be placed on an equal footing as regards Government advertisements."

Debate ensued.

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

Ayes, 33.

Mr. Bennett,	Mr. McDonald,
Mr. Brodribb,	Mr. Mollison,
Mr. Cathie,	Mr. Nicholson,
Mr. Cohen,	Mr. O'Connor,
Mr. Cummins,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Dr. Evans,	Mr. Pope,
Mr. Francis,	Mr. Riddell,
Mr. Haines,	Mr. A. J. Smith,
Dr. Hedley,	Mr. J. T. Smith,
Mr. Hood,	Mr. Tucker,
Mr. Ireland,	Mr. Wilson,
Mr. Johnston,	Mr. Wood.
Mr. Jones,	
Mr. Kirk,	<i>Tellers.</i>
Mr. McCulloch,	
Capt. Mac Mahon,	Mr. Anderson,
Mr. McCann,	Mr. Levey.

Noes, 29.

Mr. Berry,	Mr. McLellan,
Mr. Brooke,	Mr. Orkney,
Mr. J. Davies,	Dr. Owens,
Mr. Denovan,	Mr. Ramsay,
Mr. Don,	Mr. Richardson,
Mr. Frazer,	Mr. Service,
Mr. Gillies,	Mr. Sinclair,
Dr. Girdlestone,	Mr. Sullivan,
Mr. Grant,	Mr. Verdon,
Mr. Gray,	Mr. Woods,
Mr. Heales,	Mr. Wright.
Mr. Higinbotham,	
Mr. Houston,	<i>Tellers.</i>
Mr. Kyte,	
Mr. Lambert,	Dr. Macadam,
Mr. Levi.	Mr. L. L. Smith.

And so it was resolved in the affirmative.

Question—That Mr. Speaker do now leave the Chair, and the Assembly resolve itself into the Committee of Supply—put and resolved in the affirmative.

Whereupon Mr. Speaker left the Chair, and the Assembly resolved itself into the Committee of Supply.

Mr. Speaker resumed the Chair; and Dr. Macadam reported that the Committee had come to certain resolutions.;

Ordered—That the said Report be received on Friday next.

Dr. Macadam also acquainted the House that he was directed to move that he have leave to sit again.

Resolved—That this House will, on Friday next, again resolve itself into the said Committee.

6. ASSISTANT GOVERNMENT SHORTHAND WRITER.—Mr. Snodgrass moved, pursuant to notice, That the Petition of Mr. Webb, Assistant Government Shorthand Writer, be referred to the Committee of Supply upon the Estimates for that Department being brought under consideration.  
Question—put and resolved in the affirmative.
7. OYSTER FISHERIES ACT AMENDMENT BILL.—Mr. Mollison moved, pursuant to notice, That he have leave to bring in a Bill to amend the Act for the Regulation of Oyster Fisheries in Victoria.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Mollison and Mr. Howard do prepare and bring in the Bill.  
Mr. Mollison then brought up a Bill, intituled, "*A Bill to amend the Act for the Regulation of Oyster Fisheries in Victoria,*" 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 Thursday, 15th May instant.
8. MR. J. MANNING.—Mr. O'Connor moved, pursuant to notice given by Mr. Frazer, That the Petition of John Manning, presented to this House on the 31st March, 1862, be referred to the Committee upon "Claims for Compensation."  
Question—put and resolved in the affirmative.
9. MELBOURNE AND HOBSON'S BAY RAILWAY ACT AMENDMENT BILL.—Mr. Anderson moved, pursuant to notice, That the Special Report of the Select Committee on the Melbourne and Hobson's Bay Railway Act Amendment Bill be now taken into consideration.  
Debate ensued.  
Mr. Hood moved, That this debate be adjourned until Tuesday, 13th May instant.  
Question—That this debate be adjourned until Tuesday, 13th May instant—put and resolved in the affirmative.
10. ANATOMY BILL.—Dr. Hedley moved, pursuant to notice, That the Bill, intituled "*An Act for regulating Schools of Anatomy,*" transmitted from the Legislative Council, 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, 13th May instant.
11. SCHOOLS.—Mr. Pope moved, pursuant to notice, That there be laid on the Table of this House a return showing—  
(1.) Statement of all National Schools in operation in the year 1861—the material of which each building in connection with such schools is composed—the number of pupils for which accommodation is provided in each, including all separate class rooms, and allowing six square feet to each pupil—the amounts expended (*a*) by local patrons, and (*b*) by the National Board (*c*) in the erection, and (*d*) in repairs and alterations of each—distinguishing all buildings vested in trustees in behalf of the public; also the number of times each school was inspected during the year, and name of inspector so visiting.  
(2.) Statement affording precisely similar information in respect to all Denominational Schools in operation during the year 1861, and specifying every building which is used regularly or occasionally for purposes of religious worship.  
Question—put and resolved in the affirmative.
12. MURRAY ELECTION.—The Order of the Day for the consideration of the Report from The Committee of Elections and Qualifications having been read, Mr. Mollison moved, That leave be given by the House to Mr. Reid, and all other persons entitled so to do, to question the election of Mr. Orr by petition within fourteen days.  
Debate ensued.

And the House having continued to sit till after twelve of the clock—

THURSDAY, 8TH MAY, 1862,

- Mr. Howard moved, That this debate be now adjourned until Friday, 9th May instant.  
Question—That this debate be now adjourned until Friday, 9th May, instant—put and resolved in the affirmative.
13. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under:—  
"Gold Mining Leases Bill—To be further considered in Committee,"  
"Distillation Bill—Second reading,"  
"Preferable Lien on Crops Bill—To be further considered in Committee,"  
"Justices Law Administration Bill—To be further considered in Committee," and  
"Newspaper Bill—Second reading," until Friday, 9th May instant;  
"Game Preservation Bill—Consideration of Report," until this day; and  
"Judges of Courts of Mines and County Courts—Resolution to be considered in Committee," until Friday, 9th May instant.

Assembly adjourned at twenty minutes past twelve o'clock until four o'clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
Speaker.

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 82.

THURSDAY, 8TH MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. EAST COLLINGWOOD IMPROVEMENT BILL.—Mr. Don, Chairman, brought up a Special Report from this Committee.  
Ordered to lie on the Table.
3. PRINTING COMMITTEE.—Mr. Levey, on behalf of Mr. Speaker, Chairman, brought up the Twenty-third Report from this Committee.  
Ordered to lie on the Table and to be printed.
4. CHAIRMAN OF COMMITTEES.—Mr. Haines, by leave of the Assembly, moved, That Dr. Macadam do take the Chair of all Committees of the whole Assembly this day.  
Question—put and resolved in the affirmative.
5. FISHERIES BILL.—Mr. L. L. Smith moved, That this Bill be now read a second time.  
Debate ensued.  
Question—put and resolved in the affirmative.  
Bill read a second time.  
Mr. L. L. Smith moved, That this Bill be now committed to a Committee of the whole Assembly.  
Question—put and resolved in the affirmative.  
And on the further motion of Mr. L. L. Smith, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
Mr. Speaker resumed the Chair; and Dr. Macadam having reported that the Committee had gone through the Bill and agreed to the same with an amendment, the Assembly ordered the same to be taken into consideration to-morrow.—Bill as amended to be printed.  
Notice being taken that a quorum of members was not present, Mr. Speaker counted the House; and a quorum not being present, Mr. Speaker, at twenty minutes to six o'clock, adjourned the House, without question being first put, until four o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY,*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 83.

FRIDAY, 9TH MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—The following Petitions, praying the House would not allow the Licensed Publicans Acts Amendment Bill to pass into law, were presented as under.—
  - By Mr. Nicholson, from certain members of the United Church of England and Ireland and others residing in the Parish of Avoca.
  - By Mr. Pope, from certain inhabitants of Carngham.
  - By Mr. Nicholson, from certain members of the United Church of England and Ireland and others residing in the district of Pleasant Creek.
  - By Mr. Nicholson, from certain residents in the district of Wangaratta.
  - By Mr. Nicholson, from certain residents in the district of Schnapper Point.
 Severally ordered to lie on the Table.
3. PARLIAMENT BUILDINGS COMMITTEE.—Mr. Johnston, on behalf of Mr. Speaker, Chairman, brought up a Report from this Committee.  
Ordered to lie on the Table, and to be printed.
4. NEW MEMBER SWORN.—Mr. Orr took the oath and his seat for the electoral district of the Murray.
5. WAYS AND MEANS.—Mr. Haines moved, pursuant to *amended* notice, That this House will, on Tuesday next, resolve itself into the Committee of Ways and Means, to consider the propriety of granting the sum of £40,000 for Salaries, Wages, and Contingencies.  
Question—put and resolved in the affirmative.
6. CIVIL SERVICE BILL.—The several amendments made in Clauses I., III., IV., V., VI., VII., IX., to add new Clause A, and in Clauses XII., XIII., XVIII., XIX., XXXII., XXXIX., XL., and XLIII., were severally read and agreed to by the Assembly.
  - Amendment in Clause XLIX., to insert “the fifteenth section and” having been read, on the motion of Mr. Ireland the Assembly disagreed to the insertion of the word “fifteenth,” and ordered the word “sixteenth” to be inserted instead thereof.
  - On the motion of Mr. Ireland the Assembly ordered that the word “and” be inserted before the amendment to add words at the end of Clause XLIX.
  - The other amendments in Clause XLIX., were then read and agreed to by the Assembly.
  - The other amendments in this Bill were then read and agreed to by the Assembly.
  - Mr. Ireland moved, That the words “offices of” be omitted from line 2 of Clause XI., with a view to insert instead thereof the words “officers in.”
  - Question—That the words proposed to be omitted stand part of the question—put and negatived.
  - Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put and resolved in the affirmative.
  - Mr. Ireland moved, That the words “appointed to” be omitted from line 3, Clause XVI., and the words “employed in” be inserted instead thereof.
  - Question—That the words proposed to be omitted stand part of the clause—put and negatived.
  - Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put and resolved in the affirmative.



Mr. Ireland moved, That the word "to" be omitted from line 5, Clause XVI., and the word "in" inserted instead thereof.

Question—That the word proposed to be omitted stand part of the clause—put and negatived.

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

Mr. Ireland moved, That the word "to" be omitted from line 2 of Clause XVIII., and the word "in" inserted instead thereof.

Question—That the word proposed to be omitted stand part of the clause—put and negatived.

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

Mr. Ireland moved, That the word "to" be omitted from line 3 of Clause XIX., and the word "in" inserted instead thereof.

Question—That the word proposed to be omitted stand part of the clause—put and negatived.

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

Mr. Ireland moved, That the words "his appointment be confirmed" be omitted from line 4 of Clause XIX., and the words "he be permanently appointed" inserted instead thereof.

Question—That the words proposed to be omitted stand part of the clause—put and negatived.

Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put and resolved in the affirmative.

Mr. Ireland moved, That the word "other" be inserted after the word "any" in line 6 of Clause XXXVII.

Question—That the word proposed to be inserted be so inserted—put and resolved in the affirmative.

Mr. Ireland moved, That the word "such" be omitted from line 1 of Clause XLII.

Question—That the word proposed to be omitted stand part of the clause—put and negatived.

Mr. Ireland moved, That the words "Surgeon Superintendent of the Lunatic Asylum" be inserted in the first schedule of this Bill.

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Mr. Ireland moved, That the words "of Railways" be inserted after the words "Engineer-in-Chief" in the first schedule.

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Mr. Ireland moved, That the words "the Legislative" be inserted after the words "Clerk-Assistant of" in the first schedule.

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

The Assembly ordered the Bill to be read a third time Tuesday, 13th May instant.

7. SUPPLY—ESTIMATES FOR 1862.—Dr. Macadam reported from the Committee of Supply certain resolutions, which were read, and are as follow :—

7th May.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the charges for the year 1862 for the several services hereunder specified, being—

## VI.—COMMISSIONER OF PUBLIC WORKS.

DIVISION No. 59.

### WORKS AND BUILDINGS.

Subdivision No. 18.

#### MISCELLANEOUS.

- (No. 1.)— 7. Compensation to Mr. Barbour, for his expenditure on the Darley Stone quarry ... ..
- (No. 2.)— 8. For Buildings, Fences, and other works for Acclimatisation Society in the Royal Park ... ..
- (No. 3.)— 9. For the Lagoon in St. Kilda Park ... ..
- (No. 4.)—10. Other Public Works and Buildings ... ..

	£	s.	d.	£	s.	d.
(No. 1.)— 7. Compensation to Mr. Barbour, for his expenditure on the Darley Stone quarry ... ..	500	0	0			
(No. 2.)— 8. For Buildings, Fences, and other works for Acclimatisation Society in the Royal Park ... ..	1,000	0	0			
(No. 3.)— 9. For the Lagoon in St. Kilda Park ... ..	155	1	4			
(No. 4.)—10. Other Public Works and Buildings ... ..	6,000	0	0			

And the said resolutions were read a second time and agreed to by the Assembly.

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

- “*Supply—To be further considered in Committee,*”  
 “*Distillation Bill—Second reading,*”  
 “*Gold Mining Leases Bill—To be further considered in Committee,*”  
 “*Preferable Lien on Crops Bill—To be further considered in Committee,*”  
 “*Justices Law Administration Bill—To be further considered in Committee,*”  
 “*Insolvency Bill—Second reading,*”  
 “*State Aid to Religion—Motion for Return—Resumption of debate,*” until after the consideration of the 19th Order for to-day ;  
 “*Building Act Extension Bill—Second reading,*” until Thursday, 22nd May instant ;  
 “*Colonial Wines Sale Bill—To be further considered in Committee,*” until Thursday, the 15th May instant ;  
 “*Weights and Measures Bill—To be further considered in Committee,*” until Thursday, 22nd May instant ;  
 “*Church Act Amendment Bill—Second reading,*” until Wednesday, 14th May instant ;  
 “*Contractors and Workmen Lien Bill—Second reading,*” until after the consideration of the 19th Order for to-day ;  
 “*Medical Practitioners Bill—To be further considered in Committee,*” until Friday, 16th May instant ;  
 “*Quartz Reefs Drainage Bill—Second reading,*” until after the consideration of the 19th Order for to-day ;  
 “*Inspector of Pounds—Motion for Address—To be considered in Committee,*” until Thursday, 15th May instant ;  
 “*Markets Bill—Second reading,*” until after the consideration of the 19th Order for to-day ;  
 “*Mr. Hines—Report from Select Committee to be considered in Committee,*” until Thursday, 15th May instant ;  
 “*Melbourne and Geelong Corporation Acts Amendment Bill—Consideration of Report—Resumption of Debate,*” until Tuesday, 13th May instant ;  
 “*Mr. Hennelle—Report of Select Committee—To be considered in Committee,*” until Thursday, 15th May instant ;  
 “*Common Schools Bill—Second reading,*” until Thursday, 22nd May instant ;  
 “*Game Preservation Bill—Consideration of Report,*” and  
 “*Signals Bill—Second reading,*” until after the consideration of the 19th Order for to-day.

9. **DISCHARGE OF ORDER OF THE DAY.**—The following Order of the Day was read and discharged:—

“*Gold Export Duty Act Amendment Bill—Second reading.*”

10. **EQUITY JURISDICTION BILL.**—Mr. Loader moved, That this Bill be now read a second time. Debate ensued.  
 Question—put and resolved in the affirmative.—Bill read a second time.
11. **CHAIRMAN OF COMMITTEES.**—Mr. O'Shanassy, by leave of the Assembly, moved, That Dr. Macadam do take the Chair in the Committee of Supply, and in all Committees of the whole Assembly this day.  
 Question—put and resolved in the affirmative.
12. **EQUITY JURISDICTION BILL.**—Mr. Loader moved, That this Bill be now committed to a Committee of the whole Assembly.  
 Question—put and resolved in the affirmative.  
 And on the further motion of Mr. Loader, Mr. Speaker left the Chair and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
 Mr. Speaker resumed the Chair; and Dr. Macadam having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Assembly ordered the same to be taken into consideration Tuesday, 13th May instant.—Bill, as amended, to be printed.
13. **SUPPLY.**—The House, according to Order, resolved itself into the Committee of Supply.  
 Mr. Speaker resumed the Chair; and Dr. Macadam reported that the Committee had come to certain resolutions.  
 Ordered—That the said Report be received on Tuesday, 13th May instant.  
 Dr. Macadam also acquainted the House that he was directed to move that he have leave to sit again.  
 Resolved—That this House will, on Tuesday, 13th May instant, again resolve itself into the said Committee.

14. **DISTILLATION BILL.**—Mr. Anderson moved, That this Bill be now read a second time.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 Mr. Anderson moved, That this Bill be now committed to a Committee of the whole Assembly.  
 Question—put and resolved in the affirmative.  
 And on the further motion of Mr. Anderson, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
 Mr. Speaker resumed the Chair; and Dr. Macadam 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 this House will, on Tuesday, 13th May instant, again resolve itself into the said Committee.
15. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under:—  
 “*Gold Mining Leases Bill—To be further considered in Committee,*”  
 “*Preferable Lien on Crops Bill—To be further considered in Committee,*”  
 “*Justices Law Administration Bill—To be further considered in Committee,*” until Tuesday, 13th May instant ;  
 “*Insolvency Bill—Second reading,*” until Thursday, 22nd May instant ;  
 “*Contractors and Workmen Lien Bill—Second reading,*”  
 “*Quartz Reefs Drainage Bill—Second reading,*”  
 “*Markets Bill—Second reading,*” until Thursday, 15th May instant ;  
 “*Game Preservation Bill—Consideration of Report,*” until Tuesday, 13th May instant.  
 “*Signals Bill—Second reading,*” until Thursday, 15th May instant ;  
 “*Hawkers Act Amendment Bill—To be further considered in Committee;*”  
 “*Murray Election—Report from Elections and Qualifications Committee to be taken into consideration—Resumption of Debate,*” until Tuesday, 13th May instant ;  
 “*Newspaper Bill—Second reading,*” until Friday, 16th May instant ;  
 “*Judges of Courts of Mines and County Courts—Resolution to be considered in Committee,*” until Thursday, 15th May instant ;  
 “*Fisheries Bill—Consideration of Report,*” until Tuesday, 13th May instant.
16. **LAPSED ORDER OF THE DAY.**—The following Order of the Day was read and lapsed:—  
 “*State Aid to Religion—Motion for Return—Resumption of Debate.*”
17. **MALMSBURY RAILWAY STATION.**—Captain Mac Mahon moved, pursuant to notice given by Mr. Tucker, That Mr. Francis be added to the Select Committee now sitting on the Malmsbury Railway Station.  
 Question—put and resolved in the affirmative.
18. **MR. H. DOWLING.**—Mr. Cummins moved, pursuant to notice, That the Petition presented to this House on the 7th May instant, from Henry Dowling, be referred to the Select Committee appointed to report upon the claims of Gold Prospectors.  
 Question—put and resolved in the affirmative.
- Assembly adjourned at quarter to twelve o'clock until four o'clock on Tuesday next.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 84.

TUESDAY, 13<sup>TH</sup> MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. MURRAY ELECTION: Mr. Speaker laid before the Assembly a Letter which he had received from T. C. Nolan, Esq., withdrawing the Petition of Mr. Chenery, which he read, and is as follows:—

55 Bourke-street west,  
Melbourne, 13th May, 1862.

To the Honorable Sir Francis Murphy, Speaker of the Legislative Assembly.

Murray Election Petition.—Chenery's Petition.

SIR,

I have the honor to inform you, on the part of Mr. Chenery, the Petitioner in this matter, that it is the desire of the Petitioner to withdraw his Petition in this matter.

I have the honor to remain, Sir,

Your obedient Servant,

(Signed) JNO. C. NOLAN.

3. PAPERS.—Mr. O'Shanassy presented—  
Pleuro-Pneumonia.—Copy of a Letter from the Colonial Secretary, New South Wales, covering a Proclamation by His Excellency the Governor of that Colony making an exception in the prohibition against the importation of Cattle from this Colony.  
Deaf, Dumb, and Blind Children.—Correspondence relative to deaf, dumb, and blind children.  
Severally ordered to lie on the Table.  
Dr. Evans, by command of His Excellency the Governor, presented—  
Yield of Gold from Quartz Reefs.—Memorandum respecting.

4. PRIVILEGE.—Mr. Speaker informed the House that the Serjeant-at-Arms of the Assembly had a communication to make to this House.

The Serjeant-at-Arms accordingly, at the Bar, stated, that in pursuance of the Order of this House he had this day made a return to the Writ requiring him to have the body of Mr. George Dill in the Supreme Court, together with the day and cause of his being detained, and that he had produced the body of the said George Dill in the said Court accordingly, and that the said Court had not yet come to any decision in the matter. And the said return was delivered in and read as followeth:—

I, the said William George Palmer, Serjeant-at-Arms of the Legislative Assembly of the Colony of Victoria, named in the Writ hereunto annexed, do hereby certify and return, in obedience to the said Writ, that before the coming of the said Writ to me, to wit, on the twenty-ninth day of April, One thousand eight hundred and sixty-two, I did receive a certain warrant under the hand and seal of the Honorable Sir Francis Murphy, Knight, Speaker of the Legislative Assembly of Victoria, which said warrant is as follows:—

*To the Serjeant-at-Arms of the Legislative Assembly of the Colony of Victoria.*

WHEREAS George Dill, of Great Collins-street, in the city of Melbourne, printer, did on the fourth day of April, in the year of Our Lord One thousand eight hundred and sixty-two, print and publish in the said city, in a certain newspaper called the *Argus*, a certain scandalous, malicious, and libellous article of and concerning the Legislative Assembly

of the Colony of Victoria, and of and concerning a Select Committee of the said Legislative Assembly, and of and concerning William Frazer, a member of the said Legislative Assembly for the electoral district of Creswick, in his capacity as a member of the said Legislative Assembly and of the said Select Committee, and which article is in the words following, that is to say :

“It would be perhaps too curious a speculation to inquire what has made the member for Creswick so enthusiastic a reformer of our police system. It would be as impertinent as to ask on what grounds the Police Committee itself was appointed, at whose instigation, and to serve what purpose. This at least the country ought to be content to know, that it is under a sort of double police guardianship and a twofold detective system. There is the regular police force under the chief commissioner ; and there are the amateur detectives, under Mr. Frazer. And there should be a good deal of consolation in the knowledge that the professional policemen are themselves the objects of the *surveillance* of a sort of vigilance committee, which appears to be perpetually sitting, under the chairmanship of the member for Creswick. There is a sense of poetical justice in such an arrangement, which ought to satisfy every democratic requirement. That the guardians should themselves be guarded, the inspectors inspected, and the detectives subject in their own turn to detection, are facts full of pleasant reflection for those who make policemen and detectives necessary, as well as for those who hold to the great doctrine that “the people should govern the people.” There is but one further step to take to make our system identical with that of the pure American model : we want only that our judges should be chosen by those whom they are appointed to judge.

“As an arrangement intended to promote either the discipline of the regular police or the objects for which policemen are appointed, it must be admitted that the system which permits Mr. Frazer to be a sort of inspector-general of the heads of the police department is open to some objection. It may be asked, for instance, what qualification Mr. Frazer has for such a post, beyond the accidental one that he is a delegate of certain of the people of the district of Creswick. It cannot be supposed that this gentleman has any title to this office, beyond such as may arise from the natural antipathies of men of his class to everything that looks like a constable. But some inscrutable destiny has made Mr. Frazer chairman of the Police Committee, and in that capacity, which appears to be never-ending, Mr. Frazer is pleased to exercise a supervision over the whole police department of the colony—to take care that this constable is not a rogue, and that superintendent a tyrant, and generally to look after the honesty and good behaviour of those who are retained by the state for looking after the honesty and good behaviour of others.

“It is alleged, in excuse for this somewhat irregular irruption of unpaid detectives over the force, that the police are disorganized, and almost in a state of open mutiny. But whence do we learn of this disorganization, and how has it been promoted ? That there is a certain disorganization at the present time in the police force, is not to be denied. The very existence of Mr. Frazer, in his capacity of redresser-general of all police wrongs, is a proof of it. That the men are disaffected, is a notorious fact ; but they are disaffected, first, because of the reductions in their pay, and, secondly, because of Mr. Frazer and the officious and totally uncalled for meddling of the Police Committee and its members and directors. There is no disorganization which cannot be accounted for on one or other of these grounds. Apart from the very natural feeling of soreness engendered in the minds of the men by the reduction of their pay, there is no other cause of disaffection but Mr. Frazer, and the perfectly well-known influence of which he is merely the puppet and the rude instrument. What he and his friends have done, is, in fact, first to create the disaffection, and then make it a ground of accusation against some one else who is obnoxious to himself and his friends. Is there not ample evidence of this in the *animus* which breathes through such a speech as that of Mr. Frazer on Wednesday evening—in the repetition, within the walls of the House, of all the base calumnies which have been made to circulate without—in the advocacy of the case of every dismissed and degraded policeman, against the legitimate authority of the chief commissioner—and in such a grossly indecent motion as that of Mr. Davies, the other evening ?

“There is nothing that we desire so fervently as that the author of all the disorganization in the police force shall meet his due punishment ; but in the meantime we protest against the members of the House being privileged to interfere between the legal head of the police and the men under his command. Every honest and decent man in the country is interested in maintaining the discipline of the police ; and there is nothing which is more likely to destroy that discipline than the interference of such a man as the member for Creswick. The Police Committee has no more control over the Chief Commissioner, or over his acts, than has Mr. Speaker’s wig or the clock under the gallery ; and it is grossly unconstitutional that it should take notice, through its chairman, of matters happening in the current police administration. The House itself has no right to interfere in any question of discipline between the appointed head of the department and the men under his control, and for whom he alone is responsible. There is a special and sufficient law, regulating the bounds of the Chief Commissioner’s authority, and laying down distinctly the position of each officer and man in the force. Under this law, Captain Standish is bound to take notice of such cases of insubordination as that which has formed the subject of so many questions in the House, and he has no option

but to do so in the manner provided, that is to say, by the appointment of a board of inquiry. Where is the hardship of the case, and who is it that pretends to be aggrieved? The two sergeants who are now upon their trial (and on whose case, so long as that trial is pending, we shall forbear to comment), are charged with a breach of discipline; and it is for their accuser to prove the charge by all means in his power. In exercising his right of claiming a board of inquiry in this matter, the Chief Commissioner of Police has not availed himself of any privilege which is not open to the meanest constable under his orders. Every man in the force has an equal right in this respect,—a right which Mr. Frazer's *protégés* did not dare to claim, but preferred rather to address a "round robin" to the Chief Secretary, in a manner which must be held to be subversive of all discipline among any well-regulated body of men.

"Mr. Frazer alleges that the men have some grievances. Why is it, then, that they have not claimed redress in the manner provided by law? What has induced them to prefer laying their complaints before a member of the House to placing them before a board of inquiry? For that member to get up in his place, and insinuate that the gentlemen appointed to investigate the charge of insubordination are personal friends of Captain Standish, is a proceeding as vile and cowardly as any member of the House can be guilty of. What officer of the public is safe from this kind of attack on the part of some privileged ruffian whom accident may have pitchforked into the House? The simple question before the public is, whether members of the House are to be permitted to interfere with a purely executive office, such as that of the Chief Commissioner of Police—whether they are to be allowed to indulge their private grudges, or to serve their personal interests, by the persecution of an officer against whom there appears no accuser, and, therefore, no accusation. As for the police, it will continue to remain disorganized, so long as there is interposed an authority between that of its responsible chief and his men—an authority which is above law, and which knows no limit, and incurs no responsibility. It will be impossible, either to retain a decent body of men in the police service of the country, or to have any man of spirit or honesty at its head, if it is in the power of such as Mr. Frazer to constitute himself a court of appeal to every malcontent policeman in the force."

And whereas the said Legislative Assembly, sitting at the Parliament Houses in the said city, being the place duly appointed by the Governor of the Colony of Victoria for the sitting of the Legislative Council and the Legislative Assembly, did, on the fourth day of April in the year of Our Lord One thousand eight hundred and sixty-two, adjudge and determine that the said article was a scandalous breach of the privileges of the said Legislative Assembly, and did then and there, by reason of the premises, and in accordance with the lawful powers, usages, and privileges of the said Legislative Assembly, order that the said George Dill should attend the said Legislative Assembly on Wednesday, the ninth day of April, in the year of Our Lord One thousand eight hundred and sixty-two; and whereas the said George Dill, before the said last-mentioned day, had due notice of such order, and might have attended the said Legislative Assembly in obedience thereto, but wilfully and contemptuously, without any reasonable cause or excuse in that behalf, neglected and refused to do so, and disregarded the said order: And whereas the said Legislative Assembly, being informed of such neglect and refusal, did afterwards, to wit, on the ninth day of April, in the year of Our Lord One thousand eight hundred and sixty-two, resolve and determine that the said George Dill, having been ordered to attend the said Legislative Assembly on that said ninth day of April, and not so attending in obedience to such order was guilty of a contempt of the said Legislative Assembly, and that he should be sent for in custody of the Serjeant-at-Arms, and that the Speaker of the said Legislative Assembly should issue his warrant accordingly: These are therefore to require you the said Serjeant-at-Arms to take into your custody the body of the said George Dill, and to bring him in custody before the said Legislative Assembly at Parliament Houses aforesaid, at the sitting of the said Legislative Assembly on the twenty-ninth day of April instant, to be then and there dealt with as shall by the said Legislative Assembly, in pursuance of, and according to the said lawful powers, usages, and privileges of the said Legislative Assembly, be resolved and determined: And all sheriffs, deputy sheriffs, constables, and other officers, are hereby required to be aiding and assisting to you in the execution hereof, and this shall be your sufficient warrant in that behalf.

Given under my hand and seal this twenty-ninth day of April, in the year of Our Lord One thousand eight hundred and sixty-two.

(Signed) FRANS. MURPHY, (L.S.)  
Speaker.

And that I, the said William George Palmer, the said Serjeant-at-Arms, in obedience to, and in pursuance of, the said Warrant, took into my custody the body of the said George Dill in the said writ named, and brought him in custody before the said Legislative Assembly, at Parliament Houses aforesaid, at the sitting of the said Legislative Assembly, on the twenty-ninth day of April, now last past, in order that the said George Dill might be dealt with as in and by the said Warrant expressed in that behalf, and that while I was detaining the said George Dill, in custody as aforesaid, for the purposes

aforesaid, I received a certain warrant, under the hand of the said Honorable Sir Francis Murphy, Knight, the Speaker of the said Legislative Assembly, which said Warrant is as follows, that is to say—

*To the Serjeant-at-Arms of the Legislative Assembly of the Colony of Victoria.*

WHEREAS the Legislative Assembly of the Colony of Victoria hath this day ordered that George Dill, of Great Collins-street, in the City of Melbourne, printer, having been by the said Legislative Assembly, on the ninth day of April, in the year of Our Lord One thousand eight hundred and sixty-two, adjudged guilty of a contempt of the said Legislative Assembly, be, for such contempt, taken into the custody of the Serjeant-at-Arms of the said Legislative Assembly, and be kept in such custody during the pleasure of the said Legislative Assembly: These are therefore to require you, the said Serjeant-at-Arms, forthwith to take into your custody the body of the said George Dill, and him safely to keep during the pleasure of the said Legislative Assembly; and all sheriffs, deputy sheriffs, constables and other officers, are hereby required to be aiding and assisting to you in the execution hereof; and this shall be your sufficient warrant in that behalf.

Given under my hand this twenty-ninth day of April, in the year of Our Lord One thousand eight hundred and sixty-two.

(Signed) FRANS. MURPHY,  
Speaker.

And a certain other warrant under the hand and seal of the said Honorable Sir Francis Murphy, Knight, Speaker of the said Legislative Assembly, which said last mentioned Warrant is as follows:—

*To the Serjeant-at-Arms of the Legislative Assembly of the Colony of Victoria.*

WHEREAS George Dill, of Great Collins-street, in the City of Melbourne, printer, did on the fourth day of April, in the year of Our Lord, One thousand eight hundred and sixty-two, print and publish in the said city, in a certain newspaper called the *Argus*, a certain scandalous, malicious and libellous article of and concerning the Legislative Assembly of the Colony of Victoria, and of and concerning a Select Committee of the said Legislative Assembly, and of and concerning William Frazer, a member of the said Legislative Assembly for the electoral district of Creswick, in his capacity as a member of the said Legislative Assembly and of the said Select Committee, and which article is in the words following, that is to say:—

“It would be perhaps too curious a speculation to inquire what has made the member for Creswick so enthusiastic a reformer of our police system. It would be as impertinent as to ask on what grounds the Police Committee itself was appointed, at whose instigation, and to serve what purpose. This at least the country ought to be content to know, that it is under a sort of double police guardianship and a twofold detective system. There is the regular police force, under the chief commissioner; and there are the amateur detectives, under Mr. Frazer. And there should be a good deal of consolation in the knowledge that the professional policemen are themselves the objects of the *surveillance* of a sort of vigilance committee, which appears to be perpetually sitting, under the chairmanship of the member for Creswick. There is a sense of poetical justice in such an arrangement, which ought to satisfy every democratic requirement. That the guardians themselves should be guarded, the inspectors inspected, and the detectives subject in their own turn to detection, are facts full of pleasant reflection for those who make policemen and detectives necessary, as well as for those who hold to the great doctrine that “the people should govern the people.” There is but one further step to take to make our system identical with that of the pure American model: we want only that our judges should be chosen by those whom they are appointed to judge.

“As an arrangement intended to promote either the discipline of the regular police or the objects for which policemen are appointed, it must be admitted that the system which permits Mr. Frazer to be a sort of inspector-general of the heads of the police department is open to some objection. It may be asked, for instance, what qualification Mr. Frazer has for such a post, beyond the accidental one that he is a delegate of certain of the people of the district of Creswick. It cannot be supposed that this gentleman has any title to this office, beyond such as may arise from the natural antipathies of men of his class to everything that looks like a constable. But some inscrutable destiny has made Mr. Frazer chairman of the Police Committee, and in that capacity, which appears to be never-ending, Mr. Frazer is pleased to exercise a supervision over the whole police department of the colony—to take care that this constable is not a rogue, and that superintendent a tyrant, and generally to look after the honesty and good behaviour of those who are retained by the state for looking after the honesty and good behaviour of others.

“It is alleged, in excuse for this somewhat irregular irruption of unpaid detectives over the force, that the police are disorganized, and almost in a state of open mutiny. But whence do we learn of this disorganization, and how has it been promoted? That there is a certain disorganization at the present time in the police force, is not to be denied. The very existence of Mr. Frazer, in his capacity of redresser-general of all police wrongs, is a proof of it. That the men are disaffected, is a notorious fact; but

they are disaffected, first, because of the reductions in their pay, and, secondly, because of Mr. Frazer and the officious and totally uncalled for meddling of the Police Committee and its members and directors. There is no disorganization which cannot be accounted for on one or other of these grounds. Apart from the very natural feeling of soreness engendered in the minds of the men by the reduction of their pay, there is no other cause of disaffection but Mr. Frazer, and the perfectly well-known influence of which he is merely the puppet and the rude instrument. What he and his friends have done, is, in fact, first to create the disaffection, and then make it a ground of accusation against some one else who is obnoxious to himself and his friends. Is there not ample evidence of this in the *animus* which breathes through such a speech as that of Mr. Frazer on Wednesday evening—in the repetition, within the walls of the House, of all the base calumnies which have been made to circulate without—in the advocacy of the case of every dismissed and degraded policeman, against the legitimate authority of the chief commissioner—and in such a grossly indecent motion as that of Mr. Davies, the other evening?

“There is nothing we desire so fervently as that the author of all the disorganization in the police force shall meet his due punishment; but in the meantime we protest against the members of the House being privileged to interfere between the legal head of the police and the men under his command. Every honest and decent man in the country is interested in maintaining the discipline of the police; and there is nothing which is more likely to destroy that discipline than the interference of such a man as the member for Creswick. The Police Committee has no more control over the chief commissioner, or over his acts, than has Mr. Speaker’s wig or the clock under the gallery; and it is grossly unconstitutional that it should take notice, through its chairman, of matters happening in the current police administration. The House itself has no right to interfere in any question of discipline between the appointed head of the department and the men under his control, and for whom he alone is responsible. There is a special and sufficient law, regulating the bounds of the chief commissioner’s authority, and laying down distinctly the position of each officer and man in the force. Under this law, Captain Standish is bound to take notice of such cases of insubordination as that which has formed the subject of so many questions in the House, and he has no option but to do so in the manner provided, that is to say, by the appointment of a board of inquiry. Where is the hardship of the case, and who is it that pretends to be aggrieved? The two sergeants who are now upon their trial (and on whose case, so long as that trial is pending, we shall forbear to comment), are charged with a breach of discipline; and it is for their accuser to prove the charge by all the means in his power. In exercising his right of claiming a board of inquiry in this matter, the chief commissioner of police has not availed himself of any privilege which is not open to the meanest constable under his orders. Every man in the force has an equal right in this respect,—a right which Mr. Frazer’s *protégés* did not dare to claim, but preferred rather to address a “round-robin” to the Chief Secretary, in a manner which must be held to be subversive of all discipline among any well-regulated body of men.

“Mr. Frazer alleges that the men have some grievances. Why is it, then, that they have not claimed redress in the manner provided by law? What has induced them to prefer laying their complaints before a member of the House to placing them before a board of inquiry? For that member to get up in his place, and insinuate that the gentlemen appointed to investigate the charge of insubordination are personal friends of Captain Standish, is a proceeding as vile and cowardly as any member of the House can be guilty of. What officer of the public is safe from this kind of attack on the part of some privileged ruffian whom accident may have pitchforked into the House? The simple question before the public is, whether members of the House are to be permitted to interfere with a purely executive office, such as that of the chief commissioner of police—whether they are to be allowed to indulge their private grudges, or to serve their personal interests, by the persecution of an officer against whom there appears no accuser, and, therefore, no accusation. As for the police, it will continue to remain disorganized, so long as there is interposed an authority between that of its responsible chief and his men—an authority which is above law, and which knows no limit, and incurs no responsibility. It will be impossible, either to retain a decent body of men in the police service of the country, or to have any man of spirit or honesty at its head, if it is in the power of such as Mr. Frazer to constitute himself a court of appeal to every mal-content policeman in the force.”

And whereas the said Legislative Assembly, sitting at the Parliament Houses in the said city, being the place duly appointed by the Governor of the Colony of Victoria for the sitting of the Legislative Council and the Legislative Assembly, did on the fourth day of April, in the year of Our Lord One thousand eight hundred and sixty-two, adjudge and determine that the said article was a scandalous breach of the privileges of the said Legislative Assembly: And whereas the said Legislative Assembly did afterwards, to wit, on this twenty-ninth day of April instant, adjudge and determine that the said George Dill having published the said libellous article, was guilty of a contempt and breach of the privileges of the said Legislative Assembly, and that he should for his said offence be committed to the custody of the said Serjeant-at-Arms, and be kept in such custody for the space of one calendar month, unless the said Legislative Assembly should sooner order his discharge, or unless the present Parliament of Victoria be sooner prorogued, or



unless the said Legislative Assembly be sooner dissolved, and that the Speaker should issue his warrant accordingly :

These are therefore to require you, the said Serjeant-at-Arms, to take into your custody the said George Dill, and him safely to keep during the said term of one calendar month, unless the said Legislative Assembly shall sooner order his discharge, or unless the present Parliament of Victoria be sooner prorogued, or unless the said Legislative Assembly be sooner dissolved ; and all sheriffs, deputy-sheriffs, constables, and other officers are hereby required to be aiding and assisting to you in the execution hereof ; and this shall be your sufficient warrant in that behalf.

Given under my hand and seal this twenty-ninth day of April, in the year of Our Lord One thousand eight hundred and sixty-two.

(Signed) FRANS. MURPHY, (L.S.)  
Speaker.

And that I have thenceforth always hitherto detained in my custody and still do detain in my custody the said George Dill in the said Writ named under and by virtue of and in conformity with the said warrants and each of them.

And I do hereby further certify and return in obedience to the said Writ that the above are the causes of my taking and detaining in my custody as in the said Writ mentioned, the body of the said George Dill, the body of which said George Dill I have here ready as in and by the said Writ I am commanded.

(Signed) W. G. PALMER,  
Serjeant-at-Arms of the Legislative Assembly  
of the Colony of Victoria.

5. MR. GEORGE DILL.—Mr. Ireland moved, by leave of the Assembly, That the parole granted to Mr. Dill be enlarged until Tuesday next.  
Question—put and resolved in the affirmative.
6. EAST COLLINGWOOD IMPROVEMENT BILL COMMITTEE.—Mr. Don brought up a Special Report from this Committee.  
Ordered to lie on the Table.
7. CHIEF MEDICAL OFFICER'S COMMITTEE.—Mr. Cohen, Chairman, brought up the Report from this Committee.  
Ordered to lie on the Table, and to be printed, together with the Minutes of Evidence and Proceedings of the Committee.
8. PETITIONS.—Mr. Verdon presented a Memorial of James Putwain, late Inspector of Fisheries, praying the House to grant him such redress as to this House might seem meet.  
Ordered to lie on the Table.  
Mr. Weeks presented a Petition from James Thomson Macminn, of Melbourne, late station-master on the Victorian Railways, praying this House to take the statements set forth in his Petition into consideration, so as to cause his reinstatement in the public service.  
Ordered to lie on the Table.  
Mr. Weeks moved that the Petition be read.  
Question—put and negatived.  
Dr. Mackay presented a Petition from J. R. Gibson and John Connoly, praying this House would place them in possession of land, and compensate them for the delay and expense they have incurred in the matter set forth in the Petition.  
Ordered to lie on the Table.
9. CUSTOMS ACT AMENDMENT BILL.—Mr. Anderson, by leave of the Assembly, moved, That the Committee appointed by this House to confer with a Committee of the Legislative Council on the amendments made by the Legislative Council in this Bill do meet in the old Library to-morrow at three o'clock.  
Debate ensued.  
Mr. Grant moved, That the further debate on this subject be adjourned until Friday next.  
Question—That the further debate on this subject be adjourned until Friday next—put and resolved in the affirmative.
10. MESSAGE FROM THE LEGISLATIVE COUNCIL.—The following Message from the Legislative Council by the Clerk-Assistant of the Council :—  
MR. SPEAKER,  
The Legislative Council acquaint the Legislative Assembly that they have agreed to the Bill, intituled, "*An Act to alter the Sum appropriated to the payment of the Salary and Allowances of the Governor,*" without amendment.  
(Signed)  
MATTHEW HERVEY,  
Acting President.  
Legislative Council Chamber,  
Melbourne, 6th May, 1862.
11. CHAIRMAN OF COMMITTEES.—Mr. O'Shanassy moved, by leave of the Assembly, That Dr. Macadam do take the Chair in the Committee of Supply and in all other Committees of the whole Assembly this day.  
Question—put and resolved in the affirmative.

12. INJURIES BILL.—Mr. Wood moved, pursuant to notice, That he have leave to bring in a Bill for the punishment of any person who shall by his negligence cause grievous bodily injury to any other person.  
 Question—put and resolved in the affirmative.  
 Ordered—That Mr. Wood and Captain MacMahon do prepare and bring in the Bill.  
 Mr. Wood then brought up a Bill, intituled “*A Bill for the Punishment of any person who shall by his Negligence cause Grievous Bodily Injury to any other person,*” 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.
13. CIVIL SERVICE BILL.—Mr. Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported, and that the Clerk of the Assembly had noted the amendments made on the consideration of the report—Bill, on the motion of Mr. O’Shanassy, read a third time.  
 Dr. Evans moved, That the words “Country Post Offices” be omitted from the First Schedule, with the view of inserting instead thereof the words “Postal Service.”  
 Question—that the words proposed to be omitted stand part of the Schedule—put and negatived.  
 Question—that the words proposed to be inserted in the place of the words omitted be so inserted—put and resolved in the affirmative.  
 Question—that this Bill do now pass—put and resolved in the affirmative.  
 Mr. O’Shanassy moved, That the following be the title of the Bill :—  
 “*An Act to regulate the Civil Service.*”  
 Question—put and resolved in the affirmative.  
 Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.
14. SUPPLY.—Dr. Macadam reported from the Committee of Supply a certain resolution, which was read, and is as follows :—  
*9th May.*  
 Resolved—That a sum not exceeding £60,000 be granted to Her Majesty to defray the salaries, wages and contingencies in the various departments of the Government.  
 And the said resolution was read a second time, and agreed to by the Assembly.
15. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.  
 And the House having continued to sit till after twelve of the clock—

WEDNESDAY, 14TH MAY, 1862.

- Mr. Speaker resumed the Chair ; and Dr. Macadam reported that the Committee had made progress, and that he was directed to move that he have leave to sit again.  
 Resolved—That this House will this day again resolve itself into the said Committee.
16. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—  
 “*Ways and Means—To be considered in Committee,*”  
 “*Distillation Bill—To be further considered in Committee,*”  
 “*Gold Mining Leases Bill—To be further considered in Committee,*”  
 “*Preferable Lien on Crops Bill—To be further considered in Committee,*”  
 “*Justices Law Administration Bill—To be further considered in Committee,*” and  
 “*Consolidated Revenue Bill—Second reading,*” until this day ;  
 “*Melbourne and Hobson’s Bay Railway Act Amendment Bill—Consideration of Report—Resumption of Debate,*” until Tuesday, 20th May instant ;  
 “*Anatomy Bill—Second reading,*”  
 “*Melbourne and Geelong Corporation Acts Amendment Bill—Consideration of Report—Resumption of Debate,*” until this day ;  
 “*Equity Jurisdiction Bill—Consideration of Report,*” until Friday, 16th May instant ;  
 “*Game Preservation Bill—Consideration of Report,*” until this day ;  
 “*Hawkers Act Amendment Bill—To be further considered in Committee,*” until Friday, 16th May instant ;  
 “*Murray Election—Report from Elections and Qualifications Committee to be taken into consideration—Resumption of Debate,*”  
 “*Fisheries Bill—Consideration of Report,*” until this day.
17. MAIN MURRAY ROAD.—Mr. Edwards moved, pursuant to notice, That this House will, on Thursday next, resolve itself into a Committee of the whole to consider the Report of the Select Committee upon the Main Murray Road.  
 Question—put and resolved in the affirmative.  
 Assembly adjourned at twenty-one minutes past one o’clock until four o’clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 85.

WEDNESDAY, 14TH MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. ASSENT TO BILLS.—A Message from His Excellency the Governor by the Usher of the Legislative Council :—

MR. SPEAKER,

His Excellency the Governor desires the immediate attendance of this Honorable House in the Legislative Council.

Accordingly Mr. Speaker, with the House, went to the Legislative Council, when His Excellency was pleased to give the Royal Assent to the several Public Bills following, viz. :—

- “ *An Act to amend an Act intituled ‘ An Act for granting Duties of Customs upon Gold exported from Victoria.’* ”
- “ *An Act to amend an Act intituled ‘ An Act to prevent the further spread of the Disease in Cattle called Pleuro-pneumonia.’* ”
- “ *An Act to suspend the operation of certain enactments relating to Registration of Parliamentary Electors and for other purposes.* ”

And that His Excellency had been pleased to reserve the following Bill for the signification of Her Majesty's pleasure :—

- “ *An Act to alter the Sum appropriated to the payment of the Salary and Allowances of the Governor.* ”

3. PETITIONS.—Mr. Don presented a Petition from certain persons styling themselves the Committee appointed at a Public Meeting of Creditors of St. Patrick's College to act for and on their behalf, praying this House would direct the grant of land upon which St. Patrick's College is erected to be issued to Trustees for the benefit and security of the Creditors, upon such conditions, with respect to transferring to the Roman Catholic body on liquidation of the present liabilities, as to this House might seem fit. Petition read and ordered to lie on the Table.

The following Petitions against the Licensed Victuallers Act Amendment Bill, and especially against the clause permitting the sale of intoxicating liquors on Sundays, were presented as under—

- By Mr. Foott, from certain inhabitants of Geelong connected with the Church and Congregation worshipping in Fenwick-street Baptist Chapel.
- By Mr. Heales, from the Total Abstainers and other colonists of Victoria.
- By Mr. Mollison, from M. McEachern and others.

4. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Twenty-fourth Report from this Committee. Ordered to lie on the Table and to be printed.
5. CHAIRMAN OF COMMITTEES.—Mr. Johnston, by leave of the Assembly, moved, That Dr. Macadam do take the Chair of the Committee of Supply, and in all other Committees of the whole Assembly this day. Question—put and resolved in the affirmative.

6. MESSAGES FROM THE LEGISLATIVE COUNCIL.—The following Messages from the Legislative Council by the Clerk-Assistant of the Council :—

MR. SPEAKER,

The Legislative Council return to the Legislative Assembly a Bill, intituled, "*An Act to prevent Frauds upon Creditors by secret Bills of Sale of personal chattels,*" and acquaint the Legislative Assembly that they have agreed to the same with amendments, with which they desire the concurrence of the Legislative Assembly.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
29th April, 1862.

On the motion of Mr. Mollison, the Assembly ordered the above amendments to be printed and taken into consideration Tuesday, 20th May instant.

MR. SPEAKER,

The Legislative Council return to the Legislative Assembly a Bill, intituled, "*An Act to repeal the Act intituled 'An Act for preventing the extension of the disease called Scab in Sheep and to substitute other provisions in lieu thereof,'*" and acquaint the Legislative Assembly that they have agreed to the same with amendments, with which they desire the concurrence of the Legislative Assembly.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
29th April, 1862.

On the motion of Mr. Mollison, the Assembly ordered the above amendments to be printed and taken into consideration Tuesday, 20th May instant.

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that permission has been granted to the Honorable T. H. Fellows, a Member of this House, to attend to be examined as a witness before a Select Committee of the Legislative Assembly on the Pensions Bill, as requested by the Legislative Assembly.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
Melbourne, 13th May, 1862.

7. PAPERS.—Mr. Johnston presented—

Railway Station Masters.—Reply to question put by Mr. Weeks, 6th May instant, for a Return showing the extra number of station masters, engine drivers, firemen, porters, guards, pointsmen, gatekeepers, booking clerks, or other persons who have been employed in consequence of the opening of the line to Ballarat; also the rate of pay of each class so employed.

Ordered to lie on the Table.

Mr. Gavan Duffy presented, by command of His Excellency the Governor—

Crown Lands Sales Act.—Proclamation establishing the Burnt Creek Gold Fields Common.

Crown Lands Sales Act.—Amounts refunded to Squatters during 1862, with remarks showing the reasons.

Severally ordered to lie on the Table.

8. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.

Mr. Speaker resumed the Chair; and Dr. Macadam reported that the Committee had come to certain resolutions.

Ordered—That the said Report be received on Friday, 16th May instant.

Dr. Macadam also acquainted the House that he was directed to move that he have leave to sit again.

Resolved—That this House will, on Friday, 16th May instant, again resolve itself into the said Committee.

9. DISTILLATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

And the House having continued to sit till after twelve of the clock—

THURSDAY, 15<sup>TH</sup> MAY, 1862.

Mr. Speaker resumed the Chair, and Dr. Macadam 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 this House will, on Friday, 16th May instant, again resolve itself into the said Committee.

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

- “ *Ways and Means*—To be considered in Committee,”
- “ *Injures Bill*—Second reading,”
- “ *Gold Mining Leases Bill*—To be further considered in Committee,”
- “ *Preferable Lien on Crops Bill*—To be further considered in Committee,”
- “ *Justices Law Administration Bill*—To be further considered in Committee,”
- “ *Consolidated Revenue Bill*—Second reading,” until Friday, 16th May instant;
- “ *Church Act Amendment Bill*—Second reading,” until Wednesday, 21st May instant;
- “ *Anatomy Bill*—Second reading,”
- “ *Melbourne and Geelong Corporation Acts Amendment Bill*—Consideration of Report—Resumption of debate,” until Friday, 16th May instant;
- “ *Game Preservation Bill*—Consideration of Report,”
- “ *Murray Election*—Report from Elections and Qualifications Committee to be taken into consideration—Resumption of debate,” until this day;
- “ *Fisheries Bill*—Consideration of Report,” until Friday, 16th May instant.

11. MR. W. H. PECK.—Mr. Edwards moved, pursuant to notice, That the Petition of William Henry Peck, presented to this House on the 20th November, 1860, be referred to the Committee now sitting on “Claims for Compensation.”  
Question—put and resolved in the affirmative.

Assembly adjourned at five minutes past one o'clock until four o'clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
Speaker.

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 86.

THURSDAY, 15TH MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—The following Petitions against the Licensed Victuallers Acts Amendment Bill, and especially against the proposed clause authorizing the sale of intoxicating liquors on Sundays, were presented as under:—
  - By Mr. Heales, from certain residents of Belfast.
  - By Mr. Berry, from the St. George's Presbyterian Congregation, East Collingwood.
  - By Mr. Heales, from certain Total Abstiners and other Colonists of Victoria.
 Severally ordered to lie on the Table.
3. PRINTING ACT AMENDMENT BILL.—Mr. L. L. Smith moved, pursuant to notice, That he have leave to bring in a Bill to amend an Act, intituled, "*An Act for preventing the printing and publishing of Books and Papers by Persons not known.*"
  - Question—put and resolved in the affirmative.
  - Ordered—That Mr. L. L. Smith and Mr. Ramsay do prepare and bring in the Bill.
  - Mr. L. L. Smith then brought up a Bill, intituled, "*A Bill to amend an Act intituled 'An Act for preventing the printing and publishing of Books and Papers by Persons not known,'*" 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 Thursday, 22nd May instant.
4. MRS. E. J. TAYLOR.—Mr. McCann moved, pursuant to notice given by Mr. Lalor, That the Petition of Mrs. Eliza Johns Taylor, presented to this House on the 9th April last, be referred to the Committee on "Claims to Compensation."
  - Question—put and resolved in the affirmative.
5. DESTITUTE PERSONS.—Mr. L. L. Smith moved, pursuant to notice, That this House will on Thursday next, resolve itself into a Committee of the whole, for the purpose of considering the propriety of presenting an Address to His Excellency the Governor, requesting him to place upon an Additional Estimate for 1862, a sum sufficient to erect, adjacent to one of Her Majesty's Gaols or other convenient place, a building or room for the casual accommodation of all benighted and destitute persons to sleep in during the night.
  - Debate ensued.
  - Question—put and negatived.
6. MESSRS. THOMSON AND DRUMMOND.—Mr. Don moved, pursuant to notice, That a Select Committee be appointed to enquire into and report upon the claims of Thomson and Drummond, contractors for the reservoir at Fryer's Creek, such Committee to consist of Mr. Hood, Mr. Kyte, Mr. Sinclair, Mr. Heales, Mr. Johnston, Mr. McDonald, Mr. Loader, and the Mover, with power to call for persons and papers; three to form a quorum.
  - Debate ensued.
  - Question—put and negatived.
7. POLICE PADDOCK, CARLSRUHE.—Mr. Snodgrass moved, pursuant to notice, That this House recommends—
  - (1.) That the road through the Police Paddock, Carlsruhe, be at once opened.
  - (2.) That the land comprised in the Police Paddock, Carlsruhe, be surveyed and sold.
  - (3.) That the line of road originally marked through Anderson's purchase, at Moranding, be also thrown open for the use of the public.
  - Question—put and resolved in the affirmative.
8. MALMSBURY BRIDGE.—Mr. Tucker moved, pursuant to notice, That the Committee appointed to enquire into the circumstances connected with the erection of the Mollison-street Bridge, Kyneton, have power to adjourn from place to place, and also have leave to sit on days on which the House does not meet.
  - Question—put and resolved in the affirmative.

9. **COMMON SCHOOLS BILL.**—Mr. Heales moved, pursuant to notice, That the second reading of the Bill for the better Maintenance and Establishment of Common Schools in Victoria take precedence of all other business on Thursday, the 22nd instant.  
Debate ensued.  
Question—put and resolved in the affirmative.
10. **MINING ON PRIVATE PROPERTY BILL.**—Mr. Pope moved, pursuant to notice, That he have leave to bring in a Bill to regulate Mining on Private Property.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Pope and Mr. McLellan do prepare and bring in the Bill.  
Mr. Pope then brought up a Bill, intituled, "*A Bill to regulate Mining 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 Thursday, 29th May instant.
11. **QUEEN'S PLATE.**—Mr. Levey moved, pursuant to notice, That this House will on Tuesday next, resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying that he will be pleased to place upon an Additional Estimate for 1862, a sum of one hundred and ninety-five pounds for the purpose of providing a Queen's Plate, to be run for at the Melbourne Races.  
Debate ensued.  
Question—put and negatived.
12. **MR. JAMES PUTWAIN.**—Mr. Heales moved, pursuant to notice given by Mr. Verdon, That the Memorial of James Putwain be referred to the Committee now sitting on "Claims for Compensation."  
Question—put and resolved in the affirmative.
13. **ST. PATRICK'S COLLEGE, MELBOURNE.**—The Petition of Thomas Brunton and others, presented yesterday, was read by the Clerk.  
Notice being taken that a quorum of Members was not present, Mr. Speaker counted the House, and a quorum not being present, Mr. Speaker, at half-past nine o'clock, adjourned the House, without question being first put, until four o'clock to-morrow.

**FRAN<sup>s</sup>. MURPHY,**  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 87.

FRIDAY, 16TH MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITION.—Mr. Heales presented a Petition from certain Members of the United Church of England and Ireland resident in Brunswick and Northcote praying the House, for the reasons set forth in the Petition, would not allow the Licensed Publicans Acts Amendment Bill to pass into law.  
Ordered to lie on the Table.
3. PAPERS.—Mr. Gavan Duffy presented—  
Mining and Geological Departments.—Part reply to question put by Mr. Pope, this day for copy of Report from the Board appointed some time since to enquire into the working of the Mining and Geological Departments; and if it be intended to print such Report, together with the Evidence taken, so that Members of this House may be in possession of information thereby afforded before the Estimates for those departments are taken into consideration.  
Ordered to lie on the Table.
4. PARLIAMENT BUILDINGS COMMITTEE.—Mr. Johnston moved, pursuant to *amended* notice, That the following recommendation from this Committee, viz. :—“That the room now used as a Papers Room by the Librarian on the first floor leading out of the corridor westwards be appropriated as a Refreshment Room for strangers introduced by Members of either House—be agreed to by this House.  
Debate ensued.  
Mr. Gavan Duffy moved, That all the words after the word “that” be omitted, with a view to insert instead thereof, the words “this report be referred back to the Committee for reconsideration.”  
Debate continued.  
Question—That the words proposed to be omitted stand part of the question—put and negatived.  
Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put and resolved in the affirmative.  
Question—That this report be referred back to the Committee for reconsideration—put and resolved in the affirmative.



5. SUPPLY—ESTIMATES FOR 1862.—Dr. Macadam reported from the Committee of Supply certain resolutions, which were read, and are as follow :—

13th May.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the charges for the year 1862 for the Works hereunder specified, being—

### IX.—COMMISSIONER OF RAILWAYS AND ROADS AND BRIDGES.

DIVISION No. 80.

#### ROAD WORKS AND BRIDGES.

For and towards the construction and maintenance of roads and bridges throughout the colony, including sums in aid to District Road Boards, and also including sums in aid of tolls revenue, but excluding the amount to be derived from tolls to be expended as under, viz. :—

(No. 1.)—1. In the construction of the undermentioned lines of road to be recognised as main lines :—

The road to New South Wales from Melbourne to Albury, <i>via</i> Chiltern, with branch from Wangaratta to Beechworth ... ..	}	100,000	0	0
From Ballaarat to Ararat and Hamilton, by Wickliffe ... ..				
From Ballaarat to Creswick and Clunes				
From Castlemaine to Maldon, there to branch off on one side through Dunolly to Korong, and on the other side to Maryborough and Avoca ... ..				
From Maldon, through Tarnagulla to Inglewood and Bendigo ... ..				
From Sale to Port Albert ... ..				

14th May.

(No. 1.)—In aid of tolls... .. 32,000 0 0

(No. 2.)—2. In aid of Road Boards, to be expended subject to the approval and under the control of the Board of Land and Works, and to be distributed *pro rata* according to the amounts of assessment raised by such boards in 1861 ... ..

126,222 19 0

*And in the opinion of the Committee this item should be increased by £18,000.*

(No. 3.)—For certain District Road Boards formed, or which came into operation in 1861 ... ..

17,250 0 0

(No. 4.)—For the undermentioned Road Boards, as grants in aid of tolls raised in such districts attributable to the inhabitants thereof, and calculated *pro rata* upon two-thirds of the amount of such tolls :—

Barrabool	Heidelberg	}	7,696	5	4
Eltham	Indented Heads				
Epping					

(No. 5.)—To subsidise Road Boards to be probably created in 1862, provided that no Road Board so created receive more than £2,000, and has existed prior to the 1st of November ; and for Road Boards which during the year 1861 could not, on account of the Road Act being defective or otherwise, collect any assessment ... ..

30,000 0 0

(No. 6.)—For the performance of works in such parts of the country as cannot be brought under the supervision of any Road Board ... ..

18,833 15 8

132,000 0 0

200,003 0 0

332,003 0 0

And the said resolutions having been read a second time,

Mr. Johnston moved, That the last figure 3 in Resolution No. 5, and the last figure 3 in the subsequent castings, be omitted, and the figure 0 inserted instead thereof respectively.

Question—That the figures proposed to be omitted stand parts of the resolution—put and negatived.

Question—That the figures respectively proposed to be inserted in the places of the figures omitted be so inserted—put and resolved in the affirmative.

And the said several resolutions were then agreed to as so amended.

6. CHAIRMAN OF COMMITTEES.—Mr. O'Shanassy moved, by leave of the Assembly, that Dr. Macadam do take the Chair in the Committee of Supply, in the Committee of Ways and Means, and in all Committees of the whole Assembly this day.

Question—put and resolved in the affirmative.

7. POSTPONEMENT OF ORDER OF THE DAY.—The Assembly ordered that the consideration of the following Order of the Day be postponed until after the consideration of the 4th Order for to-day:—

“*Distillation Bill—To be further considered in Committee.*”

8. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.

Mr. Speaker resumed the Chair.—Dr. Macadam reported that he was directed to submit the following question of order to the House, viz., That the Honorable the Minister of Finance being desirous of proposing to the Committee a series of resolutions regulating the various scales of salaries to be granted to the Civil Servants of the Government, which had not been referred by the House to the Committee of Supply, a doubt existed as to the propriety of the Committee considering such resolutions.

Debate ensued.

Mr. Speaker stated, as his opinion, that any resolutions relevant to the Grants to be made by the Committee might be proposed to and considered by the Committee.

On the motion of Mr. Haines Mr. Speaker then left the Chair, and the Assembly again resolved itself into the Committee of Supply.

Mr. Speaker resumed the Chair; and Dr. Macadam reported that the Committee had agreed to certain resolutions.

Ordered—That the said Report be received Tuesday, 20th May instant.

Dr. Macadam also acquainted the House that he was directed to move that he have leave to sit again.

Resolved—That this House will immediately again resolve itself into the said Committee.

Mr. Speaker then left the Chair, and the Assembly again resolved itself into the said Committee.

And the House having continued to sit till after twelve of the clock—

SATURDAY, 17<sup>TH</sup> MAY, 1862.

Mr. Speaker resumed the Chair.

Dr. Macadam reported that the Committee had agreed to other resolutions.

Ordered—That the said report be received Tuesday, 20th May instant.

Dr. Macadam also acquainted the House that he was directed to move that he have leave to sit again.

Resolved—That this House will, on Tuesday, 20th May instant, again resolve itself into the said Committee.

9. DISTILLATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

Mr. Speaker resumed the Chair, and Dr. Macadam 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 this House will, on Tuesday, 20th May instant, again resolve itself into the said Committee.

10. INJURIES BILL.—Mr. Gavan Duffy moved, That this Bill be now read a second time.

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

Mr. Gavan Duffy moved, That this Bill be now committed to a Committee of the whole Assembly.

Question—put and resolved in the affirmative.

And on the further motion of Mr. Gavan Duffy, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.

Mr. Speaker resumed the Chair; and Dr. Macadam having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Assembly ordered the Bill to be read a third time, Tuesday, 20th May instant.

11. CONSOLIDATED REVENUE BILL.—Mr. O'Shanassy moved, That this Bill be now read a second time.

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

Mr. O'Shanassy moved, That this Bill be now committed to a Committee of the whole Assembly.

Question—put and resolved in the affirmative.

And on the further motion of Mr. O'Shanassy, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.

Mr. Speaker resumed the Chair; and Dr. Macadam having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Assembly ordered the Bill to be read a third time Tuesday, 20th May instant.

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

- “*Customs Act Amendment Bill—Message to Legislative Council—Resumption of Debate,*”
- “*Ways and Means—To be considered in Committee,*”
- “*Gold Mining Leases Bill—To be further considered in Committee,*”
- “*Preferable Lien on Crops Bill—To be further considered in Committee,*” and
- “*Justices Law Administration Bill—To be further considered in Committee,*” until Tuesday, 20th May instant;
- “*Oyster Fisheries Act Amendment Bill—Second reading,*” until Wednesday, 21st May instant;
- “*Colonial Wines Sale Bill—To be further considered in Committee,*” until Thursday, 22nd May instant;
- “*Inspector of Pounds—Motion for Address—To be considered in Committee,*” until Wednesday, 28th May instant;
- “*Mr. Hines—Report from Select Committee to be considered in Committee,*” until Wednesday, 21st May instant;
- “*Mr. Hennelle—Report from Select Committee—To be considered in Committee,*” until Friday, 23rd May instant;
- “*Contractors and Workmen Lien Bill—Second reading,*” until Thursday, 22nd May instant;
- “*Markets Bill—Second reading,*” until Thursday, 22nd May instant;
- “*Signals Bill—Second reading,*” until Tuesday, 20th May instant;
- “*Judges of Courts of Mines and County Courts—Resolution to be considered in Committee,*” until Wednesday, 21st May instant;
- “*Main Murray Road—Report of Select Committee—To be considered in Committee,*” until Tuesday, 20th May instant;
- “*Game Preservation Bill—Consideration of Report,*” until Wednesday, 21st May instant;
- “*Medical Practitioners Bill—To be further considered in Committee,*” until Tuesday, 20th May instant;
- “*Newspaper Bill—Second reading,*” until Friday, 23rd May instant;
- “*Equity Jurisdiction Bill—Consideration of Report,*” until Wednesday, 21st May instant;
- “*Hawkers Act Amendment Bill—To be further considered in Committee,*” until Thursday, 22nd May instant;
- “*Anatomy Bill—Second reading,*”
- “*Melbourne and Geelong Corporation Acts Amendment Bill—Consideration of Report—Resumption of Debate,*”
- “*Fisheries Bill—Consideration of Report,*” until Tuesday, 20th May instant.

13. LAPSED ORDERS OF THE DAY.—The following Orders of the Day were read and lapsed:—

- “*Quartz Reefs Drainage Bill—Second reading,*”
- “*Murray Election—Report from Elections and Qualifications Committee to be taken into consideration—Resumption of Debate,*”

14. YARRA BEND LUNATIC ASYLUM.—Mr. Weeks moved, pursuant to amended notice given by Mr. Don, That Four additional Padded Rooms should be added to the Yarra Bend Lunatic Asylum.

Question—put and resolved in the affirmative.

Assembly adjourned at eight minutes past one o'clock until four o'clock p.m. on Tuesday next.

FRAN<sup>s</sup>. MURPHY,  
Speaker.

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 88.

TUESDAY, 20TH MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—Dr. Girdlestone presented a Petition from certain inhabitants of Moonambel, Barkly, and the Pyrenees District, praying that telegraphic communication might be established between Avoca and Moonambel, and earnestly soliciting that due enquiry be made as to the justice of the statements set forth in the Petition.  
Ordered to lie on the Table.  
Dr. Evans presented a Petition from certain miners and others resident in the Avoca Division of the Maryborough Mining District praying that such of the clauses of the Gold Mining Leases Bill as may tend to lock up the auriferous lands of the colony against individual enterprise, industry, and exertion might be struck out; or, that if passed into law, the operation thereof might be so far suspended as to allow the petitioners reasonable time to clear out of and to quit the country.  
Ordered to lie on the Table.
3. PAPERS.—Mr. Haines presented—  
Bank Liabilities and Assets—Summary of sworn returns of the average liabilities and assets of the several banks in Victoria, for the quarter ended 31st March, 1862.  
Ordered to be printed.  
Volunteer Force—Return showing how the sum of £3000, voted in last Session in aid of the Volunteer Force, for medals, targets, and incidentals, has been appropriated.  
Ordered to lie on the Table.
4. LUNATIC ASYLUM COMMITTEE.—Mr. Heales, Chairman, brought up the Report from this Committee.  
Ordered to lie on the Table and to be printed, together with the Proceedings of the Committee, and Minutes of Evidence and Appendices.
5. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor received and read:—  
HENRY BARKLY,  
*Governor.* *Message No. 15.*  
The Governor transmits to the Legislative Assembly Estimates of Expenditure in Salaries for 1862, to be substituted for the Estimates of Expenditure in Salaries already transmitted, and recommends an appropriation of the Consolidated Revenue accordingly.  
Government Offices,  
Melbourne, May, 1862.  
Ordered to be printed and, together with the accompanying Estimates, referred to the Committee of Supply.
6. MR. GEORGE DILL.—Mr. Hood moved, That Mr. George Dill be discharged from the custody of the Serjeant-at-Arms upon payment of his fees.  
Debate ensued.  
Mr. Heales moved, That this debate be now adjourned.  
Debate continued.

Question—That this debate be now adjourned—put.  
Assembly divided.

Ayes, 34.		Noes, 14.
Mr. Anderson,	Mr. McCann,	Mr. Brodribb,
Mr. Berry,	Mr. O'Connor,	Mr. Higinbotham,
Mr. Cummins,	Mr. O'Grady,	Mr. Jones,
Mr. J. Davies,	Mr. Orr,	Mr. McCulloch,
Mr. Denovan,	Mr. O'Shanassy,	Mr. McDonald,
Mr. Gavan Duffy,	Mr. Ramsay,	Mr. Mollison,
Mr. Edwards,	Mr. Richardson,	Mr. Nicholson,
Dr. Evans,	Mr. Riddell,	Mr. Service,
Mr. Frazer,	Mr. Sinclair,	
Mr. Gillies,	Mr. L. L. Smith,	
Dr. Girdlestone,	Mr. Sullivan,	
Mr. Haines,	Mr. Verdon,	
Mr. Hood,	Mr. Woods,	
Mr. Houston,	Mr. Wright.	
Mr. Howard,		
Mr. Ireland,		
Mr. Lambert,		
Dr. Mackay,		

*Tellers.*

Mr. Levey,  
Mr. McLellan.

And so it was resolved in the affirmative.

Ordered—That this debate be adjourned until to-morrow.

7. THE HON. W. H. F. MITCHELL.—Mr. Tucker moved, by leave of the Assembly, That a Message be transmitted to the Legislative Council requesting that leave be given to the Honorable Mr. Mitchell, a member of that House, to attend and give evidence before the Experimental Farm Committee of this House.  
Question—put and resolved in the affirmative.
8. LICENSED PUBLICANS ACTS AMENDMENT BILL (2).—Mr. Ireland moved, pursuant to notice, That he have leave to bring in a Bill to amend the Laws relating to Licensed Publicans.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Ireland and Mr. Gavan Duffy do prepare and bring in the Bill.  
Mr. Ireland then brought up a Bill, intituled, "*A Bill to amend the Laws relating to Licensed Publicans,*" 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 Friday, 23rd May instant.
9. INJURIES BILL.—Mr. Speaker 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 Mr. Wood, read a third time and *passed*.  
Mr. Wood moved, That the following be the title of the Bill:—  
"*An Act for the punishment of any person who shall by his negligence cause grievous bodily injury to any other person.*"  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.
10. CONSOLIDATED REVENUE BILL.—Mr. Speaker 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 Mr. Haines, read a third time and *passed*.  
Mr. Haines moved, That the following be the title of the Bill:—"*An Act to apply the sum of Four hundred and twenty-two thousand two hundred and fifty pounds out of the Consolidated Revenue to the service of the year One thousand eight hundred and sixty-two.*"  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.
11. CHAIRMAN OF COMMITTEES.—Mr. O'Shanassy, by leave of the Assembly, moved, That Dr. Macadam do take the Chair in the Committee of Supply, the Committee of Ways and Means, and in all Committees of the whole Assembly this day.  
Question—put and resolved in the affirmative.
12. BILLS OF SALE BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Council in this Bill having been read, on the motion of Mr. Anderson the said amendments were read and are as follow:—  
Clause II., line 23, leave out "*respectively.*"  
" " same line, leave out "*any such bill of sale,*" and insert instead thereof "*the same.*"  
" " line 27, leave out "*General,*" and insert instead thereof "*of the Supreme Court.*"  
" " line 28, leave out "*or indenture.*"  
" " line 1 (page 2), leave out "*Sheriffs.*"  
" " same line, leave out "*person,*" and insert instead thereof "*persons.*"  
" " line 9, leave out "*insolvency,*" and insert instead thereof "*of the estate of the debtor being placed under sequestration.*"

Insert new Clause A 1 after Clause III., viz. :—

“Every bill of sale of personal chattels (together with every schedule or inventory if any thereto annexed or therein referred to) which or a copy of which shall be filed according to this Act shall be valid notwithstanding that the person making or giving the same or in case the same shall be made or given by any person under or in execution of any process the person against whom such process shall have issued shall by the consent and permission of the true owner thereof have in his possession order or disposition the property and effects comprised in or made subject to such bill of sale and shall be reputed owner thereof or shall have taken upon himself the sale alteration or disposition of such property and effects as owner.”

Reputed ownership not to invalidate bills of sale.  
17 Vic., No. 16, s. 3.

5 Vic., No. 17, s. 55

Clause IV., line 26, leave out “General,” and insert instead thereof “of the Supreme Court.”

” ” line 31, leave out “any such bill of sale,” and insert instead thereof “the same.”

” ” line 39, before “schedule” insert “first.”

” ” line 42, before “Registrar” insert “said.”

” ” same line, after “Registrar,” leave out “General.”

” ” line 43, leave out “that.”

” ” line 44, before “Registrar” insert “said.”

” ” same line, after “Registrar” leave out “General.”

” ” line 52, before “Registrar” insert “said.”

” ” same line, after “Registrar” leave out “General.”

Insert new clause A, viz. :—

“The Registrar of the Supreme Court shall be entitled to receive for filing and entering every such bill of sale or a copy thereof as aforesaid the sum of one shilling and no more.”

Fee for filing, 10, s. 4.

Clause V., line 56, after “seventy” insert “two.”

Clause VII., line 29 (page 3), leave out “or of the custom of the country.”

Insert new clause B, viz. :—

“Nothing hereinbefore contained shall be deemed to alter or repeal any of the Acts mentioned in the last schedule to this Act.”

Certain Acts not to be affected.

Insert new schedule, viz. :—

#### THE LAST SCHEDULE.

Date of Act.	Title of Act.
17 Vic., No. 16.	“An Act to give a preferable Lien on Wool from season to season and to make Mortgages of Stock valid without delivery.”
21 Vic., No. 56.	“An Act to facilitate the formation of Mining Associations and to amend and extend the provisions of an Act passed in the eighteenth year of the reign of Her present Majesty intituled ‘An Act for the better regulation of Mining Companies’ and to render certain preferable Liens and Mortgages of Personality by miners and mining companies valid without delivery and for other purposes.”
22 Vic., No. 68.	“An Act for the continuation of Expiring Laws.”

And the said resolutions were read a second time and agreed to by the Assembly.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said several amendments.

13. SUPPLY—ESTIMATES FOR 1862.—Dr. Macadam reported from the Committee of Supply certain resolutions, which were read, and are as follow :—

16th May.

Resolved—

(No. 1.)—1. That the maximum and minimum rates of salaries to be paid to the officers of the 5th, 4th, 3rd, and 2nd classes of the Ordinary Division of the Civil Service, during the year 1862, be the following, viz. :—

	£	£
5th class—minimum,	80	maximum, 180.
4th „ minimum,	200	maximum, 350.
3rd „ minimum,	375	maximum, 485.
2nd „ minimum,	500	maximum, 600.

(No. 2.)—2. That the maximum and minimum rates of salaries to be paid to the officers of the 4th, 3rd, and 2nd classes of the Professional Division of the Civil Service, during the year 1862, be as follows :—

	£	£
4th class—minimum,	200	maximum, 350.
3rd „ minimum,	375	maximum, 485.
2nd „ minimum,	500	maximum, 600.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the charges for the year 1862 for the works hereunder specified, being—

### VI.—COMMISSIONER OF PUBLIC WORKS.

DIVISION No. 59.

#### WORKS AND BUILDINGS.

Subdivision No. 17.

WATER SUPPLY, ETC., TO THE GOLD FIELDS.

	£	s.	d.	£	s.	d.
(No. 3.)—1. For the storage and conduction of Water, and other works and expenses connected therewith, and for the construction of Storm Water and Sludge Channels on the Gold Fields ...	43,000	0	0			
(No. 4.)—2. For Water Reservoirs at Ararat ...	222	3	4			
(No. 4.)—3. For Water Reservoirs at Grassy Flat ...	457	17	2			
(No. 6.)—4. For Water Reservoirs at Hepburn ...	40	18	6			
	43,720	19	0			

And the said several resolutions were read a second time, and agreed to by the Assembly.  
14. SUPPLY.—The Order of the Day for the Committee of Supply having been read, Mr. Haines moved, That Mr. Speaker do now leave the Chair, and the Assembly resolve itself into the Committee of Supply.

Mr. Jones moved, That all the words after the word "That" be omitted, with a view to insert instead thereof, the words, "The opinion expressed in the resolution of this House, arrived at on the 28th February, 1861, to the effect 'that it is impolitic that the salary of any Government officer should be supplemented or increased by fees, costs, or emoluments arising from litigation in which the Crown is interested, and, therefore, that any such fees, costs, or emoluments, received by any such officer conducting such business on behalf of the Crown, should be paid into the Treasury as part of the consolidated revenue,' is still the opinion of the House, and that the consideration of the salary of the Crown Solicitor be postponed until such resolution shall have been enforced, and the amount of fees received by him paid into the Treasury."

Debate ensued.

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

Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put and resolved in the affirmative.

Question—That the opinion expressed in the resolution of this House, arrived at on the 28th February, 1861, to the effect "that it is impolitic that the salary of any Government officer should be supplemented or increased by fees, costs, or emoluments, arising from litigation in which the Crown is interested, and therefore, that any such fees, costs, or emoluments received by any such officer conducting such business on behalf of the Crown, should be paid into the Treasury as part of the consolidated revenue," is still the opinion of the House, and that the consideration of the salary of the Crown Solicitor be postponed until such resolution shall have been enforced, and the amount of fees received by him paid into the Treasury—put and resolved in the affirmative.

Mr. Haines moved, That this House will immediately resolve itself into the Committee of Supply.

Question—put and resolved in the affirmative.

And on the further motion of Mr. Haines, Mr. Speaker left the Chair, and the Assembly resolved itself into the Committee of Supply.

And the House having continued to sit till after twelve of the clock—

WEDNESDAY, 21<sup>ST</sup> MAY, 1862.

Mr. Speaker resumed the Chair; and Dr. Macadam reported that the Committee had come to certain resolutions.

Ordered—That the said Report be received this day.

Dr. Macadam also acquainted the House that he was directed to move that he have leave to sit again.

Resolved—That this House will, this day, again resolve itself into the said Committee.

15. CUSTOMS ACT AMENDMENT BILL.—The Order of the Day for the resumption of the debate on the Message from the Legislative Council, respecting the amendments made in this Bill, having been read, Mr. Anderson moved—

(1.) That inasmuch as the Bill intituled An Act to amend the Laws relating to the Customs is a Bill for imposing certain duties, rates, and imposts this House is of opinion the Constitution Act prohibits the Legislative Council making any alteration in such Bill.

(2.) That the proceedings taken by the Legislative Assembly upon the several Messages from the Legislative Council, respecting their amendments in this Bill, have been so taken inadvertently.

(3.) That such proceedings be now read and rescinded.

(4.) That a Message be transmitted to the Legislative Council acquainting them of the above resolutions.

Question—put and resolved in the affirmative.

16. **PREFERABLE LIEN ON CROPS BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.
- Mr. Speaker resumed the Chair, and Dr. Macadam reported that the Committee had gone through the Bill, and agreed to the same without amendment.
- Mr. Speaker 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 Mr. Anderson, read a third time and *passed*.
- Mr. Anderson moved, That the following be the title of the Bill:—“*An Act to give a Preferable Lien upon Growing Crops without delivery.*”
- Question—put and resolved in the affirmative.
- Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.
17. **JUSTICES LAW ADMINISTRATION BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.
- Mr. Speaker resumed the Chair, and Dr. Macadam 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 this House will this day again resolve itself into the said Committee.
- 18.—**SCAB ACT AMENDMENT BILL.**—The Order of the day for the consideration of the amendments made by the Legislative Council in this Bill having been read, on the motion of Mr. Mollison the several amendments were read and are as follow:—
- Clause III., line 25, after “owner” insert “of sheep.”
- ” line 4 (page 2), after “convicted” leave out “before any two justices of the peace of not taking proper and sufficient measures for the effectual cleansing of the sheep mentioned in such license” and insert instead thereof “under this Act.”
- Clause V., line 20, leave out “in Victoria.”
- ” same line, leave out “on or before the first day of August next ensuing or within two months after such sheep shall have come into his possession.”
- ” line 23, after “pitch” leave out “or.”
- ” same line, after “paint” insert “or some suitable composition.”
- Clause VII. (page 3), line 11, after “bond” insert “from such owners.”
- ” same line, leave out “with three sufficient sureties to his satisfaction duly executed by such owners.”
- Clause X., line 34, leave out “from” and insert “upon.”
- ” same line, after “kept” leave out “driven.”
- ” same line, after “depastured” insert “and driven.”
- Clause XI., line 47, after “sheep” leave out “so examined and destroyed,” and insert in lieu thereof “found to be infected.”
- ” line 48, leave out “thereof,” and insert in lieu thereof “of such destruction or examination as the case may be.”
- Clause XII., line 6 (page 4), leave out “any.”
- Clause XIV., line 15, leave out “whatever.”
- ” same line, after “are” insert “commonly.”
- Clause XVIII., line 42, leave out “August,” and insert in lieu thereof “November.”
- ” line 48, leave out “such first day of August One thousand eight hundred and sixty-two,” and insert “the commencement of this Act.”
- Leave out the schedule and insert instead thereof the following:—

“SCHEDULE REFERRED TO

Know all men by these presents that we A. B. of C. D. of M. N. of and E. F. of are jointly and severally held and firmly bound to G. H. of inspector of scab in the penal sum of £ [here insert double the estimated value of the sheep at seven shillings per head] for which sum to be well and truly paid to him we do hereby bind ourselves our heirs executors and administrators and our and their goods and chattels

Sealed with our seals and dated this day of 18

Whereas the above bounden A. B. C. D. M. N. and E. F. have given notice in writing to the said inspector of scab to destroy certain sheep infected with the disease called scab now kept or depastured at Now the condition of the said bond is such that if the said A. B. C. D. M. N. and E. F. or one of them their or one of their executors administrators or assigns do and shall pay to the owner of the said sheep the full value thereof or of such thereof as may have been or may be destroyed according to the aforesaid notice not exceeding seven shillings per head for each of such sheep then the above-written obligation to be null and void otherwise to remain in full force and virtue.”

And the said resolutions were read a second time and agreed to.

Ordered—That the said Bill be returned to the Legislative Council, with a Message acquainting them that the Legislative Assembly have agreed to the said several amendments.



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

- “ *Ways and Means—To be considered in Committee,*”
- “ *Distillation Bill—To be further considered in Committee,*”
- “ *Gold Mining Leases Bill—To be further considered in Committee,*”
- “ *Melbourne and Hobson’s Bay Railway Act Amendment Bill—Consideration of Report—Resumption of debate,*”
- “ *Signals Bill—Second reading,*” until this day ;
- “ *Main Murray Road—Report of Select Committee—To be considered in Committee,*” until Wednesday, 28th May instant ;
- “ *Medical Practitioners Bill—To be further considered in Committee,*”
- “ *Anatomy Bill—Second reading,*” until this day ;
- “ *Melbourne and Geelong Corporations Acts Amendment Bill—Consideration of Report—Resumption of debate,*” until Friday, 23rd May instant ;

20. FISHERIES BILL.—On the motion of Mr. L. L. Smith, the amendment made by the Committee in this Bill was read and agreed to by the Assembly.

On the motion of Mr. L. L. Smith, the Assembly ordered that the words “when wet” be inserted in lines 5, 7, 8, 11 and 12 of Clause III. of this Bill.

Mr. Speaker 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 Mr. L. L. Smith read a third time.

Mr. L. L. Smith moved, pursuant to *contingent* notice, That the following new clause be now read—“If any person shall have in his possession any net the size of the meshes of which shall be less in the bunt than one inch, or the meshes of the wings of which shall be less than one inch and a half, and shall be convicted thereof by two justices of the peace. such justices shall be and are hereby empowered to order such net to be forfeited and destroyed.”

Question—put and resolved in the affirmative.

And the said clause having been read a first, second, and third time was added to the Bill.

Question—That this Bill do now pass—put and resolved in the affirmative.

Mr. L. L. Smith moved, That the following be the title of the Bill:—“*An Act to amend the Law for the protection of the Fisheries of Victoria.*”

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.

Assembly adjourned at four minutes to one o’clock until four o’clock p.m. this day.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 89.

WEDNESDAY, 21ST MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PAPERS.—Mr. O'Shanassy presented—  
Federal Union of the Australian Colonies.—Copy of a Letter from the Colonial Secretary, Tasmania, intimating that the Parliament of that Colony has revived the question of Federal Union, and has nominated Delegates.  
Read and ordered to lie on the Table.
3. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Twenty-fifth Report from this Committee.  
Ordered to lie on the Table and to be printed.
4. MALMSBURY RAILWAY STATION COMMITTEE.—Mr. Tucker, having moved for and obtained leave from the Assembly, brought up a Progress Report from this Committee.  
Ordered to lie on the Table and to be printed.
5. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the several Orders of the Day, Government Business, and General Business, 1 to 6, inclusive, be postponed until after the consideration of the 7th Order for to-day, General Business.
6. CHIEF MEDICAL OFFICER.—Mr. Cohen moved, pursuant to notice, That the Report of the Select Committee upon the case of the Chief Medical Officer be referred to the Committee of Supply, to be taken into consideration when that portion of the Estimates are under consideration.  
Question—put and resolved in the affirmative.
7. DR. EMBLING.—Mr. Frazer moved, pursuant to notice, That the Petition of Dr. Embling, presented to this House on the 23rd January last, be printed.  
Question—put and resolved in the affirmative.
8. MR. GEORGE DILL.—The Order of the Day for the resumption of the debate on the question, That Mr. George Dill be discharged from the custody of the Serjeant-at-Arms upon payment of his fees—having been read,  
Question—That Mr. George Dill be discharged from the custody of the Serjeant-at-Arms upon payment of his fees—put and resolved in the affirmative.
9. POSTPONEMENT OF ORDER OF THE DAY.—The Assembly ordered that the consideration of the following Order of the Day be postponed until after the consideration of the 2nd Order for to-day:—  
“*Supply—Resolutions to be reported.*”
10. CHAIRMAN OF COMMITTEES.—Mr. O'Shanassy moved, by leave of the Assembly, that Dr. Macadam do take the Chair in the Committee of Supply, the Committee of Ways and Means, and in all Committees of the whole Assembly this day.  
Question—put and resolved in the affirmative.
11. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.  
Mr. Speaker resumed the Chair; and Dr. Macadam reported that the Committee had come to certain resolutions.  
Ordered—That the said Report be received to-morrow.  
Dr. Macadam also acquainted the House that he was directed to move that he have leave to sit again.  
Resolved—That this House will, to-morrow, again resolve itself into the said Committee.

12. SUPPLY—ESTIMATES FOR 1862.—Dr. Macadam reported from the Committee of Supply certain resolutions, which were read, and are as follow :—

21st May.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the charges for the year 1862 for the several services hereunder specified, being—

Classification.			No.	Class.	Schedule.	I.—CHIEF SECRETARY. <i>Salaries and Wages.</i>	£ s. d.		
						DIVISION No. 2. LEGISLATIVE ASSEMBLY.			
			1	1	1	(No. 1.)—The Clerk of the Assembly ...	850	0	0
						<i>And in the opinion of the Committee this item should be increased by £50.</i>			
			1	1	1	(No. 2.)—The Clerk Assistant ...	600	0	0
						<i>And in the opinion of the Committee this item should be increased by £50.</i>			
						DIVISION No. 3. THE LIBRARY.			
			1	1	1	(No. 3.)—The Librarian ..	700	0	0
						DIVISION No. 4. CHIEF SECRETARY'S OFFICE.			
			1	1	1	(No. 4.)—Under Secretary ...	1,000	0	0
						DIVISION No. 5. REGISTRAR GENERAL AND REGISTRAR OF SUPREME COURT.			
			1	1	1	(No. 5.)—Registrar General and Registrar Supreme Court ...	900	0	0
						DIVISION No. 8. PENAL.			
						Subdivision No. 1.			
			1	1	1	(No. 6.)—Inspector-General, including allowance for forage ...	900	0	0
						DIVISION No. 12. SHORTHAND WRITER.			
			1	1	1	(No. 7.)—Shorthand Writer ...	600	0	0
						DIVISION No. 14. BOTANIC GARDENS.			
			1	1	1	(No. 8.)—Government Botanist, with quarters	600	0	0
						DIVISION No. 15. MUSEUM.			
			1	1	1	(No. 9.)—Director of Museum, Palæontologist (acting also as Zoologist) ...	300	0	0
						DIVISION No. 16. AUDIT OFFICE.			
			1	1	1	(No. 10.)—Secretary to the Audit Commissioners ...	600	0	0
						II.—ATTORNEY-GENERAL. <i>Salaries and Wages.</i>			
						DIVISION No. 25. LAW OFFICERS OF THE CROWN.			
			1	1	1	(No. 11.)—Secretary to the Law Officers ...	610	0	0
						DIVISION No. 27. PROTHONOTARY.			
			1	1	1	(No. 12.)—Prothonotary (professional) ...	800	0	0
						DIVISION No. 30. SHERIFFS.			
						Subdivision No. 1.			
			1	1	1	(No. 13.)—Sheriff ...	1,000	0	0

Classification.				£	s.	d.
No.	Class.	Schedule.				
<b>IV.—TREASURER.</b>						
<i>Salaries and Wages.</i>						
DIVISION No. 36.						
TREASURER.						
Subdivision No. 1.						
TREASURER'S OFFICE.						
1	1	1	(No. 14.)—Under Treasurer ... ..	900	0	0
1	1	1	(No. 15.)—Accountant to the Treasury ...	625	0	0
Subdivision No. 2.						
RECEIVERS AND PAYMASTERS, MELBOURNE.						
1	1	1	(No. 16.)—Receiver and Paymaster ...	625	0	0
DIVISION No. 37.						
STORES AND TRANSPORT.						
1	1	1	(No. 17.)—Government Storekeeper ...	600	0	0
DIVISION No. 38.						
GOVERNMENT PRINTER.						
1	1	1	(No. 18.)—Government Printer, with quarters, fuel, light, and water ... ..	700	0	0
<hr/>						
<b>V.—COMMISSIONER OF CROWN LANDS AND SURVEY.</b>						
<i>Salaries and Wages.</i>						
DIVISION No. 52.						
SURVEY, SALE, AND MANAGEMENT OF CROWN LANDS.						
Subdivision No. 1.						
SURVEY BRANCH.						
1	1	1	(No. 19.)—Surveyor General (professional) ...	1,000	0	0
Subdivision No. 2.						
ADMINISTRATIVE BRANCH.						
1	1	1	(No. 20.)—Assistant Commissioner of Lands and Survey ... ..	900	0	0
Subdivision No. 3.						
MINING AND GEOLOGICAL SURVEYS.						
1	1	1	(No. 21.)—Director of Mining and Geological Surveys ... ..	800	0	0
Subdivision No. 4.						
OBSERVATORY.						
1	1	1	(No. 22.)—Government Astronomer, also Superintendent of Geodetic Survey (pro- fessional) ... ..	600	0	0
<hr/>						
<b>VI.—COMMISSIONER OF PUBLIC WORKS.</b>						
<i>Salaries.</i>						
DIVISION No. 57.						
PUBLIC WORKS.						
1	1	1	(No. 23.)—Inspector - General of Public Works &c. (professional) ... ..	1,200	0	0

Classification.			£	s.	d.
No.	Class.	Schedule.			
<b>VII.—COMMISSIONER OF TRADE AND CUSTOMS.</b>					
<i>Salaries and Wages.</i>					
DIVISION No. 60.					
CUSTOMS.					
Subdivision No. 1.					
OFFICE, INCLUDING IMMIGRATION.					
1	1	1	(No. 24.)—Secretary for Customs and Immigration Agent ... ..	800	0 0
Subdivision No. 2.					
MELBOURNE.					
<i>Indoor.</i>					
1	1	1	(No. 25.)—Collector of Customs ... ..	900	0 0
Subdivision No. 3.					
GEE LONG.					
1	1	1	(No. 26.)—Collector of Customs, Assistant Immigration Agent, and Shipping Master	700	0 0
DIVISION No. 61.					
PORTS AND HARBORS.					
Subdivision No. 1.					
HOBSON'S BAY.					
1	1	1	(No. 27.)—Chief Harbor Master (professional)	700	0 0
DIVISION No. 65.					
DISTILLERIES.					
1	1	1	(No. 28.)—Chief Inspector of Distilleries ...	700	0 0
<b>VIII.—POSTMASTER GENERAL.</b>					
<i>Salaries and Wages.</i>					
DIVISION No. 71.					
POST OFFICES.					
Subdivision No 1.					
GENERAL POST OFFICE.					
1	1	1	(No. 29.)—Secretary ... ..	900	0 0
1	1	1	(No. 30.)—Inspector of Postal Service ...	620	0 0
DIVISION No. 72.					
ELECTRIC TELEGRAPH.					
Subdivision No. 1.					
GENERAL SUPERINTENDENT'S OFFICE.					
1	1	1	(No. 31.)—General Superintendent... ..	850	0 0
DIVISION No. 74.					
MINING DEPARTMENT.					
Subdivision No. 1.					
1	1	1	(No. 32.)—Secretary for Mines ... ..	750	0 0
<b>IX.—COMMISSIONER OF RAILWAYS AND ROADS AND BRIDGES.</b>					
<i>Salaries and Wages.</i>					
DIVISION No. 76.					
RAILWAYS.					
Subdivision No. 1.					
SECRETARY'S OFFICE.					
1	1	1	(No. 33.)—Secretary for Railways ... ..	800	0 0
DIVISION No. 77.					
ROADS AND BRIDGES.					
1	1	1	(No. 34.)—Assistant Commissioner of Roads and Bridges ... ..	800	0 0
1	1	1	(No. 35.)—Inspector-General of Roads (professional) ... ..	800	0 0

And the said resolutions were read a second time and agreed to.

13. **DISTILLATION BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

Mr. Speaker resumed the Chair; and Dr. Macadam having reported that the Committee had gone through the Bill, and agreed to the same with amendments, the Assembly ordered the same to be taken into consideration Friday, 23rd May instant.—Bill as amended to be printed.

14. **SCAB ACT AMENDMENT BILL.**—Mr. Speaker announced that he had this day received from the Clerk of the Parliaments a communication, which he read to the House, and is as follows :—

21st May, 1862.

SIR,

I have the honor to report that the following clerical error has been discovered in the Bill, intituled, "*An Act to repeal an Act intituled 'An Act for preventing the extension of the disease called Scab in Sheep' and to substitute other provisions in lieu thereof:*"

In Clause VIII. of the Bill, the words "six shillings," as an estimate of value of sheep, are used; while in the schedule to the Bill, having reference to such estimate of value, the words "seven shillings" are used in two places.

I have the honor to be,

Sir,

The Honorable  
The Speaker.

Your most obedient servant,  
G. W. RUSDEN,  
Clerk of the Parliaments.

Mr. Mollison then moved, That a Message be transmitted to the Legislative Council, requesting them to strike the word "seven" out of the schedule to this Bill, and insert instead thereof the word "six" in the two places referred to by the Clerk of the Parliaments.

Question—put and resolved in the affirmative.

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

"*Ways and Means—To be considered in Committee,*" until Friday, 23rd May instant;

"*Gold Mining Leases Bill—To be further considered in Committee,*"

"*Justices Law Administration Bill—To be further considered in Committee,*" until after the consideration of the 1st Notice of Motion for to-day.

16. **PRIMARY SCHOOLS BILL.**—Mr. O'Shanassy moved, pursuant to notice, That he have leave to bring in a Bill for the establishment and maintenance of Primary Schools.

Question—put and resolved in the affirmative.

Ordered—That Mr. O'Shanassy and Dr. Evans do prepare and bring in the Bill.

Mr. O'Shanassy then brought up a Bill, intituled, "*A Bill for the establishment and maintenance of Primary Schools,*" 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.

17. **GOLD MINING LEASES BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read.—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

And the House having continued to sit till after twelve of the clock—

THURSDAY 22ND MAY, 1862.

Mr. Speaker resumed the Chair; and Dr. Macadam 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 this House will, on Friday, 23rd May instant, again resolve itself into the said Committee.

18. **IMPRISONMENT FOR DEBT LIMITATION BILL.**—Dr. Mackay moved, pursuant to notice, That he have leave to bring in a Bill to limit the power of Imprisonment for certain debts and demands.

Question—put and resolved in the affirmative.

Ordered—That Dr. Mackay and Mr. Levey do prepare and bring in the Bill.

Dr. Mackay then brought up a Bill, intituled, "*A Bill to limit the power of Imprisonment for certain debts and demands,*" 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 Friday, 30th May instant.

19. SUPREME COURT COSTS BILL.—Dr. Mackay moved, pursuant to notice, That he have leave to bring in a Bill to reduce the expenses of proceedings in the Supreme Court.  
 Question—put and resolved in the affirmative.  
 Ordered—That Dr. Mackay and Mr. Levey do prepare and bring in the Bill.  
 Dr. Mackay then brought up a Bill, intituled, “*A Bill to reduce the expenses of proceedings in the Supreme Court,*” 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 Friday, 30th May instant.
20. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—  
 “*Justices Law Administration Bill—To be further considered in Committee,*” until Friday, 23rd May instant ;  
 “*Church Act Amendment Bill—Second reading,*”  
 “*Oyster Fisheries Act Amendment Bill—Second reading,*” until Tuesday, 27th May instant ;  
 “*Mr. Hines—Report from Select Committee to be considered in Committee,*” until this day ;  
 “*Judges of Courts of Mines and County Courts—Resolution to be considered in Committee,*” until Tuesday, 27th May instant ;  
 “*Game Preservation Bill—Consideration of Report,*” until this day ;  
 “*Equity Jurisdiction Bill—Consideration of Report,*” until Tuesday, 27th May instant ;  
 “*Melbourne and Hobson’s Bay Railway Act Amendment Bill—Consideration of Report—Resumption of Debate,*”  
 “*Signals Bill—Second Reading,*”  
 “*Medical Practitioners Bill—To be further considered in Committee,*” and  
 “*Anatomy Bill—Second reading,*” until this day.

Assembly adjourned at twenty minutes to one o’clock until four o’clock, p.m., this day.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 90.

THURSDAY, 22ND MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. CASTLEMAINE AND SANDHURST WATER SUPPLY COMMITTEE.—Mr. Denovan having moved for and obtained leave, brought up a Progress Report from this Committee.  
Ordered to lie on the Table and to be printed.
3. PETITION.—Mr. Nicholson presented a Petition from certain members of the United Church of England and Ireland residing within the parish of Sandridge, praying that, in the event of the removal of the two existing School Boards, such steps might be taken as shall be approved by this House for the substitution of such a system of National education as shall oppose no obstacle to instruction in the word of God, and in the creeds and formularies of the Church of England, as a necessary part of the daily exercises of those pupils within her schools who belong to that church; or to the corporate right, without prejudice, of control and management over her own schools and school premises, as at present vested in that church; so that, while a sound and enlightened literary education shall be secured to all, the just claims of your petitioners may not be denied by reason of their adherence to principles dictated by their consciences and entertained by a very large majority of their fellow subjects in the mother country.  
Ordered to lie on the Table.
4. COMMON SCHOOLS BILL.—Mr. Heales moved, That this Bill be now read a second time.  
Debate ensued.  
Mr. Haines moved, as an amendment, That the word “now” be omitted, and the words “this day six months” added after the word “time.”  
Debate continued.  
Question—That the word proposed to be omitted stand part of the question—put and resolved in the affirmative.  
Question—That this Bill be now read a second time—put and resolved in the affirmative.  
Bill read a second time.
5. MESSAGE FROM THE LEGISLATIVE COUNCIL.—The following Message from the Legislative Council by the Clerk-Assistant of the Council :—  
MR. SPEAKER,  
The Legislative Council inform the Legislative Assembly that they have agreed to the Bill intituled, “*An Act to authorize the exportation from the Colony of Victoria free of Customs duty of Gold not being the produce of the said Colony and for other purposes,*” without amendment.  
(Signed) MATTHEW HERVEY,  
Acting President.  
Legislative Council Chamber,  
Melbourne, 22nd May, 1862.
6. CHAIRMAN OF COMMITTEES.—Mr. Heales, by leave of the Assembly, moved, That Dr. Macadam do take the Chair in all Committees of the whole Assembly this day.  
Question—put and resolved in the affirmative.
7. COMMON SCHOOLS BILL.—Mr. Heales moved, That this Bill be committed to a Committee of the whole Assembly.  
Capt. Mac Mahon moved, as an amendment, That all the words after the words “to a” be omitted, with a view to insert instead thereof the words “Select Committee.”  
Debate ensued.



And the House having continued to sit till after twelve of the clock,

FRIDAY, 23RD MAY, 1862.

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

Assembly divided.

Ayes, 35.		Noes, 23.	
Mr. Berry,	Mr. McCann,	Mr. Aspinall,	Mr. Orkney,
Mr. K. E. Brodribb,	Mr. MacDonald,	Mr. Bennett,	Mr. O'Connor,
Mr. J. Davies,	Mr. McLellan,	Mr. Cathie,	Mr. O'Grady,
Mr. Denovan,	Mr. Nicholson,	Mr. Cummins,	Mr. O'Shanassy,
Mr. Don,	Mr. Orr,	Mr. Gavan Duffy,	Mr. A. J. Smith,
Mr. Francis,	Dr. Owens,	Mr. Edwards,	Mr. W. C. Smith,
Mr. Gillies,	Mr. Pope,	Dr. Evans,	Mr. Tucker,
Dr. Girdlestone,	Mr. Ramsay,	Mr. Haines,	Mr. Wood.
Mr. Gray,	Mr. Richardson,	Mr. Hood,	
Mr. Heales,	Mr. Service,	Mr. Ireland,	<i>Tellers.</i>
Dr. Hedley,	Mr. Sinclair,	Mr. Johnston,	
Mr. Higinbotham,	Mr. Verdon,	Dr. Mackay,	Mr. Anderson,
Mr. Houston,	Mr. Weeks,	Capt. Mac Mahon,	Mr. Levey.
Mr. Humffray,	Mr. Wright.		
Mr. Kirk,			
Mr. Lambert,	<i>Tellers.</i>		
Mr. Levi,			
Dr. Macadam,	Mr. Woods,		
Mr. McCulloch,	Mr. L. L. Smith.		

And so it was resolved in the affirmative.

Question—That this Bill be committed to a Committee of the whole Assembly—put and resolved in the affirmative.

Mr. Heales moved, That this Bill be now committed.

Question—put and resolved in the affirmative.

Question—That Mr. Speaker do now leave the Chair—put and resolved in the affirmative.

Whereupon Mr Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.

Mr. Speaker resumed the Chair, and Dr. Macadam 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 this House will, on Thursday, 29th instant, again resolve itself into the said Committee.

8. PRIMARY SCHOOLS BILL.—Mr. O'Shanassy moved, That this Bill be now read a second time.

Debate ensued.

Question—put.

Assembly divided.

Ayes, 21.		Noes, 29.	
Mr. Aspinall,	Capt. Mac Mahon,	Mr. Berry,	Mr. McLellan,
Mr. Bennett,	Mr. Orkney,	Mr. Cathie,	Mr. Orr,
Mr. Cummins,	Mr. O'Connor,	Mr. Cohen,	Dr. Owens,
Mr. Gavan Duffy,	Mr. O'Grady,	Mr. J. Davies,	Mr. Pope,
Dr. Evans,	Mr. O'Shanassy,	Mr. Denovan,	Mr. Ramsay,
Dr. Hedley,	Mr. W. C. Smith,	Mr. Don,	Mr. Richardson,
Mr. Hood,	Mr. Tucker.	Mr. Francis,	Mr. Service,
Mr. Howard,		Mr. Gillies,	Mr. Sinclair,
Mr. Ireland,	<i>Tellers.</i>	Dr. Girdlestone,	Mr. Verdon,
Mr. Johnston,		Mr. Gray,	Mr. Weeks,
Mr. Kirk,	Mr. Anderson,	Mr. Heales,	Mr. Wright.
Dr. Macadam,	Mr. Levey.	Mr. Higinbotham,	
		Mr. Houston,	<i>Tellers.</i>
		Mr. Lambert,	
		Mr. Levi,	Mr. L. L. Smith,
		Mr. McDonald,	Mr. Woods.

And so it passed in the negative.

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

- “ *Building Act Extension Bill—Second reading,*” until Thursday, 29th May instant ;
- “ *Weights and Measures Bill—To be further considered in Committee,*” until Tuesday, 27th May instant ;
- “ *Insolvency Bill—Second reading,*”
- “ *Printing Act Amendment Bill—Second reading,*” until Thursday, 5th June next ;
- “ *Colonial Wines Sale Bill—To be further considered in Committee,*”
- “ *Markets Bill—Second reading,*”
- “ *Hawkers Act Amendment Bill—To be further considered in Committee,*” until Thursday, 29th May instant ;
- “ *Supply—Resolutions to be reported,*”
- “ *Supply—To be further considered in Committee,*” until this day ;
- “ *Mr. Hines—Report from Select Committee—To be considered in Committee,*”
- “ *Game Preservation Bill—Consideration of Report,*” until Wednesday, 28th May instant ;
- “ *Melbourne and Hobson's Bay Railway Act Amendment Bill—Consideration of Report—Resumption of Debate,*”
- “ *Signals Bill—Second reading,*”
- “ *Medical Practitioners Bill—To be further considered in Committee,*” until this day ;
- “ *Anatomy Bill—Second reading,*” until Wednesday, 28th May instant.

10. DISCHARGE OF ORDER OF THE DAY.—The following Order of the Day was read and discharged :—

- “ *Contractors and Workmen Lien Bill—Second reading.*”

Assembly adjourned at ten minutes past two o'clock until four o'clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 91.

FRIDAY, 23RD MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—Mr. Levey presented a Memorial from certain landholders and residents in the County of Normanby, praying the House would take their case, as set forth in the Petition, into consideration, in order that the most rigorous steps might be taken to stop the spread of thistles, and that impartial inspectors be appointed to see the same carried into effect.  
Ordered to lie on the Table.  
Mr. Brodribb presented a Petition from the Municipal Council of Prahran, under the seal of the said municipality, praying that the House would, in any Grant-in-Aid made to the Corporation of Melbourne, enjoin upon them the immediate repair of that portion of the Punt Road, St. Kilda, situated between the Gardiner's Creek Road and High street.  
Ordered to lie on the Table.
3. MESSRS. DUNLOP AND REGAN.—Mr. McCann moved, by leave of the Assembly, That the evidence having reference to the claims of Messrs. Dunlop and Regan, taken before the Committee of the Legislative Council in the year 1854, to enquire into the claims of Gold Discoverers, be referred to the Committee now sitting upon the same subject.  
Question—put and resolved in the affirmative.
4. PAPERS.—Mr. Johnston presented—  
Roads and Bridges—Return, showing the amount of Funds handed over to each District Road Board, to be expended on Main Roads, in accordance with a resolution of Parliament.  
Ordered to lie on the Table.
5. FEDERAL UNION.—Mr. Gavan Duffy moved, pursuant to notice, That a Select Committee be appointed to consider and report on the subject of a Federal Union of the Australian Colonies; such Committee to consist of Mr. O'Shanassy, Mr. Nicholson, Mr. Sullivan, Mr. McCulloch, Mr. Heales, Mr. Anderson, Mr. Mollison, Dr. Evans, and the Mover; three to form a quorum.  
Question—put and resolved in the affirmative.
6. SUPPLY—ESTIMATES FOR 1862.—Dr. Macadam reported from the Committee of Supply certain resolutions, which were read, and are as follow :—  
21st May. Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the charges for the year 1862 for the several services hereunder specified, being—

## I.—CHIEF SECRETARY.

DIVISION No. 18.	£	s.	d.	£	s.	d.
ABORIGINES.						
(No. 1.)—To meet all expenses for Rations, Clothing, Stores, Medical Attendance, Buildings, and Salaries of Guardian and Teachers, &c....	...			6,000	0	0

*And in the opinion of the Committee this item should be increased by £500.*

I.—CHIEF SECRETARY—*continued.*

	£	s.	d.	£	s.	d.
(No. 2.)—DIVISION No. 20. ELECTORAL.	...			4,000	0	0
DIVISION No. 21. CENSUS.						
(No. 3.)—To defray the expenses of completing the compilation of the Census ... ..	...			3,500	0	0
DIVISION No. 22. GRANTS.						
Subdivisions—( <i>Inalterable</i> ).						
(No. 4.)—No. 1. For the encouragement of Agriculture, to be dispensed by the Board of Agriculture ... ..	6,000	0	0			
(No. 5.)—No. 2. To the Botanic Gardens, Geelong...	1,000	0	0			
(No. 6.)—No. 3. For the purchase of books for Mechanics' Institutes or Public Libraries in Country districts. Provided—(1st) That grants be made in proportion to sums collected by private Subscriptions or local rates during 1862; (2nd) That no grant exceeding £200 be paid to any one Library; and (3rd) That no grant be made to any such Institution already established or to be established in Melbourne or within ten miles thereof ... ..	2,000	0	0			
(No. 7.)—No. 4. To the Acclimatization Society ...	3,000	0	0			
(No. 8.)—No. 5. Industrial Exhibition, including expenses of printing catalogue ... ..	3,500	0	0			
(No. 9.)—No. 6. Exploration of Australia ... ..	5,000	0	0			
(No. 10.)—No. 7. Monument to Burke and Wills ...	4,000	0	0			
				24,500	0	0
DIVISION No. 23. MISCELLANEOUS.						
Subdivisions—( <i>Inalterable</i> ).						
(No. 11.)—No. 1. Maintenance of Deserted Children	5,000	0	0			
(No. 12.)—No. 2. Rewards under the Dog Act ...	700	0	0			
(No. 13.)—No. 3. Rewards for Apprehension of Offenders... ..	200	0	0			
				5,900	0	0

And the said resolutions were read a second time, and agreed to by the Assembly.

7. CHAIRMAN OF COMMITTEES.—Mr. O'Shanassy, by leave of the Assembly, moved, That Dr. Macadam do take the Chair in the Committee of Supply, the Committee of Ways and Means, and in all Committees of the whole Assembly this day.  
Question—put and resolved in the affirmative.
8. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.  
Mr. Speaker resumed the Chair; and Dr. Macadam reported that the Committee had come to certain resolutions.  
Ordered—That the said Report be received Tuesday next.  
Dr. Macadam also acquainted the House that he was directed to move that he have leave to sit again.  
Resolved—That this House will, on Tuesday next, again resolve itself into the said Committee.
9. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under:—  
“*Licensed Publicans Acts Amendment Bill (2)—Second reading,*”  
“*Ways and Means—To be considered in Committee,*”  
“*Distillation Bill—Consideration of Report,*”  
“*Gold Mining Leases Bill—To be further considered in Committee,*”  
“*Justices Law Administration Bill—To be further considered in Committee,*” until Tuesday, 27th May instant;  
“*Mr. Hennelle—Report from Select Committee to be considered in Committee,*” until Tuesday, 3rd June next;  
“*Melbourne and Geelong Corporations Acts Amendment Bill—Consideration of Report—Resumption of debate,*”  
“*Signals Bill—Second reading,*” and  
“*Medical Practitioners Bill—To be further considered in Committee,*” until Tuesday, 27th May instant.

10. REFUGE.—Mr. Kyte moved, pursuant to notice, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Governor, requesting him to place on an Additional Estimate for 1862 the sum of £1000 towards the building and maintenance of the Protestant Refuge, and a like sum towards the building and maintenance of the Catholic Refuge.

Question—put and resolved in the affirmative.

11. MR. H. L. LINDSAY.—Dr. Mackay moved, pursuant to notice, That a Select Committee be appointed to enquire into, and report upon, the claim of Mr. H. L. Lindsay on the Government, in respect of a certain survey contract entered into between the Government and Mr. Lindsay ; such Committee to consist of Mr. Hood, Mr. Sinclair, Mr. Don, Mr. Frazer, Mr. Ramsay, Mr. Kyte, Mr. Bennett, Mr. McLellan, Mr. Gillies, and the Mover ; with power to send for persons and papers ; three to form a quorum.

Debate ensued.

Question—put and negatived.

12. LAPSED ORDER OF THE DAY.—The following Order of the Day was read and lapsed—  
“*Newspaper Bill—Second reading.*”

13. DISCHARGE OF ORDER OF THE DAY.—On the motion of Mr. Anderson, the following Order of the Day was read and discharged—

“*Melbourne and Hobson’s Bay Railway Act Amendment Bill—Consideration of Report—Resumption of debate.*”

14. MELBOURNE AND HOBSON’S BAY RAILWAY ACT AMENDMENT BILL.—Mr. Anderson moved, pursuant to *contingent* notice, That the Special Report from the Select Committee to which this Bill was referred be referred back to the said Committee.

Question—put and resolved in the affirmative.

Assembly adjourned at twenty-five minutes past seven o’clock until four o’clock on Tuesday next.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 92.

TUESDAY, 27<sup>TH</sup> MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—Mr. McLellan presented a Petition from the miners and others, residents at Dunolly and Burnt Creek, praying the House to reject the Gold Mining Leases Bill.  
Petition read and ordered to lie on the table.  
Dr. Hedley presented a Petition from certain Residents in Gipps Land, praying the House to pass such measures as might be required to establish telegraphic communication with Melbourne and Gipps Land.  
Ordered to lie on the table.  
Mr. Frazer presented a Petition from certain holders of miner's rights residing on the Maryborough Gold Field, praying the House to take the objections set forth in the Petition to the Gold Mining Leases Bill into consideration.  
Ordered to lie on the Table.  
Mr. Cohen presented a Petition from the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne, under the Seal of the said City, praying this House to take the statements set forth in the Petition into consideration, and thereupon refuse to entertain any such motion as referred to in the Petition.  
Ordered to lie on the Table.  
Mr. Cohen presented a Petition from the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne, praying the House to refuse to entertain a clause proposed to be added to the Melbourne and Geelong Corporations Acts Amendment Bill.  
Ordered to lie on the Table.  
Mr. Edwards presented a Memorial from the Chairman and members of the Municipal Council of FitzRoy, under the seal of the municipality, praying that, inasmuch as it would contribute materially to public advantage and to the benefit of the City of Melbourne and its suburbs that the carriage-way of Nicholson-street should be maintained in efficient repair, and that the City Corporation should bear a moiety of the expense incurred thereby, the proportion of the Grant-in-aid to municipalities distributed to the City Corporation be charged with a sum sufficient for the maintenance of one-half of the carriage-way of Nicholson-street until 30th June, 1863.  
Petition read and ordered to lie on the Table.
3. PRIVILEGE.—Mr. Speaker announced that copies of a Writ, issued from the Supreme Court had been served upon himself and the Serjeant-at-Arms, at the suit of Mr. George Dill, Whereupon Mr. O'Shanassy moved, That Sir Francis Murphy, Knight, the Honorable the Speaker of this House, have leave to appear and defend the action brought against him by George Dill.  
Question—put and resolved in the affirmative.  
Mr. O'Shanassy moved, That William George Palmer, Esq., the Serjeant-at-Arms of this House, have leave to appear and defend the action brought against him by George Dill.  
Question—put and resolved in the affirmative.  
Mr. O'Shanassy moved, That Her Majesty's Attorney-General be directed to defend Sir Francis Murphy against the said action.  
Question—put and resolved in the affirmative.  
Mr. O'Shanassy also moved, That Her Majesty's Attorney-General be directed to defend William George Palmer, Esq., against the said action.  
Question—put and resolved in the affirmative.
4. PAPERS.—Mr. O'Shanassy, by command of His Excellency the Governor, presented—  
Agricultural Statistics.—Agricultural and Live Stock Statistics of Victoria for the year ending 31st March, 1861, with preliminary Statistical Notes.  
Chief Medical Officer.—Return of Diseases in the various Establishments under the charge of the Chief Medical Officer, for the year 1861.  
Severally ordered to lie on the Table.

Mr. Johnston presented—

Victorian Railways.—Reply to question put by Mr. W. C. Smith, 14th May instant for a Return showing the cost per week of the Locomotive Department on each of the Victorian Railways.

Ordered to lie on the Table.

Mr. Gavan Duffy, by command of His Excellency the Governor, presented—

Crown Lands alienated.—Return of Crown Lands alienated, from 1st October to 31st December, 1861, inclusive.

Ordered to lie on the Table.

Mr. Anderson presented—

Western Port.—Reply to question put this day by Mr. McCulloch, for a Chart of the Eastern entrance to Western Port Bay, also a Report on the same.

Ordered to lie on the Table.

5. GEELONG JUNCTION RAILWAY.—Mr. Johnston moved, pursuant to notice, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider the propriety of borrowing a sum of money, not exceeding Three hundred thousand pounds, for the purpose of repairing the railway from Melbourne to Geelong, and of forming a junction line between the railway from Melbourne to Geelong and the railway from Geelong to Ballarat, and of authorising the formation of such junction line.

Debate ensued.

Question—put and resolved in the affirmative.

6. SUPPLY—ESTIMATES FOR 1862.—Dr. Macadam reported from the Committee of Supply certain resolutions, which were read, and are as follow :—

23rd May.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the charges for the year 1862 for the services hereunder specified, being—

**VII.—COMMISSIONER OF TRADE AND CUSTOMS.**

DIVISION No 69.

**INTRODUCTION OF IMMIGRANTS.**

Subdivision No. 1.

(No. 1.)—1. For the introduction of Immigrants, to be expended as follows :—

- (a.) £65,000 towards the expenses of introducing into Victoria from the United Kingdom, persons nominated by friends or relatives resident in the Colony.
- (b.) £40,000 for sending out single females and persons selected or nominated in the United Kingdom.
- (c.) £5,000 for the payment of the cost of introduction from Europe of persons (with their families) skilled in the production of wine or oil, and in the drying or preservation of fruit, &c.
- (d.) £3,000 towards the expenses of introducing persons of a similar class to those specified in clause c, with their families, but nominated by residents in this Colony.
- (e.) £7,000 for the payment of gratuities of Surgeons and Officers, &c., of Government Immigrant ships, and the expenses of carrying out these resolutions.

2. The following sums shall be payable in advance, with respect to persons nominated in Victoria, under clause a, who shall be British subjects, free from any mental or bodily defect, and of good character.

Sex.	Under 12.	12 and under 40.	40 and upwards.
Male ...	£4	£8	£9
Female ...	£3	£4	£5

£  
120,000

- 3. That upon the arrival of persons introduced under clause d the Government may pay to the selector, in partial reimbursement of passage money, a sum not exceeding twelve pounds sterling per statute adult.
- 4. That until the 31st day of October next passage warrants shall be issued for natives of England, Ireland, Scotland, and Wales, in proportion to the number of persons resident in Victoria from these countries respectively.
- 5. That the persons selected in the United Kingdom shall be as nearly as possible in proportion to the population of the respective divisions thereof—England and Wales, Ireland, and Scotland.
- 6. That the Governor in Council be empowered to issue regulations to give effect to the foregoing resolutions.

Subdivision No. 2.

(No. 2.)—Conveyance of Immigrants to outports ... .. 700

And the said Resolutions having been read a second time—

On the motion of Mr. Anderson, the Assembly ordered that the words "years of age" be inserted above the 2nd, 3rd, and 4th columns of subdivision No. 2 of Resolution No. 1.

And on the further motion of Mr. Anderson, the Assembly agreed to the above Resolutions as so amended.

7. CHAIRMAN OF COMMITTEES.—Mr. Haines moved, by leave of the Assembly, That Dr. Macadam do take the Chair in the Committee of Supply, the Committee of Ways and Means, and in all Committees of the whole Assembly this day.  
Question—put and resolved in the affirmative.

8. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.  
Mr. Speaker resumed the Chair; and Dr. Macadam reported that the Committee had made progress, and that he was directed to move that he have leave to sit again.  
Resolved—That this House will, to-morrow, again resolve itself into the said Committee.

9. MESSAGE FROM THE LEGISLATIVE COUNCIL.—The following Message from the Legislative Council by the Clerk-Assistant of the Council :—

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that the Legislative Council having considered the urgent necessity of providing against a deficiency of the Revenue, has agreed to the Bill, intituled, "*An Act to amend the Laws relating to the Customs*" (as originally sent to the Council) without amendments, but in doing so the Legislative Council record their dissent from the opinion that the Constitution Act prohibits the Legislative Council making any alteration in such Bill.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
27th May, 1862.

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

"*Licensed Publicans Acts Amendment Bill (2)—Second reading,*"

"*Ways and Means—To be considered in Committee,*"

"*Distillation Bill—Consideration of Report,*"

"*Gold Mining Leases Bill—To be further considered in Committee,*"

"*Justices Law Administration Bill—To be further considered in Committee,*" until to-morrow;

"*Church Act Amendment Bill—Second reading,*"

"*Oyster Fisheries Act Amendment Bill—Second reading,*"

"*Judges of Courts of Mines and County Courts—Resolution to be considered in Committee,*" until Thursday, 29th May instant;

"*Equity Jurisdiction Bill—Consideration of Report,*"

"*Weights and Measures Bill—To be further considered in Committee,*" until to-morrow;

"*Refuges—Motion for Address—To be considered in Committee,*" until Friday, 30th May instant;

"*Signals Bill—Second reading,*"

"*Medical Practitioners Bill—To be further considered in Committee,*" until to-morrow.

11. MELBOURNE AND GEELONG CORPORATIONS ACTS AMENDMENT BILL.—The Order of the Day for the further consideration of the amendments made by the Select Committee in this Bill having been read, new Clauses B., G., and H., were read a second time and agreed to by the Assembly.

New Clause E. being read a second time,

Mr. Bennett moved, That the following words be inserted after the word "year" in line 10 of this new clause, viz., "on which day at the hour of twelve o'clock noon a special meeting of the council shall be held to which meeting the provisions of the first herein-before recited Act relative to the quarterly meetings of the council shall apply."

Debate ensued.

Mr. Heales moved, That the Bill be re-committed to the Select Committee for re-consideration.

Debate continued.

Motion, by leave, withdrawn.

Mr. Anderson moved, That this Bill be now committed to a Committee of the whole Assembly.

Question—put and resolved in the affirmative.

Whereupon Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.



And the House having continued to sit till after twelve of the clock—

WEDNESDAY, 28<sup>TH</sup> MAY, 1862.

Mr. Speaker resumed the Chair, and Dr. Macadam 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 this House will, on Friday 30th May instant, again resolve itself into the said Committee.

Assembly adjourned at sixteen minutes to one o'clock until four o'clock p.m. this day.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 93.

WEDNESDAY, 28<sup>TH</sup> MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Twenty-sixth Report from this Committee.  
Ordered to lie on the Table and to be printed.
3. PETITIONS.—The following Petitions, praying the House to take into favorable consideration the statements set forth therein, and refuse assent to the Licensed Victuallers Acts Amendment Bill in so far as it sanctions the public sale of liquors on the Sabbath-day, were presented as under :—  
By Mr. Richardson :—  
From certain inhabitants of Geelong, belonging to the Wesleyan Church.  
From certain inhabitants of Newtown, Geelong, belonging to the Wesleyan Methodist Church.  
From certain inhabitants of Geelong, belonging to St. Andrew's Presbyterian Church.  
From certain inhabitants of Geelong, belonging to the Congregation of St George's Presbyterian Church.  
From certain inhabitants of Geelong, belonging to the High (Presbyterian) Church.  
From certain inhabitants of Geelong, belonging to the Reformed Presbyterian Church.  
From certain inhabitants of Geelong, belonging to the Congregational Church, McKillop-street.  
From certain inhabitants of Ashby, Geelong, belonging to the Congregational Church.  
From certain inhabitants of Belmont, belonging to the United Christian Church.  
From certain inhabitants of Chilwell, Barrabool Hills, Duneed, and Modewarre, belonging to the Bible Christian Church.  
From certain inhabitants of Geelong belonging to the Trinity Church.  
By Mr. Heales—  
From the minister and members of the Primitive Methodist Church, Vere-street, Collingwood.  
Severally ordered to lie on the Table.
4. CHAIRMAN OF COMMITTEES.—Mr. Haines, by leave of the Assembly, moved, That Dr. Macadam do take the Chair in the Committee of Supply, the Committee of Ways and Means, and in all Committees of the whole Assembly this day.  
Question—put and resolved in the affirmative.
5. DISCHARGE OF ORDER OF THE DAY.—On the motion of Mr. Anderson, the following Order of the Day was read and discharged :—  
“*Distillation Bill—Consideration of Report.*”
6. DISTILLATION BILL.—Mr. Anderson, by leave of the Assembly, moved, That this Bill be now re-committed to a Committee of the whole Assembly.  
Question—put and resolved in the affirmative.  
And on the further motion of Mr. Anderson, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the re-consideration of this Bill.  
Mr. Speaker resumed the Chair; and Dr. Macadam having reported that the Committee had agreed to further amendments in this Bill, the Assembly ordered the same to be taken into consideration to-morrow.—Bill, as amended, to be printed.

7. **GEELONG JUNCTION RAILWAY.**—The Order of the Day for the consideration in Committee of the whole Assembly of the propriety of borrowing a sum of money not exceeding £300,000, for the purpose of repairing the railway from Melbourne to Geelong, and of forming a junction line between the railway from Melbourne to Geelong and the railway from Geelong to Ballarat, and of authorising the formation of such junction line—having been read, on the motion of Mr. Johnston, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration thereof. Mr. Speaker resumed the Chair ; Dr. Macadam reported that the Committee had come to certain resolutions.

Ordered—That the said report be received to-morrow.

8. **SUPPLY.**—The House, according to Order, resolved itself into the Committee of Supply.

And the House having continued to sit till after twelve of the clock—

THURSDAY, 29<sup>TH</sup> MAY, 1862.

Mr. Speaker resumed the Chair ; and Dr. Macadam reported that the Committee had come to certain resolutions.

Ordered—That the said Report be received Friday, 30<sup>th</sup> May instant.

Dr. Macadam also acquainted the House that he was directed to move that he have leave to sit again.

Resolved—That this House will, on Friday, 30<sup>th</sup> instant, again resolve itself into the said Committee.

9. **HORTICULTURAL SOCIETY.**—Mr. O'Grady moved, pursuant to notice, That this House will, to-morrow, resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Governor, requesting him to place upon an Additional Estimate for 1862 the sum of £500, for the purpose of aiding the Horticultural Society of Victoria.

Question—put and resolved in the affirmative.

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

“*Licensed Publicans Acts Amendment Bill (2)—Second reading,*”

“*Ways and Means—To be considered in Committee,*”

“*Gold Mining Leases Bill—To be further considered in Committee,*”

“*Justices Law Administration Bill—To be further considered in Committee,*” until Friday, 30<sup>th</sup> May instant ;

“*Inspector of Pounds—Motion for Address—To be considered in Committee,*” until this day ;

“*Main Murray Road—Report of Select Committee—To be considered in Committee,*” until Wednesday, 4<sup>th</sup> June next ;

“*Mr. Hines—Report from Select Committee—To be considered in Committee,*” until Friday, 30<sup>th</sup> May instant ;

“*Game Preservation Bill—Consideration of Report,*”

“*Anatomy Bill—Second reading,*” until this day ;

“*Equity Jurisdiction Bill—Consideration of Report,*”

“*Weights and Measures Bill—To be further considered in Committee,*” until Friday, 30<sup>th</sup> May instant ;

“*Signals Bill—Second reading,*”

“*Medical Practitioners Bill—To be further considered in Committee,*” until this day.

Assembly adjourned at half-past one o'clock until four o'clock p.m. this day.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 94.

THURSDAY, 29<sup>TH</sup> MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—Mr. McCulloch presented a Petition from the Geelong Presbytery of the Presbyterian Church of Victoria, praying the House would not allow the 50th clause of the Licensed Victuallers Acts Amendment Bill to become law.  
Ordered to lie on the Table.  
Mr. Weeks presented a Petition from Adam Howie, of Merri Creek, praying the House to take his claims, as set forth in the Petition, into consideration.  
Ordered to lie on the Table.  
Mr. Edwards presented a Petition from Robert Mejemsey, of Barker's Creek, in the township of Castlemaine, praying the House to take his case as set forth in the Petition into consideration, and to adopt such measures as, consistent with the powers of this House, might eventuate in obtaining for the petitioner redress of the grievances therein disclosed.  
Ordered to lie on the Table.  
Mr. L. L. Smith presented a Petition from certain gentlemen, tradesmen, farmers, and others, inhabitants of Hawthorn and vicinity, praying the House to take the Petition into early consideration.  
Petition read and ordered to lie on the Table.
3. PAPERS.—Mr. Johnston presented—  
Sewerage and Water Commission—Receipts and Expenditure, from 1st January to 31st December, 1859.  
Receipts and Expenditure from 1st January to 31st August, 1860.  
Receipts and Expenditure from 1st September to 31st December, 1860.  
Severally ordered to lie on the Table.  
Mr. Gavan Duffy presented—  
Geological Survey.—Reports relative to the Geological Survey of Victoria, 1861.  
Ordered to lie on the Table.  
Dr. Evans presented—  
Post Office Statistics.—Reply to question put by Mr. L. L. Smith, 13th May inst., for a Return of the bulk cost of receipt, transmission, and delivery of all letters and newspapers in Victoria during 1861.  
Ordered to lie on the Table.
4. CONVEYANCERS BILL.—Mr. Higinbotham moved, pursuant to notice, That he have leave to bring in a Bill to amend the Law relating to Conveyancers.  
Debate ensued.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Higinbotham and Mr. Service do prepare and bring in the Bill.  
Mr. Higinbotham then brought up a Bill, intituled, "*A Bill to amend the Law relating to Conveyancers*," 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 Friday, 6th June next.
5. POSTPONEMENT OF ORDER OF THE DAY.—The Assembly ordered that the consideration of the following Order of the Day be postponed until after the consideration of the second Order for to-day :—  
"*Mining on Private Property Bill—Second reading.*"
6. CHAIRMAN OF COMMITTEES.—Mr. Heales moved, by leave of the Assembly, That Dr. Macadam do take the Chair in all Committees of the whole Assembly this day.  
Question—put and resolved in the affirmative.

7. COMMON SCHOOLS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

Mr. Speaker resumed the Chair, Dr. Macadam reported that the following question of Order had arisen in the Committee, viz., That having read a portion of a clause of this Bill, and also an amendment proposed by a certain member, another member proposed to make an amendment in a prior portion of the clause, and it was contended that such second amendment could not be proposed.

And after discussion,

Mr. Speaker ruled that, until a proposed amendment be put from the Chair, it is not in the possession of the Committee, and therefore the proposed amendment might, in his opinion, be considered by the Committee.

Mr. Speaker then left the Chair, and the Assembly again resolved itself into a Committee of the whole, for the further consideration of this Bill.

And the House having continued to sit till after twelve of the clock,

FRIDAY, 30TH MAY, 1862,

Mr. Speaker resumed the Chair, and Dr. Macadam having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Assembly ordered the same to be taken into consideration Thursday, 5th June next; Bill as amended to be printed.

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

“*Mining on Private Property Bill—Second Reading,*” until Thursday, 5th June next;

“*Building Act Extension Bill—Second reading,*” until Thursday, 12th June next;

“*Colonial Wines Sale Bill—To be further considered in Committee,*” until Thursday, 5th June next;

“*Markets Bill—Second reading,*” until this day;

“*Hawkers Act Amendment Bill—To be further considered in Committee,*” until Thursday, 5th June next;

“*Church Act Amendment Bill—Second reading,*”

“*Oyster Fisheries Act Amendment Bill—Second reading,*”

“*Judges of Courts of Mines and County Courts—Resolution to be considered in Committee,*”

“*Distillation Bill—Consideration of Report,*” until this day;

“*Geelong Junction Railway—Resolutions to be reported,*” until Tuesday, 3rd June next;

“*Horticultural Society—Motion for Address—To be considered in Committee,*” until Wednesday, 4th June next;

“*Inspector of Pounds—Motion for Address—To be considered in Committee,*”

“*Game Preservation Bill—Consideration of Report,*” until Tuesday, 3rd June next;

“*Anatomy Bill—Second reading,*”

“*Signals Bill—Second reading,*” until this day;

“*Medical Practitioners Bill—To be further considered in Committee,*” until Tuesday, 3rd June next.

Assembly adjourned at six o'clock until four o'clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 95.

FRIDAY, 30<sup>TH</sup> MAY, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITION.—Dr. Mackay presented a Petition from William John Smith, miner, praying this House would deem his claim, as set forth in the Petition, just, and award him such compensation as he might appear to merit.  
Ordered to lie on the Table.
3. GOLD FIELDS ACT AMENDMENT BILL.—Mr. Wood moved, pursuant to *amended* notice, That he have leave to bring in a Bill to amend an Act, intituled, An Act to amend an Act, intituled, an Act for amending the Laws relating to the Gold Fields.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Wood and Mr. Howard do prepare and bring in the Bill.  
Mr. Wood then brought up a Bill, intituled, "*A Bill to amend an Act intituled 'An Act to amend an Act intituled, an Act for amending the Laws relating to the Gold Fields,'*" 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, 3<sup>rd</sup> June next.
4. CHAIRMAN OF COMMITTEES.—Mr. O'Shanassy, by leave of the Assembly, moved, That Dr. Macadam do take the Chair in the Committee of Supply, the Committee of Ways and Means, and in all Committees of the whole Assembly this day.  
Question—put and resolved in the affirmative.
5. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.  
And the House having continued to sit till after twelve of the clock—

SATURDAY, 31<sup>ST</sup> MAY, 1862.

- Mr. Speaker resumed the Chair; and Dr. Macadam reported that the Committee had come to certain resolutions.  
Ordered—That the said Report be received Tuesday, 3<sup>rd</sup> June next.  
Dr. Macadam also acquainted the House that he was directed to move that he have leave to sit again.  
Resolved—That this House will, on Tuesday, 3<sup>rd</sup> June next, again resolve itself into the said Committee.
6. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—
    - "Distillation Bill—Consideration of Report,"
    - "Supply—Resolutions to be reported,"
    - "Licensed Publicans Acts Amendment Bill (2)—Second reading,"
    - "Ways and Means—To be considered in Committee,"
    - "Gold Mining Leases Bill—To be further considered in Committee,"
    - "Justices Law Administration Bill—To be further considered in Committee,"
    - "Weights and Measures Bill—To be further considered in Committee,"
    - "Imprisonment for Debt Limitation Bill—Second reading,"
    - "Supreme Court Costs Bill—Second reading," until Tuesday, 3<sup>rd</sup> June next;
    - "Refuges—Motion for Address—To be considered in Committee,"
    - "Melbourne and Geelong Corporations Acts Amendment Bill—To be further considered in Committee,"
    - "Mr. Hines—Report from Select Committee to be considered in Committee,"
    - "Equity Jurisdiction Bill—Consideration of Report," until Wednesday, 4<sup>th</sup> June next;
    - "Markets Bill—Second reading," until Tuesday, 3<sup>rd</sup> June next;
    - "Church Act Amendment Bill—Second reading,"
    - "Oyster Fisheries Act Amendment Bill—Second reading,"
    - "Judges of Courts of Mines and County Courts—Resolutions to be considered in Committee," until Wednesday, 4<sup>th</sup> June next;
    - "Anatomy Bill—Second reading,"
    - "Signals Bill—Second reading," until Tuesday, 3<sup>rd</sup> June next.

7. DROMANA JETTY.—Mr. McCulloch moved, pursuant to notice, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Governor, requesting him to place upon an Additional Estimate for 1862 the sum of £200, for the purpose of carrying out the jetty at Dromana to a depth of water that will make it available for the wants of the district.  
Question—put and resolved in the affirmative.
8. MR. ROBERT MEJEMSEY.—Mr. Edwards moved, pursuant to notice, That the Petition of Robert Mejemsey, presented to this House on the 29th May instant, be referred to the Committee now sitting on “Claims for Compensation.”  
Question—put and resolved in the affirmative.
9. NEWSPAPERS BILL.—Mr. Frazer moved, pursuant to notice, That the Order for reading the Bill, intituled, “*A Bill to consolidate and amend the Laws relating to Newspapers,*” a second time be made an Order of the Day for Tuesday next.  
Question—put and resolved in the affirmative.

Assembly adjourned at fourteen minutes past one o'clock until four o'clock on Tuesday next.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 96.

TUESDAY, 3RD JUNE, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. ROADS AND BRIDGES COMMITTEE.—Mr. McLellan having moved for and obtained leave, brought up a Progress Report from this Committee, together with the Proceedings of the Committee and Minutes of Evidence.  
Ordered to lie on the Table, and to be printed.
3. PETITIONS.—Mr. W. C. Smith presented a Petition from Thomas Lang, styling himself President of the Ballarat Chamber of Commerce, praying the House would take steps to enquire why the progress of the Real Property Bill has been delayed, and to press on the said Bill, that it might soon become the law of the land.  
Ordered to lie on the Table.  
Mr. McCann presented a Petition from certain inhabitants of the Parish of Barrabool, praying the House to take the statements set forth in the Petition into favorable consideration, and refuse assent to the Licensed Victuallers Acts Amendment Bill, in so far as it sanctions the public sale of liquors on the Sabbath day.  
Ordered to lie on the Table.  
Mr. Sinclair presented a Petition from certain freeholders and ratepayers of Smith Ward, within the City of Melbourne, on the subject of the Melbourne and Geelong Corporation Acts Amendment Bill.  
Ordered to lie on the Table.
4. PAPERS.—Mr. Gavan Duffy presented, by command of His Excellency the Governor—  
Crown Lands Sales Act.—Refunds to Occupants of Runs.  
Ordered to lie on the Table.
5. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor received and read:—  
HENRY BARKLY,  
*Governor.* *Message No. 16.*  
The Governor transmits to the Legislative Assembly Additional Estimates of Expenditure for 1862, and Further Supplementary Estimates for 1861, and recommends an appropriation of the Consolidated Revenue accordingly.  
Government Offices,  
Melbourne, May, 1862.  
Ordered to be printed, and, together with the accompanying Estimates, referred to the Committee of Supply.
6. PENSIONS BILL COMMITTEE.—Mr. Mollison, on behalf of Mr. Wood, Chairman, brought up the Report from this Committee.  
Ordered to lie on the Table, and, together with the Proceedings of the Committee and Minutes of Evidence, to be printed.
7. DISTILLATION BILL.—On the motion of Mr. Anderson, the Assembly agreed to the amendments made by the Committee of the whole in this Bill.  
Mr. Speaker 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 Mr. Anderson, read a third time and *passed*.  
Mr. Anderson moved, That the following be the title of the Bill:—“*An Act to consolidate and amend the Law relating to the distillation rectifying and compounding of Spirits to the granting a duty upon Spirits distilled in Victoria and to regulate the brewing of Beer and the sale of fermented and spirituous Liquors in certain cases.*”  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.



8. GEELONG JUNCTION RAILWAY.—Dr. Macadam reported from a Committee of the whole certain resolutions, which were read, and are as follow :—

28th May.

Resolved—

- (1.) That the sum of £300,000 be borrowed on the security of the Consolidated Revenue for the purpose of repairing the railway from Melbourne to Geelong, and of forming a junction line between the railway from Melbourne to Geelong and the railway from Geelong to Ballarat.
- (2.) That the Government be authorized to form such junction line.
- (3.) That a Bill be brought in to carry out the above resolutions.

And the said resolutions were read a second time and agreed to by the Assembly.

9. SUPPLY—ESTIMATES FOR 1862.—Dr. Macadam reported from the Committee of Supply certain resolutions, which were read, and are as follow :—

28th and 29th May.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the charges for the year 1862 for the several services hereunder specified, being—

#### IV.—TREASURER.

(No. 1.)—DIVISION No. 44.

##### MILITARY ALLOWANCE.

	£	s.	d.	£	s.	d.
Head Quarters Staff ... ..	3,772	7	1			
Three Companies of Infantry ... ..	7,813	5	8			
One Battery of Royal Artillery ... ..	3,450	7	10			
Contingencies ... ..	4,850	0	0			
				19,886	0	7

*And in the opinion of the Committee this Colony ought not to bear more than its proportion, in conjunction with the adjacent colonies, of the allowance to the Head Quarters Staff of the Australian Command.*

Question—That the consideration of this item be postponed—put and resolved in the affirmative.

(No. 2.)—DIVISION No. 45.

##### ROYAL ENGINEERS.

Captain Commanding and twenty-three non-commissioned officers and men ... ..	2,486	14	1			
Contingencies ... ..	1,150	0	0			
				3,636	14	1

(No. 3.)—DIVISION No. 46.

##### ONE OF HER MAJESTY'S SHIPS.

Pay and allowances ... ..	...			4,000	0	0
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(No. 4.)—DIVISION No. 48.

##### MUNICIPALITIES.

###### GRANTS IN AID.

Subdivisions—Inalterable.

To be distributed as follows :—

No. 1. To the City of Melbourne, to be expended under the sanction of the Board of Land and Works ... .. 9,375 0 0

No. 2. To the Town of Geelong ... .. 3,750 0 0

No. 3. Amongst Municipalities to be created during 1862, in sums not exceeding £1000 to any one Municipality, on the bye-laws fixing the rates of assessment for the first municipal year being approved, provided that such bye-laws shall have been forwarded for approval within the year 1862, and on condition that the expenditure be incurred with the concurrence of the Board of Land and Works ... .. 4,000 0 0

IV.—TREASURER—*continued.*

	£	s.	d.	£	s.	d.
No. 4. Amongst existing Municipalities the sum of £57,875, in proportion to the amount of rates collected for the year 1861, subject to the particular deductions as hereinafter set forth, upon returns finally closed on the 30th June, 1862, and transmitted to the Treasury not later than 31st July, 1862, as follows:—						
To those Municipalities which were created during 1861, and those which received less than £1000 of the Grant in Aid for 1861, their proportion upon the amount of collections without any deductions.	57,875	0	0			
To those Municipalities which were created during 1859 and 1860, subject to a deduction of 15 per cent.						
To those Municipalities which were created in 1857 and 1858, subject to deductions of 33½ per cent., with the exception of the Municipality of Fitzroy, which is to be subject to a deduction of 50 per cent.						
To those Municipalities which were created in 1855 and 1856, subject to a deduction of 50 per cent.						
Total, DIVISION No. 48—MUNICIPALITIES...	...			75,000	0	0
(No. 5.)—DIVISION No. 50.						
ADVANCE TO THE TREASURER.						
To enable the Treasurer to make advances to Public Officers and others to facilitate expenditure under Votes of the Legislature, and to make advances on account of other Governments. The whole amount to be adjusted not later than 31st March, 1863, or earlier at the instance of the Legislative Assembly	...			40,000	0	0
DIVISION No. 51.						
MISCELLANEOUS.						
Subdivisions—( <i>Inalterable</i> ).						
(No. 6.)—No. 2. Expenses of Colonial Agency	1,850	0	0			
(No. 7.)—No. 3. Expenses of Commissions and Boards of Enquiry	500	0	0			
(No. 8.)—No. 4. Expenses of Prosecutions under the Revenue Laws	1,000	0	0			
(No. 9.)—No. 5. To meet unforeseen and accidental Expenditure for the service generally, and to meet claims in 1862 against the Votes of previous years for which the books have been closed	10,000	0	0			
(No. 10.)—No. 6. Grant in aid of the funds of the Jewish community	500	0	0			
(No. 11.)—No. 7. Erection and Repairs of Pounds	1,500	0	0			
(No. 12.)—No. 8. For the purchase of Debentures to the amount of £3000, the interest of which, as it becomes due, to be made payable as an annuity to John King, the survivor of the Exploring Expedition; the Debentures to remain the property of the Government	3,120	0	0			

And the said resolutions were read a second time and agreed to by the Assembly.  
30th May.

(No. 1.)—Resolved—That the sum of £100,000 be granted to Her Majesty, towards defraying the charge for Salaries, Wages, and Contingencies for the year 1862.  
And the said resolution was read a second time and agreed to by the Assembly.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the charges for the year 1862 for the several services hereunder specified, being—

### V.—COMMISSIONER OF CROWN LANDS AND SURVEY.

	£	s.	d.
(No. 2.)—DIVISION No. 54. CONTRACT SURVEYS ... ..	45,000	0	0
(No. 3.)—DIVISION No. 55. MARINE SURVEY ... ..	2,500	0	0
(No. 4.)—DIVISION No. 56. FENCING AND IMPROVING PUBLIC PARKS, GARDENS, AND LANDS ... ..	3,000	0	0

### VII.—COMMISSIONER OF TRADE AND CUSTOMS.

	£	s.	d.	£	s.	d.
(No. 5.)—DIVISION No. 68. WHARF AND JETTY LIGHTS. MAINTENANCE—						
At Melbourne Thirty-eight ...	}	...	...	1,700	0	0
Williamstown, Five ...						
Sandridge, Ten ...						
Geelong, Six ...						
Portland, One ...						
Port Fairy, One ...						
Warrnambool, One ...						
St. Kilda, One ...						
Schnapper Point, One ...						
Queenscliff, One ...						
(No. 6.)—DIVISION No. 70. MAINTENANCE OF KENT'S GROUP AND KING'S ISLAND LIGHTHOUSES. PORTIONS PAYABLE TO THE MARINE BOARD, HOBART TOWN.						
One-third of Kent's Group ... ..	400	0	0	950	0	0
Half of King's Island ... ..	550	0	0			

### VIII.—POSTMASTER GENERAL.

	£	s.	d.	£	s.	d.
(No. 7.)—DIVISION No. 75. MAIL SERVICE.						
Steam Postal Communication with England— <i>See</i> Special Appropriation, 18 Vic. No. 31, 19 Vic. No. 10.						
1. Conveyance of Inland Mails ... ..	50,000	0	0	52,500	0	0
2. Gratuities to Masters of Vessels ... ..	2,500	0	0			

And the said resolutions were read a second time and agreed to by the Assembly.

### IV.—TREASURER.

(No. 8.)—DIVISION No. 51.

#### MISCELLANEOUS.

Subdivision—(Inalterable.)

No. 1. Advertising ... .. £1,200 0 0

*To be applied subject to and in accordance with the following condition:—That that portion of this Vote, which will be applied in payment of advertisements inserted in the Melbourne daily press, shall be distributed amongst the three existing journals as nearly as possible according to the scale adopted in the year 1861, after having deducted one half of the whole amount now unexpended of the sum now voted, and in the opinion of the Committee no money be henceforth paid for advertisements in the public press.*

And the said resolution having been read a second time—

Mr. Grant moved, That this resolution be recommitted to the Committee of Supply.  
Debate ensued.

Question—That this resolution be recommitted to the Committee of Supply—put.  
Assembly divided.

Ayes, 28.

Mr. Berry,	Mr. McLellan,
Mr. Brooke,	Mr. Orr,
Mr. J. Davies,	Mr. Pope,
Mr. Frazer,	Mr. Ramsay,
Mr. Gillies,	Mr. Service,
Dr. Girdlestone,	Mr. Sinclair,
Mr. Grant,	Mr. L. L. Smith,
Mr. Gray,	Mr. Sullivan,
Mr. Heales,	Mr. Verdon,
Mr. Higinbotham,	Mr. Weeks,
Mr. Houston,	Mr. Wright.
Mr. Kyte,	
Mr. Lambert,	<i>Tellers.</i>
Mr. Levi,	Mr. Woods,
Dr. Macadam,	Mr. Edwards.

Noes, 37.

Mr. Anderson,	Mr. McCann,
Mr. Aspinall,	Mr. McDonald,
Mr. Bennett,	Mr. Mollison,
Mr. Brodribb,	Mr. Nicholson,
Mr. Cathie,	Mr. Orkney,
Mr. Cohen,	Mr. O'Connor,
Mr. Gavan Duffy,	Mr. O'Grady,
Dr. Evans,	Mr. O'Shanassy,
Mr. Francis,	Mr. Richardson,
Mr. Haines,	Mr. J. T. Smith,
Dr. Hedley,	Mr. W. C. Smith,
Mr. Hood,	Mr. Snodgrass,
Mr. Howard,	Mr. Tucker,
Mr. Ireland,	Mr. Wilson,
Mr. Jones,	Mr. Wood.
Mr. Kirk,	
Mr. Loader,	<i>Tellers.</i>
Mr. McCulloch,	Mr. Levey,
Dr. Mackay,	Mr. Johnston.
Capt. Mac Mahon,	

And so it passed in the negative.

And the said resolution was read a second time, and agreed to by the Assembly.

(No. 9.)—Resolved—That there be granted to Her Majesty the sum of Seven hundred and fifteen thousand four hundred and fourteen pounds seven shillings and three pence, for the salaries of 3,109 civil servants and others. ... £715,414 7 3

*And in the opinion of the Committee the salary voted to the Honorable the Speaker should be increased by the sum of £200.*

And the said resolutions having been read a second time—

Mr. Gillies moved, That this resolution be recommitted to the Committee of Supply, to reconsider the allowances to the Crown Prosecutors.

Debate ensued.

Question—That this resolution be recommitted to the Committee of Supply, to reconsider the allowances to the Crown Prosecutors—put.

Assembly divided.

Ayes, 11.

Mr. Aspinall,	Mr. O'Connor,
Mr. Cathie,	Mr. Pope.
Mr. Frazer,	
Mr. Lalor,	<i>Tellers.</i>
Dr. Mackay,	Mr. Gillies,
Mr. McCann,	Mr. W. C. Smith.
Mr. McDonald,	

Noes, 50.

Mr. Bennett,	Capt. Mac Mahon,
Mr. Berry,	Mr. McLellan,
Mr. Brodribb,	Mr. Mollison,
Mr. Brooke,	Mr. Nicholson,
Mr. Cohen,	Mr. Orkney,
Mr. J. Davies,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. Orr,
Mr. Edwards,	Mr. O'Shanassy,
Dr. Evans,	Dr. Owens,
Mr. Francis,	Mr. Ramsay,
Dr. Girdlestone,	Mr. Richardson,
Mr. Gray,	Mr. Riddell,
Mr. Haines,	Mr. Service,
Mr. Heales,	Mr. J. T. Smith,
Dr. Hedley,	Mr. L. L. Smith,
Mr. Higinbotham,	Mr. Sullivan,
Mr. Hood,	Mr. Tucker,
Mr. Houston,	Mr. Verdon,
Mr. Howard,	Mr. Wilson,
Mr. Ireland,	Mr. Wood,
Mr. Kirk,	Mr. Woods,
Mr. Levey,	Mr. Wright.
Mr. Levi,	
Mr. Loader,	<i>Tellers.</i>
Dr. Macadam,	Mr. Johnston,
Mr. McCulloch,	Mr. Anderson.

And so it passed in the negative.

And the said resolution was read a second time and agreed to by the Assembly.

10. MESSAGES FROM THE LEGISLATIVE COUNCIL.—The following Messages from the Legislative Council by the Clerk Assistant of the Council:—

MR. SPEAKER,

The Legislative Council return to the Legislative Assembly a Bill, intituled, "*An Act for the Punishment of any person who shall by his negligence cause grievous bodily injury to any other person,*" and inform the Legislative Assembly that they have agreed to the Bill, with an amendment, with which they desire the concurrence of the Legislative Assembly.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
28th May, 1862.

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

Clause I., line 13, after the word "misdemeanor," omit the following words: "and shall be liable to be imprisoned with or without hard labor for any period not exceeding two years."

And the said amendment having been read a second time, was, on the motion of Mr. Wood, agreed to by the Assembly.

Ordered—That the said Bill be returned to the Legislative Council, with a Message acquainting them that the Legislative Assembly have agreed to the above amendment.

MR. SPEAKER,

The Legislative Council return to the Legislative Assembly a Bill, intituled, "*An Act to amend the Law relating to Aliens,*" and acquaint the Legislative Assembly that they have agreed to the same with amendments, with which they desire the concurrence of the Legislative Assembly.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
3rd June, 1862.

And the said amendments were read and are as follow—

Clause I., line 5, after "hereto" leave out "to the extent therein set forth."

Clause IV., line 17, after "friend" leave out "desires to be naturalized if he have resided," and insert instead thereof "now residing in or who shall hereafter reside."

„ line 18, after "within" insert "the colony of."

„ „ after "Victoria" leave out "for a period of three successive years and," and insert instead thereof "desires to be naturalized."

Clause X., line 35, after "shall" insert "except against *bonâ fide* purchaser from such person for valuable consideration."

First Schedule.—Strike out the last paragraph.

<p>21 Vic. No. 33. <i>An Act to extend the Right of Voting and to provide for the Registration of Parliamentary Electors.</i></p>	<p>So much of section 2 as relates to any Alien naturalized by law for the space of five years, and resident in the Colony of Victoria for the space of three years.</p>
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And the said amendments having been read a second time, were, on the motion of Mr. Levey, agreed to by the Assembly.

Ordered—That the said Bill be returned to the Legislative Council with a Message acquainting them that the Assembly have agreed to the above amendments.

MR. SPEAKER—

The Legislative Council acquaint the Legislative Assembly that they have agreed to the Bill, intituled, "*An Act to apply the Sum of Four hundred and twenty-two thousand two hundred and fifty pounds out of the Consolidated Revenue to the service of the year One thousand eight hundred and sixty-two,*" without amendment.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
3rd June, 1862.

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the Bill, intituled, "*An Act to consolidate and amend the Laws relating to the Sale and Occupation of Crown Lands*" without amendment.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
3rd June, 1862.

11. SUPPLY.—The House, according to Order, resolved itself into the Committee of Supply.

And the House having continued to sit till after twelve of the clock—

WEDNESDAY, 4TH JUNE, 1862.

Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to certain resolutions.

Ordered—That the said Report be received this day.

Mr. Lalor also acquainted the House that he was directed to move that he have leave to sit again.

Resolved—That this House will this day again resolve itself into the said Committee.

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

“*Ways and Means—To be considered in Committee,*”

“*Gold Mining Leases Bill—To be further considered in Committee,*”

“*Justices Law Administration Bill—To be further considered in Committee,*”

“*Weights and Measures Bill—To be further considered in Committee,*” until this day;

“*Mr. Hennelle—Report from Select Committee to be considered in Committee,*” until Friday, 6th June instant;

“*Inspector of Pounds—Motion for Address—To be considered in Committee,*” until this day;

“*Medical Practitioners Bill—To be further considered in Committee,*” until Thursday, 5th June instant;

“*Gold Fields Act Amendment Bill—Second reading,*” until this day;

“*Dromana Jetty—Motion for Address to be considered in Committee,*”

“*Newspaper Bill—Second reading,*” until Friday, 6th June instant;

“*Markets Bill—Second reading,*”

“*Anatomy Bill—Second reading,*” until Thursday, 5th June instant;

“*Signals Bill—Second reading,*” until this day.

13. LAPSED ORDERS OF THE DAY.—The following Orders of the Day were read and lapsed:—

“*Licensed Publicans Acts Amendment Bill (2)—Second reading,*”

“*Imprisonment for Debt Limitation Bill—Second reading,*”

“*Supreme Court Costs Bill—Second reading.*”

14. MELBOURNE POLICE OFFICE.—Mr. Cohen moved, pursuant to notice, That this House will, on Thursday next, resolve itself into a Committee of the whole for the purpose of considering the propriety of presenting an Address to His Excellency the Governor, requesting him to place on an Additional Estimate for 1862 a sum sufficient to complete the building of the Police Office, Swanston-street, Melbourne.

Question—put and resolved in the affirmative.

15. MELBOURNE AND HOBSON'S BAY RAILWAY ACT AMENDMENT BILL.—Mr. Anderson moved, pursuant to notice, That the following resolutions be adopted as Standing Orders of the Assembly:—

(1.) That the promoters of the Melbourne and Hobson's Bay Railway Act Amendment Bill, which was brought into this House in the Session of Parliament 1860 and 1861, have leave to suspend any further proceedings thereupon and to proceed with the same Bill in the next Session of Parliament.

(2.) That not later than four clear days after the next meeting of Parliament the Bill shall be deposited with the Clerk of the Assembly, with a declaration signed by the agent annexed thereto, stating that the Bill is the same in every respect as the Bill with respect to which proceedings have been so suspended at the last stage of the proceedings in this House in the present Session.

(3.) That the Bill endorsed by the Clerk, as having been duly deposited with him, shall be laid by him forthwith on the Table of the House in the next Session of Parliament.

(4.) That the Bill so laid on the Table, with the Petition for the Bill and the order of leave to bring in the same in the Session of 1860 and 1861, shall be read, and thereupon such Bill shall be read a first time and a second time, and be referred to a Select Committee, together with the evidence taken before the Committee in the Session of 1860 and 1861.

(5.) That all petitions presented against this Bill, and which stood referred to the Committee on such Bill, shall stand referred to the Committee on the Bill in the next Session of Parliament.

Question—put and resolved in the affirmative.

16. GAME PRESERVATION BILL.—On the motion of Mr. Snodgrass the Assembly agreed to the amendments made by the Committee of the whole in this Bill.

Mr. Speaker 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 Mr. Snodgrass, read a third time.

Mr. Snodgrass moved, That the word “two” be omitted from the last line of Clause II, and the word “one” inserted instead thereof.

Question—That the word proposed to be omitted stand part of the clause—put and negatived.

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

Mr. Snodgrass moved, That the following words, viz., “set opposite to the names of the birds and animals respectively,” be omitted from the last line but one of Clause III.

Question—That the words proposed to be omitted stand part of the clause—put and negatived.

Mr. Snodgrass moved, That the words, viz., "within the period mentioned in the second Schedule to this Act as the period of prohibition in regard to any bird, or other animal, being native game," be omitted from the fourth line of Clause V. of this Bill.

Question—That the words proposed to be omitted stand part of the clause—put and negatived.

Mr. Snodgrass moved, That the following words or figures be inserted before all the words in the first column of the first schedule of this Bill, viz., "£5."

Question—That the words or figures proposed to be inserted be so inserted—put and resolved in the affirmative.

Mr. Snodgrass then moved, That the following words or figures be set opposite the words in the 2nd and 3rd columns of the same schedule, viz. :—

"£15" before "deer,"

"£5" before "swans,"

"£15" before "antelope,"

"£1" before "all birds not indigenous to Australia and their produce."

Question—That the words or figures proposed to be inserted be so inserted—put and resolved in the affirmative.

Mr. Snodgrass moved, That this Bill do now pass.

Question—put and resolved in the affirmative.

Mr. Snodgrass moved, That the following be the title of the Bill :—"*An Act to provide for the preservation of Imported Game and during the breeding season of Native Game.*"

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.

Assembly adjourned at thirteen minutes to one o'clock, until four o'clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 97.

WEDNESDAY, 4TH JUNE, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—Mr. Riddell presented a Petition from certain members of the United Church of England and Ireland, and others residing in the parish and district of Gisborne, praying this House, for the reasons set forth in the Petition, would not allow the Licensed Publicans Acts Amendment Bill to pass into law.  
Ordered to lie on the Table.  
Mr. Riddell presented a Petition from Caroline Gilman, of Melton, widow, praying the House would take her case, as set forth in the Petition, into its consideration.  
Ordered to lie on the Table.  
Mr. Frazer presented a Memorial from certain merchants, bankers, tradesmen, miners, &c., resident within the township of Daylesford and its vicinity, praying the House to grant the prayer of the memorialists, by causing the Railway Station at Malmsbury to be placed on the west side of the Coliban.  
Ordered to lie on the Table.  
Mr. Frazer presented a Petition from certain landholders in the parishes of Glenlyon, Burke, Holcombe, Drummond, Coliban, and Wombat, and comprised within the present Glenlyon Road District, praying this House to cause the Malmsbury Railway Station to be placed on the site already intended for it.  
Ordered to lie on the Table.
3. EXPERIMENTAL FARM COMMITTEE.—Mr. Cummins, Chairman, brought up a Report from this Committee.  
Ordered to lie on the Table, and, together with the Proceedings of the Committee and Minutes of Evidence, to be printed.
4. CENTRAL RAILWAY TERMINUS COMMITTEE.—Mr. Kyte, Chairman, brought up a Report from this Committee.  
Ordered to lie on the Table, and, together with the Proceedings of the Committee and Minutes of Evidence, to be printed.
5. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—  
“ *Supply—Resolutions in Committee to be reported,*” until to-morrow ;  
“ *Supply—To be further considered in Committee,*” until after the consideration of the fourth Order for to-day ;  
“ *Ways and Means—To be considered in Committee,*” until Friday, 6th June instant.
6. GOLD MINING LEASES BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.  
Mr. Speaker resumed the Chair; and Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Assembly ordered the same to be taken into consideration Friday, 6th June instant—Bill as amended to be printed.
7. WEIGHTS AND MEASURES BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.  
Mr. Speaker resumed the Chair; and Mr. Lalor 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 this House will, this day, again resolve itself into the said Committee.



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

- “*Supply—To be further considered in Committee,*” until Friday, 6th June, instant ;
- “*Justices Law Administration Bill—To be further considered in Committee,*”
- “*Main Murray Road—Report of Select Committee—To be considered in Committee.*”
- “*Horticultural Society—Motion for Address—To be considered in Committee,*”
- “*Refuges—Motion for Address—To be considered in Committee,*” until after the consideration of the fourth Order for to-day.

9. MELBOURNE AND GEELONG CORPORATION ACTS AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

And the House having continued to sit till after twelve of the clock—

THURSDAY, 5TH JUNE, 1862.

Mr. Speaker resumed the Chair ; and Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Assembly ordered the same to be taken into consideration Friday, 6th June instant.

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

- “*Justices Law Administration Bill—To be further considered in Committee,*”
- “*Weights and Measures Bill—To be further considered in Committee,*”
- “*Main Murray Road—Report of Select Committee—To be considered in Committee,*” until Friday, 6th June instant ;
- “*Horticultural Society—Motion for Address—To be considered in Committee,*” until Thursday, 5th June instant ;
- “*Refuges—Motion for Address—To be considered in Committee,*” until Friday, 6th June instant ;
- “*Mr. Hines—Report from Select Committee to be considered in Committee,*” until Thursday, 5th June instant ;
- “*Equity Jurisdiction Bill—Consideration of Report,*” until Tuesday, 10th June instant ;
- “*Church Act Amendment Bill—Second reading,*”
- “*Oyster Fisheries Act Amendment Bill—Second reading,*”
- “*Judges of Courts of Mines and County Courts—Resolution to be considered in Committee,*” until Friday, 6th June instant ;
- “*Inspector of Pounds—Motion for Address—To be considered in Committee,*” until Tuesday, 10th June instant ;
- “*Signals Bill—Second reading,*” until Friday, 6th June instant.

11. LAPSED ORDER OF THE DAY.—The following Order of the Day was read, and lapsed :—  
“*Gold Fields Act Amendment Bill—Second reading.*”

Assembly adjourned at one minute past one o'clock, until four o'clock p.m. this day.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 98.

THURSDAY, 5TH JUNE, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—Mr. W. C. Smith presented a Petition from the Licensed Victuallers of Ballarat, praying this House to take their case as set forth in the Petition into favorable consideration, and not to pass any measure that would infringe or deprive the Petitioners of their trade, without awarding to them fair and reasonable compensation for the same.  
Petition read, and ordered to lie on the Table.  
The following Petitions, praying this House not to pass into law any measure relating to education which must place the Petitioners in hostility to its administrators, were presented as under:—  
By Mr. Nicholson, from the Roman Catholics of Sandridge.  
By Mr. Verdon, from the Roman Catholics of Williamstown.  
Severally ordered to lie on the Table.  
By Mr. O'Shanassy, from the Roman Catholic Clergy and Laity.  
Petition read, and ordered to lie on the Table.  
By Mr. Higinbotham, from the Roman Catholics of Brighton.  
By Mr. O'Grady, from certain Inhabitants of Richmond and Hawthorn.  
By Mr. Richardson, from certain inhabitants of Geelong.  
By Mr. Heales, from the Roman Catholic inhabitants of Pentridge.  
Severally ordered to lie on the Table.
3. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Twenty-seventh Report from this Committee.  
Ordered to lie on the Table and to be printed.
4. PAPERS.—Mr. Ireland presented—  
Claims against the Crown.—Return of Actions commenced and defended under the Act for the enforcement of Claims against the Crown.  
Ordered to lie on the Table.
5. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor received and read:—  
*Railway Loan.*  
HENRY BARKLY,  
*Governor.* *Message No. 17.*  
In pursuance of 18 and 19 Vic., cap. 55, the Governor recommends to the Legislative Assembly to authorize the advance of any sums not exceeding £300,000, out of any moneys now or hereafter to be raised under the Railway Loan Act of 1857, for the purpose of repairing a portion of the Railway from Melbourne to Geelong and of forming a junction line and a deviation line and for other purposes in connection with the said Railway from Melbourne to Geelong, and to authorize the repayment of such sums and also the payment of any balance not required for the above purposes to the Treasurer for the purposes of the said Act, and to make the Consolidated Revenue liable for any sums raised upon Debentures for any of the above purposes.  
Government Offices,  
Melbourne, 5th June, 1862.  
Ordered to lie on the Table and to be printed.
6. RAILWAY LOAN BILL.—Mr. Wood, pursuant to order of the Assembly, brought up a Bill, intituled, "*A Bill to authorise the borrowing of three hundred thousand pounds for the purpose of repairing a certain portion of the Railway from Melbourne to Geelong and of forming a Junction line between the Railway from Melbourne to Geelong and the Railway from Geelong to Ballarat and for the formation of such junction line and also of a deviation line and for other purposes in connection with the said Railway from Melbourne to Geelong,*" 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.

7. **POSTPONEMENT OF ORDER OF THE DAY.**—The Assembly ordered that the consideration of the following Order of the Day be postponed until after the consideration of the third Order for to-day :—

“*Insolvency Bill—Second reading.*”

8. **PRINTING ACT AMENDMENT BILL.**—Mr. L. L. Smith moved, That this Bill be now read a second time.

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

Mr. L. L. Smith moved, That this Bill be now committed to a Committee of the whole Assembly.

Question—put and resolved in the affirmative.

And on the further motion of Mr. L. L. Smith, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.

Mr. Speaker resumed the Chair.

9. **COMMON SCHOOLS BILL.**—The Order of the Day for the consideration of the amendments made by the Committee of the whole in this Bill having been read—On the motion of Mr. Heales the several amendments made in Clauses III., V., VI., VIII., IX., and X., were read and agreed to by the Assembly.

Amendment to insert new clause A. having been read, Mr. Heales moved, That the word “consolidated” be inserted in line 3 of this clause, before the word “revenue.”

Question—That the word proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That the Assembly agree in this amendment as so amended—put and resolved in the affirmative.

Amendments made in Clause XIII. read and agreed to.

Amendment in Clause XVI. read.

Mr. Higinbotham moved, That all the words of that amendment be omitted, with a view to insert instead thereof, the words, “from time to time to appoint and to remove local committees and to establish schools in such localities as the Board shall deem fit subject to the provisions of this Act Provided that no local committee shall be removed without the consent of the Governor in Council Provided also that where a local committee shall have been appointed for any school previously to the commencement of this Act the same committee shall until removed in manner aforesaid continue and be the committee of the said school under this Act Provided further that one month’s notice shall be given in the *Government Gazette* of the intention of the Board to appoint or to remove any local committee.”

Debate ensued.

Question—That the words proposed to be omitted stand part of Clause XVI.—put and negatived.

Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put.

Assembly divided.

Ayes, 36.

Mr. Anderson,	Capt. Mac Mahon,
Mr. Brooke,	Mr. McDonald,
Mr. Cathie,	Mr. McLellan,
Mr. J. Davies,	Mr. Nicholson,
Mr. Denovan,	Mr. Orr,
Mr. Foott,	Dr. Owens,
Mr. Francis,	Mr. Pope,
Mr. Gillies,	Mr. Ramsay,
Dr. Girdlestone,	Mr. Richardson,
Mr. Gray,	Mr. Service,
Mr. Heales,	Mr. Sullivan,
Dr. Hedley,	Mr. Tucker,
Mr. Higinbotham,	Mr. Verdon,
Mr. Jones,	Mr. Wood,
Mr. Kirk,	Mr. Wright.
Mr. Lambert,	
Mr. Levi,	<i>Tellers.</i>
Dr. Macadam,	Mr. Humffray,
Mr. McCulloch,	Mr. Berry.

Noes, 10.

Mr. Bennett,	Mr. O’Grady.
Mr. Cummins,	Mr. J. T. Smith.
Mr. Gavan Duffy,	
Dr. Evans,	<i>Tellers.</i>
Mr. Haines,	Mr. Hood,
Mr. Lalor,	Mr. Levey.

And so it was resolved in the affirmative.

Question—That the Assembly agree with Clause XVI. as so amended—put and resolved in the affirmative.

Amendments in Clause XVII. read and agreed to by the Assembly.

Amendments in Clause XVIII. read.

Mr. Heales moved, That the word “day” be inserted after the words “thirty-first” in the first line of this amendment.

Question—That the word proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That the Assembly agree with Clause XVIII. as so amended—put and resolved in the affirmative.

On the motion of Mr. Heales the Assembly ordered that the word "that" be omitted from Clause I. and the words "from and after the commencement of this Act" inserted instead thereof, and that the words "to be" be omitted from the last line of such clause. That the word "passing" be omitted from line 1 of Clause II., and the word "commencement" inserted instead thereof, and That the words "under grant from the Crown" be inserted after the word "trustees" in line 2 of Clause III. of this Bill.

Dr. Girdlestone moved, That the words "laymen as" be inserted before the word "commissioners" in line 1 of Clause V. of this Bill.

Debate ensued.

Question—That the words proposed to be inserted be so inserted—put.

Assembly divided.

Ayes, 28.		Noes, 18.	
Mr. Brooke,	Mr. McDonald,	Mr. Anderson,	Capt. Mac Mahon,
Mr. J. Davies,	Mr. McLellan,	Mr. Bennett,	Mr. Nicholson,
Mr. Foott,	Mr. Mollison,	Mr. Cathie,	Mr. O'Grady,
Mr. Francis,	Mr. Orr,	Mr. Cummins,	Mr. O'Shanassy,
Mr. Gillies,	Dr. Owens,	Mr. Denovan,	Mr. J. T. Smith,
Dr. Girdlestone,	Mr. Pope,	Mr. Gavan Duffy,	Mr. Tucker.
Mr. Gray,	Mr. Ramsay,	Dr. Evans,	
Mr. Heales,	Mr. Richardson,	Mr. Haines,	<i>Tellers.</i>
Dr. Hedley,	Mr. Service,	Mr. Hood,	Mr. Levey,
Mr. Higinbotham,	Mr. Sinclair,	Mr. Ireland,	Mr. Wood.
Mr. Jones,	Mr. Verdon.		
Mr. Kirk,			
Mr. Lambert,	<i>Tellers.</i>		
Mr. Levi,	Mr. Humffray,		
Mr. McCulloch,	Mr. Berry.		

And so it was resolved in the affirmative.

On the motion of Mr. Heales, the Assembly ordered that the word "and" be inserted after the word "purchase" in line 5 of Clause V., and

That the word "Consolidated" be inserted before "Revenue" in lines 5 and 17 of Clause VI.

Mr. Service moved, That Clause VII. be struck out from this Bill.

Debate ensued.

Motion, by leave, withdrawn.

On the motion of Mr. Heales, the Assembly ordered that the word "Consolidated" be inserted before the word "Revenue" in line 2 of Clause IX.

That the word "General" be omitted from lines 2 and 3 of Clause X., and the word "Consolidated" inserted instead thereof.

That the word "Consolidated" be inserted before the word "Revenue" in line 1 of Clause XI., and in line 2 of Clause XII., and in line 1 of Clause XIII., and that the words "and the teachers thereof appointed by" be struck out from line 2 of Clause XIII.

Dr. Girdlestone moved, That the following words, viz. :—"such school whose qualifications shall not be approved of by the Board of Education" be omitted from line 5 of Clause XIII., and the words "or dismissed from such school whose qualifications shall not be approved of or dismissal sanctioned by the Board of Education" inserted instead thereof.

Debate ensued.

Question—That the words proposed to be omitted stand part of the clause—put and negatived.

Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put and resolved in the affirmative.

On the motion of Mr. Heales, the Assembly ordered that the word "public" be omitted from line 1 of Clause XV., and the word "Consolidated" inserted instead thereof,

That the word "day" be inserted after "thirty-first" in line 1 of Clause XVIII, and

That the word "Consolidated" be inserted before "Revenue" in lines 5 and 7 of Clause XVIII.

Ordered—That this Bill be printed, and read a third time to-morrow.

10. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor received and read :—

HENRY BARKLY,  
*Governor.*

*Message No. 18.*

The Governor transmits to the Legislative Assembly Further Additional Estimates of Expenditure for 1862, and recommends an appropriation of the Consolidated Revenue accordingly.

Government Offices,  
Melbourne, June, 1862.

Ordered to be printed, together with the accompanying Estimates, and referred to the Committee of Supply.

11. **MEDICAL PRACTITIONERS BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.  
Mr. Speaker resumed the Chair; and Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Assembly ordered the same to be taken into consideration to-morrow—Bill, as amended, to be printed.
12. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Assembly ordered that the consideration of the following Orders of the Day be postponed as under :—  
“ *Hawkers Act Amendment Bill—To be further considered in Committee,*” until Thursday, 12th June instant;  
“ *Melbourne Police Office—Motion for Address to be considered in Committee,*” until Tuesday, 10th June instant;  
“ *Markets Bill—Second reading,*” until to-morrow.
13. **DISCHARGE OF ORDERS OF THE DAY.**—The following Orders of the Day were read and discharged :—  
“ *Insolvency Bill—Second reading,*”  
“ *Mining on Private Property Bill—Second Reading,*”  
“ *Colonial Wines Sale Bill—To be further considered in Committee.*”
14. **ANATOMY BILL.**—Dr. Hedley moved, That this Bill be now read a second time.  
Question—put and resolved in the affirmative—Bill read a second time.  
Dr. Hedley moved, That this Bill be now committed to a Committee of the whole Assembly.  
Question—put and resolved in the affirmative.  
And, on the further motion of Dr. Hedley, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
Mr. Speaker resumed the Chair; and Mr. Lalor having reported that the Committee had gone through the Bill, and agreed to the same, with an amendment, the Assembly ordered the same to be taken into consideration to-morrow—Bill, as amended, to be printed.  
Notice being taken that a quorum of Members was not present, Mr. Speaker counted the House; and a quorum not being present, Mr. Speaker, at six minutes to twelve o'clock, adjourned the House, without question being first put, until four o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 99.

FRIDAY, 6TH JUNE, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITION.—Mr. Humffray presented a Petition from the Catholics of Ballarat, praying the House not to pass into Law any measure for Public Education which must place the Petitioners in hostility to its administration.  
Ordered to lie on the Table.
3. PAPERS.—Mr. Johnston presented—  
Railway Compensation.—Reply to question put by Mr. Denovan this day, for a Return of the total amount of money paid by Government as compensation to the owners of private property, whose property was appropriated for railway purposes in connection with the construction of the Victorian Lines of Railway.  
Ordered to lie on the Table.
4. LICENSED VICTUALLERS.—Mr. O'Shanassy moved, pursuant to *amended* notice given by Mr. Ireland, That Mr. Speaker do now leave the Chair and the Assembly resolve itself into a Committee of the whole, to consider the propriety of bringing in a Bill to amend the Laws relating to Licensed Victuallers.  
Question—put and resolved in the affirmative.  
Whereupon Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole accordingly.  
Mr. Speaker resumed the Chair; and Mr. Lalor having reported that, in the opinion of the Committee it is desirable to bring in a Bill to amend the laws relating to Licensed Victuallers—the Assembly adopted the Report, and ordered the Bill to be brought in accordingly.
5. LICENSED PUBLIC HOUSES BILL.—Mr. O'Shanassy then, pursuant to the Order of the Assembly, brought up a Bill, intituled, "*A Bill to amend in certain respects the Law relating to Licensed Public Houses,*" 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, 10th June instant.
6. SUPPLY.—ESTIMATES FOR 1862.—Mr. Lalor reported from the Committee of Supply certain resolutions, which were read, and are as follow :—  
*3rd June.*  
Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the charges for the year 1862 for the several services hereunder specified, being—

## I.—CHIEF SECRETARY.

(No. 1.)—DIVISION No. 17.

## DEPARTMENTAL CONTINGENCIES.

## Subdivision No. 1.

## LEGISLATIVE ASSEMBLY.

	£	s.	d.	£	s.	d.
Clerical Assistance ... ..	175	0	0			
Fuel, Light, and Water ... ..	1,000	0	0			
Stores ... ..	100	0	0			
Allowances to Witnesses attending Select Committees ... ..	200	0	0			
Incidental Expenses ... ..	50	0	0			
	1,525	0	0			

## Subdivision No. 2.

## THE LIBRARY.

Fuel, Light, and Water ... ..	900	0	0			
Stores and Stationery .. ..	100	0	0			
Incidental Expenses, Washing, &c., &c. ... ..	150	0	0			
	1,150	0	0			

I.—CHIEF SECRETARY—*continued.*

	£	s.	d.	£	s.	d.
Subdivision No. 4.						
CHIEF SECRETARY'S OFFICE.						
Fuel, Light, and Water ... ..	120	0	0			
Stores ... ..	200	0	0			
Incidental Expenses ... ..	75	0	0			
	395	0	0			
Subdivision No. 5.						
REGISTRAR GENERAL.						
Allowances to Deputy Registrars ... ..	5,200	0	0			
Allowances for Vaccination... ..	2,800	0	0			
Fuel, Light, and Water ... ..	100	0	0			
Stores ... ..	250	0	0			
Completing Indexes in Supreme Court Registry	100	0	0			
Travelling Expenses ... ..	100	0	0			
Incidental Expenses ... ..	50	0	0			
Collecting and Compiling Agricultural Statistics	2,250	0	0			
	10,850	0	0			
Subdivision No. 6.						
POLICE.						
Travelling Expenses ... ..	1,900	0	0			
Transport of Prisoners ... ..	2,000	0	0			
Purchase of Horses, at rates not to exceed £35 each	750	0	0			
Shoeing and Farriery ... ..	1,800	0	0			
Forage ... ..	17,500	0	0			
Provisions for Prisoners ... ..	2,000	0	0			
Stores, Carts, Conveyances for Escort, &c. ...	3,800	0	0			
Fuel, Light, and Water ... ..	3,000	0	0			
Medical Expenses of Police, and to reimburse Constables for Clothing destroyed in the ex- ecution of duty ... ..	200	0	0			
Cleaning Melbourne Police Court Houses ...	104	0	0			
Assistance of Chinese for detective purposes ...	100	0	0			
Burial of Destitute Persons ... ..	500	0	0			
Incidental Expenses—Repairs to Saddlery, &c.	600	0	0			
	34,254	0	0			
Subdivision No. 7.						
GAOLS.						
Provisions ... ..	7,400	0	0			
Clothing and Bedding ... ..	1,500	0	0			
Fuel, Light, and Water ... ..	2,300	0	0			
Maintenance of Prisoners confined in Lockups proclaimed as Gaols ... ..	1,500	0	0			
Stores ... ..	1,000	0	0			
Burials ... ..	60	0	0			
Incidental Expenses ... ..	500	0	0			
	14,260	0	0			
Subdivision No. 8.						
PENAL DEPARTMENT.						
Allowance to the Visiting Justice ... ..	280	0	0			
Provisions ... ..	9,000	0	0			
Forage ... ..	200	0	0			
Fuel, Light, and Water ... ..	3,000	0	0			
Clothing and Bedding ... ..	4,000	0	0			
Stores, including Tools and Materials for the employment of Prisoners ... ..	2,500	0	0			
Travelling Expenses and Transport of Prisoners	100	0	0			
Burials ... ..	50	0	0			
Purchase of Horses ... ..	120	0	0			
Books for Library and School ... ..	200	0	0			
For Relief of Destitute Prisoners on discharge ...	600	0	0			
Incidental Expenses ... ..	50	0	0			
	20,100	0	0			

I.—CHIEF SECRETARY—*continued.*

	£	s.	d.	£	s.	d.
Subdivision No. 9.						
STEAM-SLOOP "VICTORIA."						
Provisions ... ..	1,650	0	0			
Fuel ... ..	1,200	0	0			
Light and Water ... ..	150	0	0			
Stores ... ..	500	0	0			
Repairs ... ..	3,900	0	0			
Incidental Expenses ... ..	100	0	0			
	7,500	0	0			
Subdivision No. 10.						
MEDICAL OFFICER AND SANATORY STATION.						
Medicines and Medical Comforts for Prisoners, Government Immigrants, and others ... ..	550	0	0			
Medical Attendance on the same, and Medical Examination of Lunatics ... ..	1,600	0	0			
Provisions, Fuel, Light, and Water for the Sanatory Station, Immigration Hospital and Office	300	0	0			
Stores for ditto ... ..	150	0	0			
Expenses of the Central Board of Health, including an allowance to one member at the rate of £100 per annum ... ..	350	0	0			
Incidental Expenses ... ..	50	0	0			
	3,000	0	0			
Subdivision No. 11.						
LUNATIC ASYLUM.						
Provisions and extra Articles ... ..	12,500	0	0			
Clothing and Bedding ... ..	6,000	0	0			
Stores, Library, and Amusements ... ..	1,250	0	0			
Medicines, Medical Comforts, and Light	600	0	0			
Forage ... ..	150	0	0			
Fees to Official Visitors and for Examination of Lunatics prior to Discharge ... ..	250	0	0			
Purchase of Cows ... ..	150	0	0			
Incidental Expenses and for the relief of Persons discharged from the Asylum ... ..	125	0	0			
Fuel ... ..	100	0	0			
	21,125	0	0			
Subdivision No. 12.						
PUBLIC LIBRARY.						
Books and Binding ... ..	3,000	0	0			
Gas ... ..	400	0	0			
Stores and Stationery ... ..	400	0	0			
Fuel and Water ... ..	50	0	0			
Insurance ... ..	60	0	0			
Incidental Expenses ... ..	100	0	0			
	4,010	0	0			
Subdivision No. 13.						
SHORTHAND WRITER.						
Clerical Assistance ... ..	200	0	0			
Stores ... ..	60	0	0			
Incidental Expenses ... ..	10	0	0			
	270	0	0			
Subdivision No. 14.						
MAGNETIC SURVEY.						
Travelling Expenses, Equipment, and Wages of a Field Assistant occasionally ... ..	300	0	0			
New Instruments and Repairs ... ..	150	0	0			
Fuel, Light, and Water ... ..	63	0	0			
Stores ... ..	100	0	0			
Incidental Expenses ... ..	10	0	0			
	623	0	0			



I.—CHIEF SECRETARY—*continued.*

Subdivision No. 15.		£	s.	d.	£	s.	d.
BOTANIC GARDENS.							
Purchase of Plants and Seeds	... ..	150	0	0			
Towards publication of the work on Australian Plants	... ..	320	0	0			
Stores	... ..	420	0	0			
Forage for horses and food for animals	... ..	220	0	0			
Travelling and Incidental Expenses	... ..	160	0	0			
		1,270	0	0			
Subdivision No. 16.							
THE MUSEUM.							
Specimens, Models, Books, Stores, occasional Collectors and Assistance in the Museum, and to defray expense of publishing Decades, illustrating the Natural History and Palæontology of Victoria, and for adequate provision for the accommodation of the Collections of the National Museum, and for the establishment of a School of Medicine	... ..	2,500	0	0			
Subdivision No. 17.							
AUDIT OFFICE.							
Clerical Assistance	... ..	600	0	0			
Travelling Expenses	... ..	340	0	0			
Fuel, Light, and Water	... ..	60	0	0			
Stores	... ..	100	0	0			
Incidental Expenses	... ..	50	0	0			
		1,150	0	0			
					123,982	0	0

## II.—ATTORNEY-GENERAL.

(No. 2.)—DIVISION No. 31.		£	s.	d.	£	s.	d.
DEPARTMENTAL CONTINGENCIES.							
Subdivision No. 1.							
THEIR HONORS THE JUDGES.							
Travelling Expenses	... ..	1,200	0	0			
For defence of Prisoners in capital cases, and of Aboriginal Prisoners	... ..	300	0	0			
Fuel, Light, and Water (included under "Sheriff")	... ..	...					
Stores	... ..	100	0	0			
Incidental Expenses	... ..	15	0	0			
		1,615	0	0			
Subdivision No. 2.							
LAW OFFICERS OF THE CROWN.							
Costs and other expenses connected with Actions, Suits, and other legal proceedings	... ..	2,000	0	0			
Travelling Expenses	... ..	1,000	0	0			
Professional Assistance and Fees to Prosecuting Barristers	... ..	1,300	0	0			
Professional Assistance (drawing and revising Bye-laws for Mining Boards)— <i>This item to be inalterable</i>	... ..	200	0	0			
Clerical assistance in the Departments under the control of the Attorney-General	... ..	400	0	0			
Fuel, Light, and Water	... ..	100	0	0			
Chemical Analyses	... ..	150	0	0			
Stores, including Law Books	... ..	300	0	0			
Incidental Expenses	... ..	15	0	0			
		5,465	0	0			

II.—ATTORNEY-GENERAL—*continued.*

	£	s.	d.	£	s.	d.
Subdivision No. 3.						
PROTHONOTARY.						
Allowances to Witnesses at Supreme and Circuit Courts	7,000	0	0			
Fuel, Light, and Water	75	0	0			
Stores	60	0	0			
Incidental Expenses	10	0	0			
	7,145	0	0			
Subdivision No. 4.						
MASTER IN EQUITY.						
Fuel, Light, and Water	60	0	0			
Stores	50	0	0			
Incidental Expenses	10	0	0			
	120	0	0			
Subdivision No. 5.						
CHIEF COMMISSIONER OF INSOLVENT ESTATES.						
Fuel, Light, and Water	60	0	0			
Stores	50	0	0			
Incidental Expenses (including £30 allowance in lieu of travelling expenses for Bailiff at Geelong)	40	0	0			
	150	0	0			
Subdivision No. 6.						
SHERIFFS.						
Travelling Expenses	400	0	0			
Fees to Jurors	9,000	0	0			
Allowance to Special Constables	200	0	0			
Fuel, Light, and Water	200	0	0			
Stores	200	0	0			
Incidental Expenses	100	0	0			
	10,100	0	0	24,595	0	0

## III.—MINISTER OF JUSTICE.

(No. 3.)—DIVISION No. 35.

## DEPARTMENTAL CONTINGENCIES.

Subdivision No. 1.

## COUNTY AND OTHER COURTS.

	£	s.	d.	£	s.	d.
Fees to Assessors	1,000	0	0			
Allowances to Witnesses at General Sessions, Medical Witnesses and Interpreters at Petty Sessions, Interpreters at Inquests, and Magisterial enquiries, and other Witnesses (not being medical witnesses), at Petty Sessions, Inquests, and Magisterial enquiries, when summoned from a distance beyond twenty miles	8,000	0	0			
Allowance to Clerks who act at more than one Court, and remuneration to Clerks of Courts at various places	2,500	0	0			
Allowance to Keeper of County Court House, Melbourne, with quarters, fuel, and water (acts also as Messenger and Crier)	150	0	0			
Allowances to Deputy Judges and Chairmen of General Sessions	100	0	0			
Additional remuneration to Bailiffs where the fees prove inadequate	1,700	0	0			
Fuel, Light, and Water	600	0	0			
Stores	1,200	0	0			
Incidental Expenses	250	0	0			
	15,500	0	0			

III.—MINISTER OF JUSTICE—*continued.*

	£	s.	d.	£	s.	d.
Subdivision No. 2.						
POLICE MAGISTRATES.						
Allowances to Police Magistrates for forage and travelling expenses ... ..	3,600	0	0			
Subdivision No. 3.						
CORONERS.						
Fees to Coroners, at £2 2s. each Inquest and adjournment; travelling expenses, at 1s. 6d. per mile from usual place of abode to place of inquest or inquests only one way ... ..	3,300	0	0			
Fees to Surgeons for each <i>post mortem</i> examination, £2 2s.; and £1 1s. each Inquest and adjournment, with travelling expenses at the same rate as Coroners ... ..	2,800	0	0			
Stores ... ..	100	0	0			
Incidentals ... ..	50	0	0			
	6,250	0	0			
				25,350	0	0

## IV.—TREASURER.

(No. 4.)—DIVISION No. 43.

	£	s.	d.	£	s.	d.
DEPARTMENTAL CONTINGENCIES.						
Subdivision No. 1.						
TREASURY.						
Clerical Assistance ... ..	400	0	0			
Travelling Expenses ... ..	100	0	0			
Gold Boxes, Saddle Bags, Safes, Scales and Weights ... ..	300	0	0			
Fuel, Light, and Water ... ..	300	0	0			
Stores ... ..	600	0	0			
Allowance to Office Keepers ... ..	450	0	0			
Incidental Expenses ... ..	100	0	0			
	2,250	0	0			
Subdivision No. 2.						
STORES AND TRANSPORT.						
Transport of Stores, Forage, &c. ... ..	4,500	0	0			
Fuel, Light, and Water ... ..	50	0	0			
Stores ... ..	100	0	0			
Travelling and other Incidental Expenses ... ..	50	0	0			
	4,700	0	0			
Subdivision No. 3.						
GOVERNMENT PRINTER.						
Paper and Parchment ... ..	6,000	0	0			
Type and Printers' Furniture ... ..	500	0	0			
Repairs to Machinery ... ..	150	0	0			
Bookbinders' Materials, Machines, and Tools ... ..	1,500	0	0			
Fuel, Light, Water, and Coal for Engine ... ..	500	0	0			
Stores ... ..	100	0	0			
Incidental Expenses ... ..	50	0	0			
	8,800	0	0			

IV.—TREASURER,—*continued.*

## Subdivision No. 4.

## VOLUNTEER CORPS.

	£	s.	d.
Travelling Expenses of Staff Officers ...	280	0	0
Prizes and Incidentals ... ..	3,000	0	0
Clothing ... ..	4,000	0	0
Rent of Offices ... ..	650	0	0
Stores ... ..	150	0	0
Instruction and Military Engineering, Sappers and Miners ... ..	120	0	0
Expense and repair of Tools, purchase of Books, Instruments, and Implements of Instruction for Sappers and Miners ... ..	100	0	0
Fuel, Light, and Water ... ..	50	0	0
Forage Allowance for two Staff Captains, at £75 each ... ..	150	0	0

## Subdivision No. 5.

## COLONIAL MILITARY STORES.

Labor in landing guns, &c., &c. ... ..	1,100	0	0
Stores and incidental expenses ... ..	50	0	0

## Subdivision No. 6.

## BARRACK MASTER.

Stores and incidental expenses ... ..	50	0	0
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25,450 0 0

## V.—COMMISSIONER OF CROWN LANDS AND SURVEY.

## (No. 5.)—DIVISION No. 53.

## DEPARTMENTAL CONTINGENCIES.

## Subdivision No. 1.

## SURVEY, SALE, AND MANAGEMENT OF CROWN LANDS.

	£	s.	d.
Fuel, Light, and Water ... ..	250	0	0
Engrossing and registering Deeds of Grant ...	650	0	0
Stores ... ..	800	0	0
Travelling Expenses ... ..	1,000	0	0
Lithographic Stores, Photographic Chemicals, Paper, Materials, &c. ... ..	500	0	0
Purchase and Repair of Instruments ... ..	450	0	0
Forage ... ..	150	0	0
Commission on Sales of Land ... ..	100	0	0
Harness, Farriery, and Shoeing ... ..	50	0	0
Conveyance of Apparatus, Stores, &c. ... ..	300	0	0
Observatory Tents ... ..	50	0	0
Building Trigonometrical Stations ... ..	200	0	0
Carriage of Parcels, cleaning out District Offices, and other incidental expenses ... ..	150	0	0
Allowances to Twelve District Surveyors, at £200 each, in lieu of equipment ... ..	2,400	0	0
Allowances to Ten Surveyors, at £150 each, in lieu of equipment ( <i>inalterable</i> ) ... ..	1,500	0	0
Allowance to Crown Bailiff in lieu of forage ...	75	0	0
Temporary Professional Assistance ... ..	4,545	0	0
Wages of Pressmen and Plan Moulder ... ..	925	0	0
Temporary Clerical Assistance ... ..	750	0	0
Wages of Laborers in Survey Parties ... ..	15,000	0	0
Wages of Messengers and House-cleaners ...	290	0	0

## Subdivision No. 3.

## OBSERVATORY.

Lighting, Water, &c. ... ..	30	0	0
Purchase of Books ... ..	50	0	0
Stationery, &c. ... ..	35	0	0
Repairs to Instruments and Incidental Expenses	50	0	0

165 0 0

## VI.—COMMISSIONER OF PUBLIC WORKS.

(No. 6.)—DIVISION No. 58.

## DEPARTMENTAL CONTINGENCIES.

	£	s.	d.	£	s.	d.
PUBLIC WORKS.						
Temporary Assistance by Clerks and Draftsmen, and one Assistant Messenger—( <i>Inalterable</i> )	2,000	0	0			
Travelling Expenses ... ..	1,200	0	0			
Fuel, Light, and Water ... ..	150	0	0			
Stores, &c. ... ..	200	0	0			
Lithographing, Engraving, and Printing Plans...	100	0	0			
Allowance to Gas Engineer, &c., Houses of Parliament ... ..	200	0	0			
Incidental Expenses ... ..	100	0	0			
				3,950	0	0

## VII.—COMMISSIONER OF TRADE AND CUSTOMS.

(No. 7.)—DIVISION No. 67.

## DEPARTMENTAL CONTINGENCIES.

## Subdivision No. 1.

## CUSTOMS (INCLUDING IMMIGRATION).

	£	s.	d.	£	s.	d.
Clerical Assistance and Occasional Officers ...	1,000	0	0			
Fuel, Light, and Water ... ..	400	0	0			
Stores ... ..	500	0	0			
Travelling Expenses ... ..	150	0	0			
Incidental Expenses ... ..	200	0	0			
Rations for Immigrants ... ..	400	0	0			
	2,650	0	0			

## Subdivision No. 2.

## PORTS AND HARBORS.

Providing and repairing Buoys, Beacons, and Moorings, inclusive of the Stores for Buoy vessel " <i>Empire</i> ," also repairs to Lightships and Lightning Apparatus ... ..	2,500	0	0			
New Boats for the Public Service ... ..	150	0	0			
Materials and extra Labor for Repairs to Boats and Vessels in the Public Service, exclusive of the " <i>Victoria</i> " ... ..	300	0	0			
Remuneration to Crews of Life Boats and for Extraordinary Services, and to meet expenses caused by marine casualties ... ..	1,000	0	0			
Travelling Expenses ... ..	150	0	0			
Stores, Tools, Instruments, &c. ... ..	200	0	0			
Fuel, Light, and Water ... ..	60	0	0			
Incidental Expenses ... ..	50	0	0			
	4,410	0	0			

## Subdivision No. 3.

## LIGHTHOUSES, LIGHT VESSELS, AND HARBOR

## LIGHTS.

Oil, Wicks, and Glasses ... ..	1,860	0	0			
Fuel, Light, and Water ... ..	282	0	0			
Stores and Ship Chandlery ... ..	510	0	0			
	2,652	0	0			

## Subdivision No. 4.

LIGHTHOUSES—WILSON'S PROMONTORY AND  
GABO ISLAND.

(*Moieties payable by Victoria, the other Moieties  
being payable by the Government of New  
South Wales.*)

Oil, Wicks, and Glasses ... ..	310	0	0			
Fuel, Light, and Water ... ..	40	0	0			
Stores and Ship Chandlery ... ..	50	0	0			
	400	0	0			

VII.—COMMISSIONER OF TRADE AND CUSTOMS—*continued.*

	£	s.	d.	£	s.	d.
Subdivision No. 5.						
DISTILLERIES.						
Fuel, Light, and Water ... ..	25	0	0			
Stores and Instruments ... ..	50	0	0			
Travelling Expenses ... ..	400	0	0			
Rewards for the discovery of Illicit Distillation	350	0	0			
Incidental Expenses ... ..	20	0	0			
	845	0	0			
Subdivision No. 6.						
POWDER MAGAZINES.						
Stores ... ..	50	0	0			
Incidental Expenses ... ..	10	0	0			
	60	0	0			
				11,017	0	0

## VIII.—POSTMASTER-GENERAL.

(No. 6.)—DIVISION No. 73.

	£	s.	d.	£	s.	d.
DEPARTMENTAL CONTINGENCIES.						
Subdivision No. 1.						
POST OFFICE.						
For Additional and Occasional Assistance, Allowance for Overtime in Sorting English Mails, and to meet unforeseen requirements ...	3,000	0	0			
Allowance to Inspector of Postal Service, in lieu of Travelling Expenses ... ..	250	0	0			
Mail Bags and Boxes ... ..	600	0	0			
Scales, Weights, and Stamps ... ..	600	0	0			
Clothing for Letter Carriers ... ..	450	0	0			
Travelling Expenses for Officers of the Department on special duty ... ..	150	0	0			
Fuel, Light, and Water ... ..	600	0	0			
Stores ... ..	1,200	0	0			
Incidentals ... ..	200	0	0			
	7,050	0	0			
Subdivision No. 2.						
ELECTRIC TELEGRAPH.						
For Overtime and Night Service, and occasional Assistance or unforeseen requirements ...	500	0	0			
Allowance (in lieu of travelling expenses) to the Superintendent... ..	200	0	0			
Fuel, Light, and Water ... ..	800	0	0			
Stores, including Office Materials, Tools, Implements, Instruments, &c. ... ..	1,550	0	0			
Uniforms for 25 Messengers ... ..	100	0	0			
Maintenance and Repair of Lines, including the Purchase, Hire, and Forage of Horses ...	2,000	0	0			
Travelling Expenses ... ..	200	0	0			
Expenses contingent on Opening New Lines, and for unforeseen Contingencies through Existing Lines... ..	1,000	0	0			
Incidental Expenses ... ..	200	0	0			
	6,550	0	0			
				13,600	0	0

## IX.—COMMISSIONER OF RAILWAYS AND ROADS AND BRIDGES.

(No. 7.)—DIVISION No. 78.

## DEPARTMENTAL CONTINGENCIES.

## RAILWAYS.

## Subdivision No. 1.

## SECRETARY'S OFFICE.

	£	s.	d.
Extra Clerical Assistance ... ..	500	0	0
Fuel, Light, and Water ... ..	50	0	0
Stores ... ..	300	0	0
Incidentals ... ..	200	0	0

1,050 0 0

## Subdivision No. 2.

## TRAFFIC SUPERINTENDENT'S OFFICE AND STATIONS.

Fuel, Light, and Water ... ..	2,500	0	0
Stores ... ..	4,000	0	0
Compensation ... ..	600	0	0
Clothing ... ..	600	0	0
Towage of Ships ... ..	500	0	0
Unforeseen ... ..	1,000	0	0

9,200 0 0

## ROADS.

## Subdivision No. 3.

Allowance in lieu of Forage and purchase of Horses to the Inspector General of Roads and eight Road Engineers, at £140 each ...	1,260	0	0
Travelling Expenses ... ..	5,000	0	0
Fuel, Light, and Water ... ..	200	0	0
Stores ... ..	450	0	0
Incidental Expenses ... ..	145	0	0

7,055 0 0

Temporary assistance of Engineers, Draftsmen, Clerks, and Overseers ... ..	9,000	0	0
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26,305 0 0

And the said resolutions were read a second time and agreed to by the Assembly.

## IV.—TREASURER.

(No. 1.)—DIVISION No. 44.

## MILITARY ALLOWANCE.

	£	s.	d.
Head Quarters Staff ... ..	3,772	7	1
Three Companies of Infantry ... ..	7,813	5	8
One Battery of Royal Artillery ... ..	3,450	7	10
Contingencies ... ..	4,850	0	0

19,886 0 7

*And in the opinion of the Committee this Colony ought not to bear more than its proportion, in conjunction with the adjacent colonies, of the allowance to the Head Quarters Staff of the Australian Command.*

And the said resolution having been read a second time, Mr. Haines moved, That the figures £7,813 5s. 8d. be omitted, and the figures £5,448 5s. 3d. inserted instead thereof; that the figures £3,450 7s. 10d. be omitted, and the figures £3,085 7s. 10d. inserted instead thereof; that the figures £4,850 be omitted, and the figures £2,742 19s. 10d. inserted instead thereof; and that the figures £19,886 0s. 7d. be omitted, and the figures £15,049 inserted instead thereof.

Question—That the figures respectively proposed to be omitted stand part of the resolution—put and negatived.

Question—That the figures respectively proposed to be inserted in the places of the figures omitted be so inserted—put and resolved in the affirmative.

Question—That the Assembly agree to the said resolution as so amended—put and resolved in the affirmative.

Classification.					£	s.	d.
No.	Class.	Schedule.			£	s.	d.
<b>I.—CHIEF SECRETARY.</b>							
<i>Salaries and Wages.</i>							
(No. 8.)—DIVISION No. 10. MEDICAL.							
Subdivision No. 1. MEDICAL OFFICER.							
1*	1	1	Chief Medical Officer (professional) ...		880	0	0
<i>And in the opinion of the Committee this item should be increased by £20.</i>							
Subdivision No. 3. LUNATIC ASYLUM.							
1*	1	1	Surgeon Superintendent (professional) ...		550	0	0
<i>And in the opinion of the Committee this item should be increased by £60.</i>							

And the said resolutions were read a second time and agreed to by the Assembly.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the further additional supplementary charges for the year 1861 for the several services hereunder specified, being—

<b>CHIEF SECRETARY.</b>					
(No. 9.)—DIVISION No. 19. STEAM SLOOP <i>VICTORIA</i> .					
Subdivision No. 10. Provisions supplied to the <i>Victoria</i> , when at Auckland, New Zealand ... ..					
					419 3 5

And the said resolution was read a second time and agreed to by the Assembly.

Subdivision No. 17. NATIONAL MUSEUM.					
			Contingencies ... ..		9 6 0
					428 9 5

Mr. Haines moved, That this resolution be read a second time.  
Debate ensued.  
Question—put and resolved in the affirmative.  
Resolution agreed to by the Assembly.

<b>ATTORNEY-GENERAL.</b>					
(No. 10.)—DIVISION No. 34.					
Subdivision No. 1. THEIR HONORS THE JUDGES.					
			Defence of Prisoners in Capital Cases, &c. ...		5 10 0
Subdivision No. 2. LAW OFFICERS OF THE CROWN.					
			Professional Assistance ... ..		50 0 0
Subdivision No. 7. COUNTY AND OTHER COURTS.					
			Fuel, Light, and Water ... ..		50 0 0
			Allowance to R. Burke, for acting as Clerk of Petty Sessions at Leigh, from 1st February to 31st December, 1861 ... ..		45 16 8
					151 6 8



TREASURER.		£ s. d.	£ s. d.
DEPARTMENTAL CONTINGENCIES.			
(No. 11.)—DIVISION No. 40.			
Subdivision No. 1.			
TREASURY.			
Travelling Expenses ... ..	40	0	0
Subdivision No. 3.			
GOVERNMENT PRINTER.			
Paper, Parchment, &c. ... ..	2,000	0	0
(No. 12.)—DIVISION No. 48.			
MISCELLANEOUS.			
Subdivision No. 54.			
Compensation to Mrs. Ryan, widow of the late Mr. Ryan, a Draftsman in the Survey Department ... ..	187	4	8
Subdivision No. 55.			
To reimburse Mr. District Surveyor Scott the amount paid to Geo. Melville, a laborer, but for which no acquittance has been obtained ...	10	10	0
Subdivision No. 56.			
Gratuity to the widow of the late Phillip Curran	100	0	0
Subdivision No. 57.			
Compensation to Mr. A. Hazzard for injuries sustained while on duty ... ..	10	0	0
Subdivision No. 58.			
Compensation to Mr. Norman Campbell, member of the Volunteer Artillery Corps, for injuries sustained whilst on duty ... ..	10	0	0
Subdivision No. 59.			
In reimbursement to Lieutenant A. Woods, of the <i>Victoria</i> , being value of certain property stolen from his tent, whilst serving in New Zealand	59	11	0
			2,417 5 8
COMMISSIONER OF CROWN LANDS AND SURVEY.			
SURVEY, SALE, AND MANAGEMENT OF CROWN LANDS.			
(No. 13.)—DIVISION No. 53.			
SURVEYS UNDER CONTRACT.			
Amount due to Mr. Cape Webster on a contract for the survey of land not completed till the vote had lapsed... ..	720	2	7
Amount due to Mr. J. B. Henderson, do., do., do.	254	2	11
DIVISION No. 54A.			
EXTIRPATION OF THISTLES.			
Balance of contract for extirpation of thistles, taken in 1860, for which accounts were not rendered till the vote had lapsed ... ..	400	0	0
DIVISION No. 55A.			
ROADS AND BRIDGES.			
Subdivision No. 15.			
LIABILITIES ON ACCOUNT OF 1860.			
Liabilities on account of 1860 under votes of that year, but which votes have lapsed ... ..	5,917	1	0
			7,291 6 6

## COMMISSIONER OF PUBLIC WORKS.

(No. 14.)—DIVISION No. 61.

## WORKS AND BUILDINGS.

Subdivision No. 14.

## WATER SUPPLY TO THE GOLD FIELDS.

Removing Sludge at Sandhurst ... .. 624 1 5

Subdivision No. 16.

Furniture, &amp;c., for new Treasury ... .. 300 0 0

924 1 5.

And the said resolutions were read a second time and agreed to by the Assembly.

3rd and 4th June.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the additional charges for the year 1862 for the several services hereunder specified, being—

Classification.			CHIEF SECRETARY.						
No.	Class.	Schedule.		£	s.	d.	£	s.	d.
			(No. 14.)—DIVISION No. 2.						
			LEGISLATIVE ASSEMBLY.						
			The Clerk of Assembly—Amount in addition to £850 on the original Estimates ... ..	50	0	0			
			The Clerk Assistant—Amount in addition to £600 on the original Estimates ... ..	50	0	0			
							100	0	0
			DIVISION No. 4.						
			CHIEF SECRETARY'S OFFICE.						
1	...	3	Housekeeper—Amount in addition to £60 on the original Estimates ... ..				40	0	0
			DIVISION No. 10.						
			Subdivision No. 3.						
			LUNATIC ASYLUM.						
1	5	...	Assistant Clerk and Storekeeper, at £100 per annum for seven months ... ..	58	6	8			
2	...	3	Male Attendants, at £85 ... ..	99	3	4			
1	...	3	Female Attendant, at £36 ... ..	21	0	0			
							178	10	0
			DIVISION No. 17.						
			DEPARTMENTAL CONTINGENCIES.						
			Subdivision No. 1.						
			LEGISLATIVE ASSEMBLY.						
			Travelling Expenses of Select Committees ... ..	100	0	0			
			Subdivision No. 3.						
			REFRESHMENT ROOMS.						
			Allowance to Contractor ... ..	400	0	0			
			Allowance to Comptroller ... ..	60	0	0			
			Allowance to Stablekeeper, to 5th April ... ..	39	11	8			
			Incidentals ... ..	50	0	0			
							549	11	8
			Subdivision No. 6.						
			POLICE.						
			Burial of Destitute Persons, in addition to amount of £500 on original Estimates ... ..	1,000	0	0			

## CHIEF SECRETARY—continued.

	£	s.	d.	£	s.	d.
Subdivision No. 11.						
LUNATIC ASYLUM.						
Clothing and Bedding, in addition to the sum of £6,000 on the original Estimates ...	350	0	0			
Stores, in addition to the amount of £1,250 on the original Estimates ...	60	0	0			
	410	0	0			
Subdivision No. 14.						
MAGNETIC SURVEY.						
Publication of the Observations taken at the Observatory ...	500	0	0			
Subdivision No. 18.						
INSPECTORS UNDER THE SCAB ACT.						
Expenses incidental to the Working of the Scab Act ...	400	0	0			
				2,959	11	8
(No. 15.)—DIVISION No. 18.						
ABORIGINES.						
Amount in addition to £6,000 on the original Estimates ...	...			500	0	0
DIVISION No. 23.						
MISCELLANEOUS.						
Subdivision No. 4.						
Allowance to Mr. M. Smith, as Pleuro-pneumonia Commissioner, from 1st January to 2nd March, at £3 3s. per diem, and 21s. per diem for travelling expenses ...	...			256	4	0
				4,034	5	8
<b>ATTORNEY-GENERAL.</b>						
(No. 16.)—DIVISION No. 31.						
DEPARTMENTAL CONTINGENCIES.						
Subdivision No. 5.						
CHIEF COMMISSIONER OF INSOLVENT ESTATES.						
Stores in addition to £50 on original Estimates ...	...			30	0	0
<b>TREASURER.</b>						
DEPARTMENTAL CONTINGENCIES.						
(No. 17.)—DIVISION No. 43.						
Subdivision No. 2.						
STORES AND TRANSPORT.						
Clerical Assistance ...	82	15	10			
Subdivision No. 4.						
VOLUNTEER CORPS.						
To defray the Expenses of the Werribee Encampment ...	2,500	0	0			
Passage of Sergeant and Two Gunners of Artillery to Melbourne, to instruct Volunteers in the use of Armstrong Guns ...	135	0	0			
Allowance to Drill Instructors (6 months) ...	3,650	0	0			
Allowance to Trumpeters and Buglers (6 months)	365	0	0			
	6,650	0	0			

TREASURER—*continued.*

## Subdivision No. 5.

## COLONIAL MILITARY STORES.

Colonial Military Stores, Labor in landing Guns,  
and Miscellaneous Expenses connected there-  
with, Repairs, &c., in addition to £1,150 on the  
original Estimates ... ..

£ s. d.

500 0 0

£ s. d.

7,232 15 10

## (No. 18.)—DIVISION No. 51.

## MISCELLANEOUS.

No. 10. Amount of Damages awarded in the action  
Mr. John George Knight *v.* the Queen ...

1,800 0 0

No. 11. Amount of Verdict in the Action  
Liddiard *v.* the Board of Land and Works ...

344 14 1

No. 12. Compensation to Mr. E. G. Welch, Sur-  
veyor, for partial loss of sight during duty on  
the Exploration Expedition ... ..

200 0 0

2,344 14 1

COMMISSIONER OF CROWN LANDS  
AND SURVEY.

## DEPARTMENTAL CONTINGENCIES.

## (No. 19.)—DIVISION No. 53.

SURVEY, SALE, AND MANAGEMENT OF  
CROWN LANDS.

## Subdivision No. 1.

For the completion of the large Map of Victoria

100 0 0

## Subdivision No. 2.

## MINING AND GEOLOGICAL SURVEYS.

Prospecting for New Coal Fields or New Seams  
of Coal ... ..

1,000 0 0

Travelling Expenses of Geological Surveyors,  
including Equipment ... ..

900 0 0

For Analysis of Metals and Minerals ... ..

150 0 0

Allowance to Mining Surveyors ... ..

2,700 0 0

Labor and General Assistance ... ..

1,100 0 0

Expense of preparing and publishing Plans, Re-  
ports, and Sections ... ..

1,200 0 0

Expense of testing and reporting on New Inven-  
tions and Discoveries relating to Mining ...

250 0 0

Towards the establishment of a Laboratory ...

400 0 0

Stores ... ..

200 0 0

Fuel, Light, and Water ... ..

50 0 0

Incidental Expenses ... ..

30 0 0

7,980 0 0

8,080 0 0

## COMMISSIONER OF PUBLIC WORKS.

## (20.)—DIVISION No. 59.

## WORKS AND BUILDINGS.

## Subdivision No. 1.

## WHARVES, JETTIES, AND HARBORS.

12. For the Extension of the Yarra-street Wharf,  
Geelong ... ..

1,000 0 0

COMMISSIONER OF PUBLIC WORKS—*continued.*

	£	s.	d.	£	s.	d.
Subdivision No. 8.						
MILITARY BUILDINGS AND WORKS OF DEFENCE.						
2. Purchase of Materials for erecting Batteries and other Defences, &c., &c. ... ..	1,650	0	0			
Subdivision No. 13.						
ELECTRIC TELEGRAPHS.						
2. Provision of a second Intercolonial Wire through Victoria, to meet the second wire already erected in New South Wales and South Australia, in addition to the amount of £9,500 on the original Estimates ... ..	2,500	0	0			
Subdivision No. 17.						
5. In aid of Maintenance of the Sandhurst Sludge Channel ... ..	1,600	0	0			
Subdivision No. 18.						
MISCELLANEOUS.						
11. Towards the erection of an Observatory ...	2,500	0	0			
12. Repairs and Furniture of the Public Library	700	0	0			
	3,200	0	0			
				9,950	0	0

## COMMISSIONER OF TRADE AND CUSTOMS.

## DEPARTMENTAL CONTINGENCIES.

(No. 21.)—DIVISION No. 67.						
Subdivision No. 2.						
PORTS AND HARBORS.						
For a New Buoy Vessel at Port Albert ...	...			700	0	0
Subdivision No. 4.						
LIGHTHOUSES.—WILSON'S PROMONTORY AND GABO ISLAND.						
Oil, Wicks, and Glasses—in addition to £310 on original Estimates ... ..	...			100	0	0
				800	0	0

## POSTMASTER-GENERAL.

## MINING DEPARTMENT.

(No. 22.)—DIVISION No. 74.						
Subdivision No. 2.						
GOLD FIELDS.						
One Clerk, also Keeper of Powder Magazine, at Ballarat ... ..	£325	0	0			
On original Estimates ... ..	275	0	0	...	50	0

## DEPARTMENTAL CONTINGENCIES.

## DIVISION No. 73.

## Subdivision No. 1.

POST OFFICE.						
Additional Assistance, &c., in addition to £3,000 on original Estimates ... ..	750	0	0			
Mail Bags and Boxes, in addition to £600 on original Estimates ... ..	600	0	0			
Stores, in addition to £1,200 on original Estimates	200	0	0			
Allowance in lieu of Quarters to the Postmaster at Ararat, for six months ... ..	25	0	0			
	1,575	0	0			

POSTMASTER-GENERAL—*continued.*

(No. 23.)—Subdivision No. 2.

## ELECTRIC TELEGRAPH.

Overtime and Night Service, &c., in addition to  
£500 on original Estimates ... ..£ s. d.  
200 0 0

Subdivision No. 3.

## DEPARTMENT OF MINES.

Reward for the Discovery of New Gold Fields ... ..  
 Compensation to Mr. Butler, for acting as Warden  
 in addition to his other duties ... ..  
 Stores, including Books and Papers on Mining  
 and Mining Jurisprudence ... ..  
 Clerical assistance, and to cover cost of preparing  
 and engrossing Leases ... ..  
 Fuel, Light, and Water ... ..  
 Allowance to Office Keepers ... ..  
 Clerical assistance to and expenses of Mining  
 Boards ... ..  
 Expenses of new Gold Fields, unforeseen and  
 accidental expenses in connection with the  
 Department of Mines, Chinese Protectorate,  
 and travelling expenses ... ..  
 Allowance to Mining Surveyors in addition to  
 their fees ... ..  
 Incidentals ... ..

6,000 0 0  
 250 0 0  
 650 0 0  
 700 0 0  
 450 0 0  
 652 0 0  
 2,000 0 0  
 1,200 0 0  
 1,800 0 0  
 50 0 0  
 13,752 0 0

15,527 0 0

COMMISSIONER OF RAILWAYS AND  
ROADS AND BRIDGES.

## RAILWAYS.

## DEPARTMENTAL CONTINGENCIES.

(No. 24.)—DIVISION No. 78.

Subdivision No. 2.

## STATIONS.

Compensation, in addition to £600 on original  
 Estimates ... ..  
 Clothing, in addition to £600 on original Estimates  
 Towing, in addition to £500 on original Estimates  
 Rent ... ..  
 Travelling Expenses ... ..

1,400 0 0  
 400 0 0  
 200 0 0  
 100 0 0  
 200 0 0

2,300 0 0

And the said resolutions were read a second time and agreed to by the Assembly.

7. PAPERS.—Mr. Haines presented—

Public Accounts—Regulation respecting Public Accounts, supplementary to Regu-  
 lation 20.

Ordered to lie on the Table.

8. SUPPLY.—Mr. Haines moved, That Mr. Speaker do now leave the Chair and the Assembly  
resolve itself into the Committee of Supply.

Mr. Brodribb moved as an amendment, That all the words after the word "That" be omitted  
 with a view to insert instead thereof the words "it appearing from the Return relating to  
 Commons, recently laid on the Table of this House, that in many cases the Crown lands  
 granted for this purpose are not used, and in many other cases are used without payment  
 of the fees to which they are subject by law, this House is of opinion the Government  
 should take measures to make the Commonages granted correspond with the lawful use  
 thereof, and with the public requirements."

Debate ensued.

Mr. McLellan moved, That this debate be now adjourned.

Debate continued.

Motion for adjournment, by leave, withdrawn.

Debate further continued.

Question—That the words proposed to be omitted stand part of the question—put and  
resolved in the affirmative.Question—That Mr. Speaker do now leave the Chair, and the Assembly resolve itself into  
the Committee of Supply—put and resolved in the affirmative.

Whereupon Mr. Speaker left the Chair, and the Assembly resolved itself into the Committee of Supply.

Mr. Speaker resumed the Chair; Mr. Lalor acquainted the House that the Committee had made progress, and that he was directed to move that he have leave to sit again.

Resolved—That this House will this day again resolve itself into the said Committee.

9. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor received and read:—

HENRY BARKLY,

*Governor.*

*Message No. 19.*

The Governor transmits to the Legislative Assembly Further Additional Estimates of Expenditure for 1862, and recommends an appropriation of the Consolidated Revenue accordingly.

Government Offices,

Melbourne, June, 1862.

Ordered to be printed, together with the accompanying Estimates, and referred to the Committee of Supply.

10. SUPPLY.—The House, according to order, resolved itself into the Committee of Supply.

And the House having continued to sit till after twelve of the clock—

SATURDAY, 7<sup>TH</sup> JUNE, 1862.

Mr. Speaker resumed the Chair; and Mr. Lalor reported that the Committee had come to certain resolutions

Ordered—That the said Report be received Tuesday, 10th June instant.

Mr. Lalor also acquainted the House that he was directed to move that he have leave to sit again.

Resolved—That this House will, on Tuesday, 10th June instant, again resolve itself into the said Committee.

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

“*Ways and Means—To be considered in Committee,*”

“*Gold Mining Leases Bill—Consideration of Report,*”

“*Justices Law Administration Bill—To be further considered in Committee,*”

“*Weights and Measures Bill—To be further considered in Committee,*”

“*Railway Loan Bill—Second Reading,*”

“*Horticultural Society—Motion for Address—To be considered in Committee,*” until Tuesday, 10th June instant;

“*Mr. Hines—Report from Select Committee to be considered in Committee,*” until Thursday, 12th June instant;

“*Conveyancers Bill—Second reading,*”

“*Mr. Hennelle—Report from Select Committee to be considered in Committee,*”

“*Newspapers Bill—Second reading,*”

“*Melbourne and Geelong Corporations Acts Amendment Bill—Consideration of Report,*”

“*Main Murray Road—Report of Select Committee—To be considered in Committee,*”

“*Refuges—Motion for Address—To be considered in Committee,*”

“*Church Act Amendment Bill—Second reading,*”

“*Oyster Fisheries Act Amendment Bill—Second reading,*”

“*Judges of Courts of Mines and County Courts—Resolution to be considered in Committee,*”

“*Signals Bill—Second reading,*”

“*Common Schools Bill—Third reading,*”

“*Melbourne Police Office—Motion for Address to be considered in Committee,*”

“*Medical Practitioners Bill—Consideration of Report,*”

“*Anatomy Bill—Consideration of Report*”—until Tuesday, 10th June instant.

12. DISCHARGE OF ORDERS OF THE DAY.—The Assembly ordered that the following Orders of the Day be read and discharged:—

“*Dromana Jetty—Motion for Address to be considered in Committee,*”

“*Markets Bill—Second reading.*”

13. MRS. GILMAN.—Mr. Riddell moved, pursuant to notice, That the Petition from Caroline Gilman, presented to this House on the 4th June instant, be referred to the Committee now sitting on “Claims for Compensation.”

Question—put and resolved in the affirmative.

Assembly adjourned at ten minutes past two o'clock, until four o'clock on Tuesday next.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 100.

TUESDAY, 10TH JUNE, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITIONS.—Mr. Aspinall presented a Petition from certain landholders, merchants, tradesmen, farmers and others, praying the House would not assent to that portion of the Railway Loan Bill respecting the construction of the loop line or the building of a station at Cowie's Creek, and that this House would grant the Petitioners such other relief as to this House might seem meet.  
Petition read, and ordered to lie on the Table.  
Mr. Brooke presented a Petition from certain residents in and around the town of Geelong, praying the House would not sanction the construction of the loop line, or empower the Government to borrow funds for the purpose of such construction, or grant such other relief as to this House might seem meet.  
Ordered to lie on the Table.  
Mr. Lalor presented a Petition from certain parents and guardians residing in the parishes of Bulban, Murtcain, &c., in the county of Grant, praying this House not to pass the Common Schools Bill.  
Ordered to lie on the Table.  
Mr. Anderson presented a Petition from certain persons, praying the House not to pass into Law any measure relating to Education which must place the Petitioners in hostility to its Administrators.  
Ordered to lie on the Table.
3. DRAINAGE OF REEFS BILL.—Mr. Grant, by leave of the Assembly, moved, That he have leave to bring in a Bill to amend the Law relating to the Drainage of Reefs.  
Question—put and resolved in the affirmative.  
Ordered—That Mr. Grant and Mr. Houston do prepare and bring in the Bill.  
Mr. Grant then brought up a Bill, intituled, "*A Bill to amend the Law relating to the Drainage of Reefs,*" 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.
4. MR. GEORGE YOUNG'S COMMITTEE.—Mr. Ramsay, Chairman, brought up the Report from this Committee.  
Ordered to lie on the Table, together with the Proceedings of the Committee and Minutes of Evidence, and to be printed.
5. ADJOURNMENT.—Mr. Grant moved, That this House do now adjourn.  
Debate ensued.  
Question—put and negatived.
6. OPIUM DUTIES.—Mr. Anderson moved, by leave of the Assembly—  
(1.) That this House will, to-morrow, resolve itself into a Committee of the whole to consider the propriety of amending the Act for granting a Duty upon Opium.  
(2.) That a Bill be brought in for such purpose.  
Question—put and resolved in the affirmative.
7. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered That the consideration of the following Orders of the Day be postponed until after the consideration of the fifth Order for to-day.  
"Supply—Resolutions in Committee—To be reported."  
"Supply—To be further considered in Committee."  
"Ways and Means—To be considered in Committee."  
"Licensed Publicans Bill—Second reading."
8. GOLD MINING LEASES BILL.—On the motion of Mr. Wood, the Assembly agreed to the amendments made by the Committee of the whole in this Bill.



Mr. Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported,  
Mr. Wood moved, That this Bill be now read a third time.  
Debate ensued.

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

On the motion of Mr. Wood, the following Clause was read a first time, a second time, and added to the Bill, to follow Clause VIII., viz. :—

“No person holding a lease granted under the provisions of the said Act numbered thirty-two shall hereafter be required notwithstanding any covenants therein contained to pay any greater sum by way of rent for the land thereby demised than at the rate of fifty shillings an acre and every person holding any such lease who shall have paid in respect of any instalment which became due after the first day of October One thousand eight hundred and sixty-one rent at a rate exceeding fifty shillings an acre shall be entitled to deduct from the rent which he would otherwise be required to pay the amount by which the rent he shall have so paid as aforesaid shall exceed a rent at the rate of fifty shillings an acre.”

Mr. Gillies moved, That the following proposed Clause be read a first time, viz. :—

“Certain doubts having arisen as to the legality of the Orders in Council made under 21 Vict. No. 32 authorizing mining operations under the Wendouree Swamp and Wendouree Parade Ballarat and respectively dated 27th May 2nd July 15th July and 19th August 1861 the same shall be and are hereby declared to be legal and valid.”

Debate ensued.

Question—That such clause be read a first time—put.

Assembly divided.

Ayes, 22.		Noes, 32.	
Mr. Berry,	Mr. McLellan,	Mr. Bennett,	Dr. Mackay,
Mr. Brooke,	Mr. Nixon,	Mr. Brodribb,	Capt. Mac Mahon,
Mr. J. Davies,	Mr. O'Connor,	Mr. Cohen,	Mr. McDonald,
Mr. Denovan,	Mr. Pope,	Mr. Cummins,	Mr. Mollison,
Mr. Frazer,	Mr. Ramsay,	Mr. Gavan Duffy,	Mr. Nicholson,
Mr. Gillies,	Mr. Richardson,	Dr. Evans,	Mr. O'Grady,
Mr. Grant,	Mr. Sinclair,	Mr. Francis,	Mr. O'Shanassy,
Mr. Gray,	Mr. J. T. Smith.	Mr. Haines,	Mr. Riddell,
Mr. Heales,		Dr. Hedley,	Mr. Service,
Mr. Houston,	<i>Tellers.</i>	Mr. Higinbotham,	Mr. A. J. Smith,
Mr. Humffray,	Mr. Lambert,	Mr. Hood,	Mr. Sullivan,
Mr. Kyte,	Mr. Woods.	Mr. Howard,	Mr. Tucker,
		Mr. Johnston,	Mr. Wood.
		Mr. Jones,	
		Mr. Kirk,	<i>Tellers.</i>
		Mr. Loader,	Mr. Anderson,
		Mr. McCulloch,	Mr. McCann.

And so it passed in the negative.

On the motion of Mr. Wood, the following amendments were made in this Bill, viz. : the words “this or” and “other” omitted from line 4 of Clause II.; the words “in Council” omitted from lines 1 and 3 of Clause X.; the words “his executors administrators and assigns” inserted after the word “granted” in line 6 of Clause X.; and the following words inserted after the words “Crown lands” in line 18 of Clause X., viz., “and the right conferred by such license and the property and interest in any race dam or reservoir cut or constructed by virtue thereof shall be deemed to be a chattel interest and may be transferred by writing attested by a justice and in such form (if any) as may be prescribed by the regulations hereinafter mentioned”; the words “of the lease” omitted from lines 11 and 12 of Clause XI., and the word “thereof” inserted instead thereof; the words “granted by the Governor” inserted after the word “easements” in line 6 of Clause XVI.; and the words “the quantity and shape of the land to be demised” inserted in line 4 of Clause XVIII. of this Bill.

Question—That this Bill do now pass—put and resolved in the affirmative.

Mr. Wood moved, That the following be the title of the Bill :—“*An Act to amend the Law relating to Leases of Auriferous Land and for other purposes.*”

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.

9. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until after the consideration of the 8th Order for to-day :—

“*Supply—Resolutions in Committee to be reported.*”

“*Supply—To be further considered in Committee.*”

“*Ways and Means—To be considered in Committee.*”

“*Licensed Publicans' Bill—Second reading.*”

“*Justices Law Administration Bill—To be further considered in Committee.*”

“*Weights and Measures Bill—To be further considered in Committee.*”

10. RAILWAY LOAN BILL.—Mr. Johnston moved, That this Bill be now read a second time.  
 Debate ensued.  
 Mr. Pope moved, as an amendment, That the word “now” be omitted, and the words “this day three months” be added after the word “time.”  
 Debate continued.  
 Question—That the word “now” proposed to be omitted stand part of the question—put and resolved in the affirmative.  
 Question—That this Bill be now read a second time—put and resolved in the affirmative.—  
 Bill read a second time.  
 Mr. Johnston moved, That this Bill be now committed to a Committee of the whole Assembly.  
 Question—put and resolved in the affirmative.  
 And on the further motion of Mr. Johnston, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
 Mr. Speaker resumed the Chair; and Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same with an amendment, the Assembly ordered the report to be received to-morrow.

11. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor received and read :—

HENRY BARKLY,  
 Governor,

*Message No. 20.*

The Governor transmits to the Legislative Assembly Further Additional Estimates of Expenditure for 1862, and recommends an appropriation of the Consolidated Revenue accordingly.

Government Offices,  
 June, 1862.

Ordered to be printed, together with the accompanying Estimates, and referred to the Committee of Supply.

12. SUPPLY—ESTIMATES FOR 1862.—Mr. Lalor reported from the Committee of Supply certain resolutions, which were read, and are as follow :—

6th June.

Resolved—That the sums hereinafter mentioned be granted to Her Majesty to defray the additional charges for the year 1862 for the several services hereunder specified, being—

### I.—CHIEF SECRETARY.

	£	s.	d.	£	s.	d.
(No. 1.)—DIVISION No 2.						
LEGISLATIVE ASSEMBLY.						
The Speaker :—						
In addition to £1300 on the original Estimates	200	0	0			
The Chairman of Committees :—						
In addition to £700 on the original Estimates	100	0	0			
The Clerk Assistant :—						
In addition to £650 on previous Estimates ...	50	0	0			
				350	0	0
(No. 2.)—DIVISION No. 10.						
Subdivision No. 1.						
MEDICAL OFFICER.						
Chief Medical Officer :—						
In addition to £880 on the original Estimates	...			20	0	0
Subdivision No. 3.						
LUNATIC ASYLUM.						
Surgeon Superintendent (Class I.) :—						
In addition to £550 on the original Estimates	...			60	0	0
				430	0	0

**II.—ATTORNEY GENERAL.**

(No. 3.)—DIVISION No. 28.

**MASTER IN EQUITY.**

One Clerk, 5th Class, at £180 per annum from  
1st June ... ..

£ s. d.

...

105 0 0

**III.—TREASURER.**

(No. 4.)—DIVISION No. 51.

**MISCELLANEOUS.**

No. 9. For the purchase of debentures to the amount of £2000, the interest of which as it becomes due, to be made payable as an annuity to Mrs. Wills, mother of the late explorer, for her sole use and benefit. The debentures to remain the property of the Government ...

No. 13. For the purchase of debentures to the amount of £1000, the interest of which as it becomes due, to be made payable to Mrs. Ellen Dougherty. The debentures to remain the property of the Government ...

No. 14. Gratuity to Dost Mahommed ...

£ s. d.

2090 0 0

1045 0 0

100 0 0

*And in the opinion of the Committee this item should be increased by £100.*

3,235 0 0

**VI.—COMMISSIONER OF PUBLIC WORKS.**

(No. 5.)—DIVISION No. 59.

**WORKS AND BUILDINGS.**

Subdivision No. 1.

**WHARVES, JETTIES, AND HARBORS.**

No. 11.—For a Jetty near Dromana, in addition to £2,000 on the original Estimates ...

£ s. d.

...

200 0 0

**IX.—COMMISSIONER OF RAILWAYS, ROADS, AND BRIDGES.**

(No. 6.)—DIVISION No. 80.

In aid of Road Boards, to be expended subject to the approval and under the control of the Board of Land and Works, and to be distributed *pro ratâ* according to the amounts of assessment raised by such Boards in 1861 ...

Amount already Voted ... ..

£ s. d.

144,222 19 0

126,222 19 0

18,000 0 0

And the said resolutions were read a second time and agreed to by the Assembly.

*Resolved*—That the sums hereinafter mentioned be granted to Her Majesty to defray the Grants-in-aid of charitable institutions for the year 1862 :—

IV.—TREASURER.		£	s.	d.
(No. 7.)—DIVISION No. 47.				
CHARITABLE INSTITUTIONS.				
GRANTS IN AID TO THE UNDERMENTIONED				
CHARITABLE INSTITUTIONS.				
<i>On condition that a statement of transactions and account of receipts and expenditure of the year ending 31st December, 1861, has been deposited in the Treasury, according to the conditions of the Grant for that year; and that a similar account be furnished in the prescribed form to the Treasurer, for the year 1862, prior to the 31st January, 1863, and that a sum equal to one-third of the amount of the present Grant be raised by private contributions; and on further conditions, that the Secretary, or some other officer of every such Institution, shall before the last day of January in the year 1863, make a Return, verified by his solemn declaration before a Justice of the Peace, to the Treasurer, of the number of persons received into such institution during the year preceding, the number of officials and servants, and the vital statistics of such institution, together with such other and further information as the Governor in Council, by rules and regulations from time to time in that behalf made, may direct.</i>				
<i>Subdivisions—(Inalterable).</i>				
No. 1.—Ararat Hospital ... ..	£	£		
No. 2.—Ballaarat District Hospital ... ..	...	1,000		
	...	4,000		
<i>And in the opinion of the Committee this item should be increased by £2000.</i>				
No. 3.—Beechworth Hospital ... ..	...	3,000		
No. 4.—Belfast Hospital ... ..	...	600		
No. 5.—Castlemaine District Hospital ... ..	...	3,750		
No. 6.—Dunolly Hospital ... ..	...	1,200		
No. 7.—Heathcote Hospital ... ..	...	600		
No. 8.—Kilmore Hospital ... ..	...	600		
No. 9.—Kyneton Hospital... ..	...	1,500		
No. 10.—Maryborough District Hospital ... ..	...	2,000		
No. 11.—Melbourne Hospital ... ..	...	13,000		
No. 12.—Melbourne Lying-in Hospital ... ..	...	2,000		
No. 13.—Pleasant Creek Hospital ... ..	500	1,000		
No. 14.—Portland Hospital... ..	...	750		
No. 15.—Sandhurst Hospital ... ..	750	4,000		
No. 16.—Warrnambool Hospital ... ..	...	500		
No. 17.—Ballaarat Benevolent Asylum ... ..	500	2,000		
No. 18.—Beechworth Benevolent Asylum ... ..	450			
No. 19.—Castlemaine Benevolent Asylum ... ..	...	1,000		
No. 20.—Melbourne Benevolent Asylum ... ..	...	10,000		
No. 21.—Sandhurst Benevolent Asylum ... ..	...	1,500		
No. 22.—Infirmery and Benevolent Asylum, Geelong ... ..	...	4,500		
No. 23.—Protestant Orphan Asylum, Melbourne ... ..	500	3,000		
No. 24.—Geelong Orphan Asylum ... ..	...	1,500		
No. 25.—Roman Catholic Orphanage, Geelong... ..	500	1,000		
No. 26.—St. Vincent de Paul's Orphanage, Emerald Hill ... ..	750	1,750		
No. 27.—Amherst District Hospital ... ..	500	1,000		
No. 28.—Maldon Hospital ... ..	...	750		
No. 29.—Swan Hill District Hospital ... ..	...	300		
No. 30.—Creswick Hospital ... ..	750			
<i>Unconditionally so far as regards private contributions.</i>				
No. 31.—Immigrant's Aid Society ... ..	...	2,000		
Total, Division No. 47 ... ..	5,200	69,800	75,000	0 0
<i>And in the opinion of the Committee this item should be increased by £7800.</i>				

And the said resolution being read, Mr. Haines moved, That all the words after the figures "1861" in the second line of the above conditions be omitted, with a view to insert instead thereof the words "verified by the solemn declaration, before a Justice of the Peace, of the Secretary or other officer of every such Institution has been deposited in the Treasury, and that similar accounts, verified in the manner before described be furnished for the first six months of the year 1862, prior to the 31st July in that year, and for the quarters ending 30th September and 31st December in that year, prior to 31st October, 1862, and 31st January, 1863 respectively; and that a sum equal to one-third of the

amount claimed out of the present grant to each institution be raised within the year 1862 by private contributions, and that no payment of any portion of such grant be authorised by the Treasurer, unless a list of such contributions has been deposited in the Treasury, accompanied by a solemn declaration made before a Justice of the Peace by the Secretary or other officer of every such institution, that such contributions have been actually received, and have been made without any right of relief having accrued to the persons from whom such contributions have been received, and on further conditions that the Secretary or some other officer of every such institution shall, before the last day of January, in the year 1863, make a return, verified by his solemn declaration before a Justice of the Peace, to the Treasurer of the number of persons received into such institution during the year preceding, the number of officials and servants, and the vital statistics of such institution, together with such other and further information as the Governor in Council, by rules and regulations from time to time in that behalf made, may direct."

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

Question—That the words proposed to be inserted in the place of the words omitted, be so inserted—put and resolved in the affirmative

And the said several resolutions were agreed to as so amended.

13. SUPPLY.—The House, according to order, resolved itself into the Committee of Supply.

And the House having continued to sit till after twelve of the clock—

WEDNESDAY, 11<sup>TH</sup> JUNE, 1862.

Mr. Speaker resumed the Chair ; and Mr. Lalor reported that the Committee had come to certain resolutions.

On the motion of Mr. Haines the Assembly ordered—That the Standing Orders and Practice of this House be suspended in order to allow the resolutions to be reported this day.

Mr. Lalor reported that the Committee had agreed to the following resolutions:—

**I.—CHIEF SECRETARY.**

DIVISION No. 12. SHORTHAND WRITER.		£	s.	d.
Shorthand Writer, in addition to £600 already voted	...	10	0	0

**IV.—TREASURER.**

DIVISION No. 47.

**CHARITABLE INSTITUTIONS.**

In addition to the sum of £75,000 already voted to meet increased amount on certain items, in accordance with resolution of the House

	Buildings.	Maintenance.	£	s.	d.
No. 31.—Daylesford Hospital	500	500			
No. 32.—Hamilton Benevolent Asylum	500	200			
No. 33.—Jewish Philanthropic Society	...	300			
No. 34.—Sailors' Home	750	...			
	1,750	1,000			
			2,750	0	0

DIVISION No. 51.

**MISCELLANEOUS.**

Subdivisions (*inalterable.*)

	£	s.	d.
No. 14.—Gratuity to Dost Mahommed, in addition to £100 on previous Estimates	100	0	0
No. 15.—Gratuity to the Misses Wills, sisters of the late Explorer, in amounts of £500 to each	1,000	0	0
No. 16.—One-half per cent. on £3000, to meet the increased rate of premium on the purchase of Debentures for Mr. King's annuity	15	0	0
			1,115 0 0

And the said resolutions were read a second time, and agreed to by the Assembly.

4 WAYS AND MEANS.—The House, according to Order, resolved itself into the Committee of Ways and Means.

Mr. Speaker resumed the Chair; Mr. Lalor reported that the Committee had come to a certain resolution.

Ordered—That the Standing Orders and Practice of the House be suspended, in order to allow the resolution to be reported this day.

Mr. Lalor reported that the Committee had agreed to the following Resolution:—

That towards making good the supply granted to Her Majesty the sum of £2,183,407 11s. 7d. be granted out of the Consolidated Revenue of the Colony.

And the said resolution having been read a second time, was agreed to by the Assembly.

Mr. Haines moved, That leave be given to bring in a Bill to apply a sum out of the Consolidated Revenue to the service of the Years 1861–1862, and to appropriate the supplies granted in this Session of Parliament.

Mr. Service moved, That this debate be now adjourned.

Debate continued.

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

Mr. Service moved, That the debate be adjourned until Tuesday next.

Mr. O'Shanassy, moved as an amendment, That the words "Tuesday next" be omitted, with a view to insert instead thereof the words "this day."

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

Assembly divided.

Ayes, 26.

Mr. J. Davies,	Mr. Orr,
Mr. Denovan,	Mr. Pope,
Mr. Don,	Mr. Ramsay,
Mr. Foott,	Mr. Richardson,
Mr. Frazer,	Mr. Service,
Mr. Gillies,	Mr. Sinclair,
Mr. Girdlestone,	Mr. L. L. Smith.
Mr. Grant,	Mr. Sullivan,
Mr. Gray,	Mr. Woods,
Mr. Heales,	Mr. Wright.
Mr. Houston,	
Mr. Lambert,	<i>Tellers.</i>
Mr. McLellan.	Dr. Macadam,
Mr. Nixon,	Mr. Berry.

Noes, 28.

Mr. Bennett,	Mr. McDonald,
Mr. Cohen,	Mr. Mollison,
Mr. Cummins,	Mr. Nicholson,
Mr. Gavan Duffy,	Mr. O'Connor,
Mr. Francis,	Mr. O'Grady,
Mr. Haines,	Mr. O'Shanassy,
Mr. Higinbotham,	Mr. Riddell,
Mr. Hood,	Mr. A. J. Smith,
Mr. Howard,	Mr. J. T. Smith,
Mr. Ireland,	Mr. Tucker,
Mr. Johnston,	Mr. Wood.
Mr. Jones,	
Mr. Kirk,	<i>Tellers.</i>
Mr. Lalor,	Mr. Anderson,
Capt. Mac Mahon,	Mr. Levey.

And so it passed in the negative.

Mr. Woods moved, That that the words "this day" be omitted, with a view to insert instead thereof the words "Friday next."

Question—That the words "this day" proposed to be omitted be inserted in the place of the words omitted—put and resolved in the affirmative.

Question—That this debate be adjourned until this day—put and resolved in the affirmative.

5. ADULTERATION OF FOOD BILL.—Dr. Macadam moved, pursuant to notice, That he have leave to bring in a Bill to suppress the adulteration of articles of human Consumption.

Question—put and resolved in the affirmative.

Ordered—That Dr. Macadam and Mr. Pope do prepare and bring in the Bill.

Dr. Macadam then brought up a Bill, intitled, "*A Bill to suppress the adulteration of articles of human Consumption,*" 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.

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

"*Licensed Publicans' Bill—Second reading,*"

"*Justices Law Administration Bill—To be further considered in Committee,*"

"*Weights and Measures Bill—To be further considered in Committee,*"

"*Gold Fields Management Act Amendment Bill—Second reading.*"

"*Equity Jurisdiction Bill—Consideration of Report,*"

"*Inspector of Pounds—Motion for Address—To be considered in Committee,*"

"*Horticultural Society—Motion for Address—To be considered in Committee,*" until this day;

"*Conveyancers Bill—Second reading,*" until Friday, 13th June instant;

"*Mr. Hennelle—Report from Select Committee to be considered in Committee,*" until this day;

"*Newspapers Bill—Second reading,*" until Thursday, 12th June instant;

"*Melbourne and Geelong Corporations Acts Amendment Bill—Consideration of Report,*"

"*Main Murray Road—Report of Select Committee—To be considered in Committee,*"

- "Refuges—Motion for Address—To be considered in Committee,"  
 "Church Act Amendment Bill—Second reading,"  
 "Oyster Fisheries Act Amendment Bill—Second reading,"  
 "Judges of Courts of Mines and County Courts—Resolution to be considered in Committee,"  
 "Signals Bill—Second reading,"  
 "Common Schools Bill—Third reading,"  
 "Melbourne Police Office—Motion for Address to be considered in Committee,"  
 "Medical Practitioners Bill—Consideration of Report,"  
 "Anatomy Bill—Consideration of Report"—until this day.

Assembly adjourned at eighteen minutes past three o'clock, until four o'clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 101.

WEDNESDAY, 11TH JUNE, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. EAST COLLINGWOOD IMPROVEMENT BILL.—Mr. Don, Chairman, brought up the Third Report from this Committee.  
Ordered to lie on the Table.
3. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Twenty-eighth Report from this Committee.  
Ordered to lie on the Table, and to be printed.
4. PETITION.—Mr. Heales presented a Petition from the Wesleyan Educational Committee appointed by the Australian Conference, praying the House would pass the Common Schools Bill without delay in order to secure its becoming law during the present Session of Parliament.  
Petition read, and ordered to lie on the Table.
5. OPIUM DUTIES.—The Order of the Day for considering in Committee of the whole Assembly—
  - (1.) The propriety of amending the Act for granting a Duty on Opium.
  - (2.) That a Bill be brought in for such purpose—having been read, on the motion of Mr. Anderson, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole accordingly.
 Mr. Speaker resumed the Chair; Mr. Lalor reported that the Committee had come to certain resolutions.  
Ordered to be received to-morrow.
6. RAILWAY LOAN BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole on this Bill having been read, Mr. Lalor moved, That all the words after the word "Geelong" in line 7 of Clause I. to and inclusive of the word "therewith," in the 18th line of the same Clause, be omitted.  
Question—That the words proposed to be omitted stand part of the Clause—put.  
Assembly divided.

Ayes, 30.

Mr. Bennett,	Mr. McCulloch,
Mr. Brodribb,	Capt. Mac Mahon,
Mr. Cohen,	Mr. McLellan,
Mr. J. Davies,	Mr. Mollison,
Mr. Denovan,	Mr. Nicholson,
Mr. Gavan Duffy,	Mr. O'Grady,
Dr. Evans,	Mr. Orr,
Mr. Gillies,	Mr. O'Shanassy
Dr. Girdlestone,	Mr. J. T. Smith,
Mr. Haines,	Mr. Sullivan,
Mr. Hood,	Mr. Weeks,
Mr. Howard,	Mr. Wood.
Mr. Johnston,	
Mr. Kirk,	<i>Tellers.</i>
Mr. Kyte,	Mr. Anderson,
Mr. Levey,	Mr. W. C. Smith.

And so it was resolved in the affirmative.

Noes, 25.

Mr. Berry,	Dr. Owens,
Mr. Brooke,	Mr. Pope,
Mr. Cummins,	Mr. Ramsay,
Mr. Don,	Mr. Service,
Mr. Edwards,	Mr. Sinclair,
Mr. Foott,	Mr. A. J. Smith,
Mr. Grant,	Mr. Tucker,
Mr. Gray,	Mr. Verdon,
Mr. Heales,	Mr. Wright.
Dr. Hedley,	
Mr. Houston,	<i>Tellers.</i>
Mr. Jones,	Mr. L. L. Smith,
Mr. Lalor,	Mr. Richardson.
Mr. McCann,	

Mr. Speaker 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 Mr. Johnston, read a third time.

Ordered—That the further consideration of this Bill be postponed until after the consideration of the fifth Order for to-day.



7. APPROPRIATION BILL.—The Order of the Day for the further consideration of the question that leave be given to bring in a Bill to apply a sum out of the Consolidated Revenue to the service of the year One thousand eight hundred and sixty-two, and to appropriate the Supplies granted in this Session of Parliament, and for other purposes, having been read—

Question—put and resolved in the affirmative.

Ordered—That Mr. Haines do prepare and bring in the Bill.

Mr. Haines then brought up a Bill intituled "*A Bill to apply a sum out of the Consolidated Revenue to the service of the year One thousand eight hundred and sixty-two and to appropriate the Supplies granted in this Session of Parliament 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 Friday, 13th June instant.

8. POSTPONEMENT OF ORDER OF THE DAY.—The Assembly ordered that the consideration of the following Order of the Day be postponed until after the consideration of the fifth Order for to-day :—

*"Licensed Publicans Bill—Second reading."*

9. JUSTICES LAW ADMINISTRATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.

Mr. Speaker resumed the Chair ; and Mr. Lalor having reported that the Committee had gone through the Bill, and agreed to the same with amendments, the Assembly ordered the same to be taken into consideration Friday, 13th June instant. Bill, as amended, to be printed.

10. RAILWAY LOAN BILL.—Mr. Johnston moved, That this Bill do now pass.

Question—put and resolved in the affirmative.

Mr. Johnston moved, That the following be the Title of the Bill :—

*"An Act to Authorise the borrowing of Three hundred thousand pounds for the purpose of repairing a certain portion of the Railway from Melbourne to Geelong and of forming a Junction Line between the Railway from Melbourne to Geelong and the Railway from Geelong to Ballarat and for the formation of such Junction Line and also of a Deviation Line and for other purposes in connection with the said Railway from Melbourne to Geelong."*

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.

11. CROWN LANDS SALES AND OCCUPATION BILL.—Mr. Speaker reported that he had this day received a letter from the Clerk of the Parliaments which he read to the Assembly, and is as follows :—

Legislative Council Chamber,  
12th June, 1862.

SIR,

I have the honor to call your attention to the following clerical errors discovered in a Bill, intituled, *The Land Act*, 1862, since it has received the assent of both branches of the Legislature.

Clause II., line 19, the word "said" ought to be omitted before the word "Act," no Act having been previously mentioned.

Clause LII., line 23, "fiftieth" is an error for "forty-ninth" which is the section dealing with Mining Leases.

Clause LV., line 9, the word "or" after the word "otherwise" is a clerical error.

Sixth Schedule, the word "Crown" before "Solicitor" ought to be omitted to correspond with section 24, to which it refers.

I have the honor to be,

Sir,

Your most obedient Servant,

CHARLES L. COMYNS,  
Clerk of the Parliaments.

To the Honorable  
The Speaker of the Legislative Assembly.

Mr. Gavan Duffy moved, That the Assembly do agree to the amendments pointed out by the Clerk of the Parliaments.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Council requesting their concurrence in the above amendments.

12. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed :—

- “*Licensed Publicans Bill—Second reading,*”  
 “*Weights and Measures Bill—To be further considered in Committee,*” until after the consideration of the 15th Order for to-day ;  
 “*Drainage of Reefs Bill—Second reading,*”  
 “*Adulteration of Food Bill—Second reading,*”  
 “*Gold Fields Management Act Amendment Bill—Second reading,*”  
 “*Equity Jurisdiction Bill—Consideration of Report,*”  
 “*Horticultural Society—Motion for Address—To be considered in Committee,*”  
 “*Mr. Hennelle—Report from Select Committee—To be considered in Committee,*” until to-morrow ;  
 “*Melbourne and G. clong Corporations Acts Amendment Bill—Consideration of Report,*” until after the consideration of the 15th Order for to-day ;  
 “*Main Murray Road—Report of Select Committee—To be considered in Committee,*” until Friday, 13th June instant ;  
 “*Refuges—Motion for Address—To be considered in Committee,*” until to-morrow ;  
 “*Church Act Amendment Bill—Second reading,*” until Friday, 13th June instant ;  
 “*Oyster Fisheries Act Amendment Bill—Second reading,*” until to-morrow ;  
 “*Judges of Courts of Mines and County Courts—Resolution to be considered in Committee,*” until Friday, 13th June instant ;  
 “*Signals Bill—Second reading,*” until to-morrow.

13. DISCHARGE OF ORDER OF THE DAY.—The Assembly ordered, That the following Order of Day be read and discharged :—

- “*Inspector of Pounds—Motion for Address—To be considered in Committee.*”

14. COMMON SCHOOLS BILL.—Mr. Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported, and that the Clerk of the Assembly had notified the several amendments made on the consideration of the report, Mr. Heales moved, That this Bill be now read a third time.

Mr. O'Shanassy moved, as an amendment, That all the words after the word “that” be omitted with a view to insert instead thereof the words “the Order of the Day be discharged, and the Bill recommitted to a Committee of the whole Assembly for the reconsideration of clauses 10, 15, 16, and 18 of this Bill.”

Debate ensued.

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

Ayes, 38.		Noes, 18.
Mr. Berry,	Mr. Kirk,	Mr. Bennett,
Mr. Brooke,	Mr. Kyte,	Mr. Cummins,
Mr. Cathie,	Dr. Macadam,	Mr. Gavan Duffy,
Mr. Cohen,	Mr. McCulloch,	Dr. Evans,
Mr. J. Davies,	Dr. Mackay,	Mr. Haines,
Mr. Denovan,	Mr. McDonald,	Mr. Hood,
Mr. Don,	Mr. McLellan,	Mr. Ireland,
Mr. Edwards,	Mr. Nicholson,	Mr. Lalor,
Mr. Foott,	Mr. Orr,	Capt. Mac Mahon,
Mr. Francis,	Dr. Owens,	Mr. McCann,
Mr. Gillies,	Mr. Pope,	
Mr. Girdlestone,	Mr. Ramsay,	
Mr. Grant,	Mr. Service,	
Mr. Gray,	Mr. Sinclair,	
Mr. Heales,	Mr. Verdon,	
Dr. Hedley,	Mr. Wright.	
Mr. Higinbotham,		
Mr. Houston,	<i>Tellers.</i>	
Mr. Johnston,	Mr. Humffray,	
Mr. Jones,	Mr. Weeks.	

And so it was resolved in the affirmative.

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

Mr. Gray moved, pursuant to notice, That the following Clause, to follow Clause VI., be now read a first time, viz. :—

“It shall be lawful for the said board at as early a period as may be convenient to attach to a limited number of the larger schools in connection with the said board on such conditions and subject to such regulations as to the said board may seem fitting a class in which pupils may be instructed in the course necessary for matriculation in the University of Melbourne.”

Question—put and negatived.

And the House having continued to sit till after twelve of the clock—

THURSDAY, 12<sup>TH</sup> JUNE, 1862.

Mr. Mollison moved, pursuant to notice, That all the words in Clause XVI. after the word "education," in line 1, be omitted, with a view to insert instead thereof the words "to appoint local committees and establish schools in such localities as they shall deem fit subject to the provisions of this Act and also with the consent of the Governor in Council from time to time to remove such local committees Provided that no such local committees shall have been previously appointed and provided that notice of the intention to appoint such local committees shall have been published for one month in the *Government Gazette*."

Debate ensued.

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

Assembly divided.

Ayes, 25.		Noes, 19.	
Mr. Berry,	Dr. Macadam,	Mr. Bennett,	Capt. Mac Mahon,
Mr. Cummins,	Mr. McCulloch,	Mr. Cathie,	Mr. Mollison,
Mr. J. Davies,	Mr. McLellan,	Mr. Cohen,	Mr. Nicholson,
Mr. Donovan,	Mr. Ramsay,	Mr. Gavan Duffy,	Mr. O'Shanassy,
Mr. Don,	Mr. Richardson,	Dr. Evans,	Mr. A. J. Smith,
Mr. Edwards,	Mr. Service,	Mr. Haines,	Mr. J. T. Smith.
Mr. Foott,	Mr. Sinclair,	Dr. Hedley,	
Mr. Francis,	Mr. Weeks,	Mr. Ireland,	
Mr. Gillies,	Mr. Wright.	Mr. Johnston,	
Mr. Girdlestone,		Mr. Kirk,	<i>Tellers.</i>
Mr. Gray,	<i>Tellers.</i>	Mr. Loader,	Mr. Anderson,
Mr. Heales,	Mr. Humffray,		Mr. Levey.
Mr. Higinbotham,	Mr. Pope.		
Mr. Houston,			

And so it was resolved in the affirmative.

Mr. Heales moved, That the words "or removal of" be inserted after the word "appointment" in line 13 of Clause VI.

Question—that the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That this Bill do now pass—put and resolved in the affirmative.

Mr. Heales moved, That the following be the title of the Bill, viz. :—

*"An Act for the better Maintenance and Establishment of Common Schools in Victoria."*

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

15. LICENSED PUBLICANS BILL.—Mr. Ireland moved, That this Bill be now read a second time. Debate ensued.

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

Mr. Ireland moved, That this Bill be now committed to a Committee of the whole Assembly.

Question—put and resolved in the affirmative.

And, on the further motion of Mr. Ireland, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.

Mr. Speaker resumed the Chair, and Mr. Lalor having reported that the Committee had gone through the Bill, and agreed to the same, with amendments, the Assembly ordered the same to be taken into consideration Friday, 13th June instant.—Bill, as amended, to be printed.

16. HAWTHORN BRIDGE.—Mr. Francis moved, pursuant to notice, That this House will on Friday next resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Governor, requesting him to cause to be placed on a Supplementary Estimate for 1862 a sum sufficient to improve the approaches to the Hawthorn Bridge, as the present approaches are wholly insufficient and dangerous.

Question—put and resolved in the affirmative.

17. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered, That the consideration of the following Orders of the Day be postponed as under :—

*"Weights and Measures Bill—To be further considered in Committee,"* until Friday, 13th June instant ;

*"Melbourne and Geelong Corporations Acts Amendment Bill—Consideration of Report,"*

*"Melbourne Police Office—Motion for Address to be considered in Committee,"*

*"Medical Practitioners Bill—Consideration of Report,"*

*"Anatomy Bill—Consideration of Report,"* until this day.

Assembly adjourned at ten minutes past one o'clock, until four o'clock p.m. this day.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 102.

THURSDAY, 12TH JUNE, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PETITION.—Mr. Tucker presented a Petition from certain inhabitants of Kyneton, praying the House to refuse assent to the Licensed Victuallers Acts Amendment Bill, in so far as it affords increased facilities for obtaining intoxicating drinks; and to amend the existing law, in so far as to prohibit the issue of night licenses and to close public houses from 10 p.m. to 6 a.m. on week days.  
Ordered to lie on the Table.

3. MESSAGES FROM THE LEGISLATIVE COUNCIL.—The following Messages from the Legislative Council, by the Clerk-Assistant of the Council:—

MR. SPEAKER,

The Legislative Council return to the Legislative Assembly a Bill, intituled, "*An Act to regulate the Civil Service*," and inform the Legislative Assembly that they have agreed to the same with amendments, with which they desire the concurrence of the Legislative Assembly.

(Signed)

MATTHEW HERVEY,  
Acting President.Legislative Council Chamber,  
12th June, 1862.

On the motion of Mr. Haines, the Assembly ordered the amendments to be printed, and taken into consideration to-morrow.

MR. SPEAKER,

The Legislative Council return to the Legislative Assembly the Bill, intituled, "*An Act to give a preferable Lien on Growing Crops without delivery*," with amendments, with which they desire the concurrence of the Legislative Assembly.

(Signed)

MATTHEW HERVEY,  
Acting President.Legislative Council Chamber,  
3rd June, 1862.

On the motion of Mr. Anderson, the Assembly ordered the amendments to be printed, and taken into consideration to-morrow.

MR. SPEAKER,

The Legislative Council return to the Legislative Assembly a Bill, intituled, "*An Act to consolidate and amend the law relating to the distillation rectifying and compounding of Spirits to the granting a duty upon Spirits distilled in Victoria and to regulate the brewing of Beer and the sale of fermented and spiritous Liquors in certain cases*," and acquaint the Legislative Assembly that they have agreed to the same with an amendment, with which they desire the concurrence of the Legislative Assembly.

(Signed)

MATTHEW HERVEY,  
Acting President.Legislative Council Chamber,  
June, 1862.

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

Clause CLXIV., line 18 (page 44), before "section" leave out "thirty-first" and insert instead thereof "twenty-ninth."

And the said amendment having been read a second time was, on the motion of Mr. Anderson, agreed to by the Assembly.

Ordered—That the Bill be returned to the Legislative Council, with a Message acquainting them that the Assembly have agreed to the said amendment.

4. PAPERS.—Mr. Johnston presented—  
 Victorian Railways.—Reply to question put by Mr. McCann, 11th June instant, for the number of passengers who have travelled during the month of May—  
 (1.) Between Geelong and Ballaarat and intermediate stations, and *vice versa* ;  
 (2.) Between Geelong and Melbourne and intermediate stations, and *vice versa* ; and  
 (3.) Between Melbourne and Ballaarat, and *vice versa*.  
 Ordered to lie on the Table.  
 Mr. Gavan Duffy presented by command of His Excellency the Governor—  
 Crown Lands Sales Act.—Proclamation of the Sandford Farmers' Common.  
 Ordered to lie on the Table.  
 Mr. Gavan Duffy presented—  
 Crown Lands Map.—Letter from the Surveyor-General to the Commissioner of Crown Lands and Survey.  
 Ordered to lie on the Table.
5. CLAIMS FOR COMPENSATION COMMITTEE.—Mr. Haines, Chairman, brought up the Report from this Committee.  
 Ordered to lie on the Table, together with the Proceedings of the Committee and Minutes of Evidence, and to be printed.
6. THOMAS BRUNTON.—Mr. Don moved, pursuant to notice, That this House is of opinion the grant of land on which the St. Patrick's College, Melbourne, is built, should be issued to trustees for the benefit and security of the creditors of the College, upon condition that such land be transferred to the Roman Catholic body on liquidation of the present liabilities of the said College.  
 Debate ensued.  
 Motion, by leave, withdrawn.
7. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until after the consideration of the sixth Order for to-day :—  
 " *Building Act Extension Bill—Second reading.*"  
 " *Hawkers Act Amendment Bill—To be further considered in Committee.*"  
 " *Mr. Hines—Report from Select Committee to be considered in Committee.*"  
 " *Newspapers Bill—Second reading.*"  
 " *Opium Duties—Resolutions to be reported.*"
8. DRAINAGE OF REEFS BILL.—Mr. Grant moved, That this Bill be now read a second time.  
 Debate ensued.  
 Question—put and resolved in the affirmative.  
 Bill read a second time.  
 Mr. Grant moved, That this Bill be now committed to a Committee of the whole Assembly.  
 Question—put and resolved in the affirmative.  
 And, on the further motion of Mr. Grant, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
 Mr. Speaker resumed the Chair ; Mr. Lalor having reported that the Committee had agreed to the Bill, with amendments, the Assembly ordered the same to be taken into consideration to-morrow.—Bill, as amended, to be printed.
9. MR. JOHN SNOWBALL.—Mr. Humffray moved, pursuant to notice That in the opinion of this House Mr. John Snowball should be permitted to sue the Government under the provisions of the Act "for the enforcement of claims against the Crown," viz., Act No. 49, so that his claim for compensation may be referred to a jury of the Supreme Court for adjustment.  
 Debate ensued.  
 Mr. Service moved, That this debate be now adjourned.  
 Question—That this debate be adjourned until this day week—put and resolved in the affirmative.
10. SERGEANTS BROWN AND KELLY.—Mr. Pope moved, pursuant to notice, That the Board recently appointed to enquire into the truth of certain charges against Sergeants Brown and Kelly having been illegally constituted, and those officers found guilty and dismissed from the police force upon merely *ex parte* statements, in the opinion of this House such dismissal was unjust, and the officers named should therefore be at once reinstated.  
 Debate ensued.  
 Mr. Service moved, That this House do now adjourn.  
 Debate continued.  
 Motion for adjournment, by leave, withdrawn.  
 Original motion, by leave, withdrawn.
11. DR. WILLS.—Mr. Humffray moved, pursuant to notice, That this House will, on Friday next, resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, requesting him to place on the Supplementary Estimates for 1862 a sum of £125 as a gratuity to Dr. Wills (father of the late explorer) to defray the expenses of his passage to England.  
 Debate ensued.  
 Question—put and resolved in the affirmative.

12. MR. YOUNG.—Mr. Ramsay moved, pursuant to *amended* notice, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider the Report from the Select Committee on the case of Mr. Young.  
Question—put and resolved in the affirmative.

13. OPIUM DUTIES.—Mr. Lalor reported from a Committee of the whole certain resolutions, which were read, and are as follow :—

*Resolved—*

- (1.) That it is desirable to amend “An Act for granting a Duty of Customs on Opium.”
- (2.) That the present law shall apply only to opium in a raw or unmanufactured state.
- (3.) That a duty of twenty shillings per pound shall be henceforth levied and paid in respect of all refined or manufactured opium imported into Victoria.
- (4.) That a Bill be introduced to give effect to these resolutions.

And the said resolutions were read a second time and agreed to by the Assembly.

Mr. Anderson then brought up a Bill, intituled, “*A Bill to amend an Act for granting a Duty of Customs on Opium,*” 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.

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

“*Mr. Hines—Report from Select Committee to be considered in Committee*” until to-morrow;  
 “*Newspapers Bill—Second reading,*” until Tuesday, 17th June instant;  
 “*Adulteration of Food Bill—Second reading,*”  
 “*Gold Fields Management Act Amendment Bill—Second reading,*”  
 “*Equity Jurisdiction Bill—Consideration of Report,*”  
 “*Horticultural Society—Motion for Address—To be considered in Committee,*”  
 “*Mr. Hennelle—Report from Select Committee to be considered in Committee,*”  
 “*Refuges—Motion for Address—To be considered in Committee,*”  
 “*Oyster Fisheries Act Amendment Bill—Second reading,*”  
 “*Signals Bill—Second reading,*”  
 “*Melbourne and Geelong Corporations Acts Amendment Bill—Consideration of Report,*”  
 “*Melbourne Police Office—Motion for Address to be considered in Committee,*”  
 “*Medical Practitioners Bill—Consideration of Report,*”  
 “*Anatomy Bill—Consideration of Report,*” until to-morrow.

15. DISCHARGE OF ORDERS OF THE DAY.—The following Orders of the Day were read, and discharged :—

“*Buildings Act Extension Bill—Second reading.*”  
 “*Hawkers Act Amendment Bill—To be further considered in Committee.*”

Assembly adjourned at twelve minutes to twelve o'clock, until four o'clock to-morrow.

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

VICTORIA.  
—  
VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY.

No. 103.

FRIDAY, 13TH JUNE, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PAPERS.—Mr. Anderson presented, by command of His Excellency the Governor—
  - Pilot Board.—Accounts of the Pilot Board of Victoria for the year ending 31st August, 1859, the year ending 31st August, 1860, and from 1st September to 10th December, 1860, together with a Summary of the Receipts and Disbursements of the Board from 1st September, 1858, to 10th December, 1860.
  - Ordered to lie on the Table.
  - Mr. Haines presented—
    - Gipps Land Revenue.—Reply to question put this day by Dr. Mackay for the Returns of the Public Revenue and Expenditure of Gipps Land for the ten years ending 31st December, 1861, and also the expenditure for public purposes.
    - Ordered to lie on the Table.
  - Mr. Johnston presented—
    - Railway Accidents.—Report from the Engineer-in-Chief on the late Railway Accident on the Brighton Railway 22nd May last.
    - Ordered to be printed.
3. MESSAGES FROM THE LEGISLATIVE COUNCIL.—The following Messages from the Legislative Council by the Clerk-Assistant of the Council :—
  - MR. SPEAKER,  
The Legislative Council return to the Legislative Assembly a Bill, intituled, "*An Act to amend the Law relating to Leases of Auriferous Land and for other purposes,*" and acquaint the Legislative Assembly that they have agreed to the same with an amendment, with which they desire the concurrence of the Legislative Assembly.
  - (Signed) MATTHEW HERVEY,  
Acting President.
  - Legislative Council Chamber,  
13th June, 1862.

And the said amendment was read and is as follows :—  
 Clause XI., line 37, after "lands" leave out "not" and insert instead thereof "whether the same shall or shall not have been."  
 And the said amendment was read a second time, and agreed to by the Assembly.  
 Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Assembly had agreed in the above amendment.

  - MR. SPEAKER,  
The Legislative Council return to the Legislative Assembly a Bill, intituled, "*An Act to amend the Law for the protection of the Fisheries of Victoria,*" and acquaint the Legislative Assembly that they have agreed to the same with amendments, with which they desire the concurrence of the Legislative Assembly, and the Legislative Council also acquaint the Legislative Assembly that they have amended the Title, in order to embrace the amendments.
  - (Signed) MATTHEW HERVEY,  
Acting President.
  - Legislative Council Chamber,  
Melbourne, 13th June, 1862.

On the motion of Mr. L. L. Smith, the Assembly ordered the amendments to be printed, and taken into consideration Tuesday, 17th June instant.
4. WEIGHTS AND MEASURES BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Assembly having been read—Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the further consideration thereof.  
 Mr. Speaker resumed the Chair, and Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same with amendments, the same were read and agreed to by the Assembly.  
 Ordered—That the Bill be read a third time this day.
5. OPIUM DUTIES BILL.—Mr. Anderson moved, That this Bill be now read a second time.  
 Question—put and resolved in the affirmative.  
 Bill read a second time.  
 Mr. Anderson moved, That this Bill be now committed to a Committee of the whole Assembly.  
 Question—put and resolved in the affirmative.  
 And on the further motion of Mr. Anderson, Mr. Speaker left the Chair and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.  
 Mr. Speaker resumed the Chair; Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Assembly ordered the Bill to be read a third time Tuesday, 17th June instant.

6. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Assembly ordered that the consideration of the following Orders of the Day be postponed until after the consideration of the fifth Order for to-day :—

“*Appropriation Bill—Second reading.*”

“*Justices Law Administration Bill—Consideration of Report.*”

7. **LICENSED PUBLICANS BILL.**—The Order of the Day for the consideration of the amendments made by the Committee of the whole in this Bill having been read—On the motion of Mr. Ireland, the Assembly ordered that the word “Acts” be substituted for “Act” in line 2, and that the following words be restored to the Preamble of this Bill after the words “twenty-nine” in line 3, viz. : “and the Act passed in the sixteenth year of the said reign and numbered XXXV. and the Act passed in the seventeenth year of the said reign and numbered XXIV. and also the Act numbered LXVIII. so far as it relates to the Acts previously herein recited and is inconsistent with this Act.”

And the other amendment was read a second time and agreed to by the Assembly.

Mr. Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported, and that the Clerk of the Assembly had noted the amendments made on the consideration of this Report—Bill, on the motion of Mr. Ireland, read a third time and *passed*.

Mr. Ireland moved, That the following be the title of the Bill :—

“*An Act to amend in certain respects the Law relating to Licensed Public Houses.*”

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

8. **CIVIL SERVICE BILL.**—The Order of the Day for the consideration of the amendments made by the Legislative Council in this Bill, having been read, on the motion of Mr. O'Shanassy, the several amendments were read and are as follow :—
- (1.) Clause III., line 32, after “classes” insert “not less than four.”
  - (2.) Clause VI., line 13, after “class,” at end of clause, insert “nor in case his salary for the preceding year shall be within the limits assigned as last aforesaid shall he receive a salary lower than that received by him in such preceding year.”
  - (3.) Clause IX., line 36, after “placed” leave out “if the responsible minister in charge of the department consent in writing that he shall do so.”
  - (4.) Clause XIV., line 8, after “the” leave out “present.”
  - (5.) „ line 8, after “year” insert “One thousand eight hundred and sixty-one.”
  - (6.) „ line 8, after “officer” insert “received,” instead of “receives,” which strike out.
  - (7.) Clause XXII., line 16, after “service” leave out “with or without,” and instead thereof insert “after.”
  - (8.) „ line 17, after “examination” strike out “or,” and insert instead thereof “and.”
  - (9.) Clause XXIII., line 25, after “may” insert “on an Address to that effect from the Legislative Council and Legislative Assembly.”
  - (10.) Clause XXIV., leave out clause.
  - (11.) Clause XXV., after “service,” at end of clause, insert “and for the purposes of this Act shall be deemed to have always remained in such service.”
  - (12.) Clause XXVIII., after “forth,” at end of clause, insert “Provided always that no such regulations shall in any manner alter or affect duties which by any Act now or hereafter to be in force are or shall be required to be performed.”
  - (13.) Clause XXXV., line 42, after “appoint” leave out “two,” and insert instead thereof “three.”
  - (14.) Clause XXXVII., line 56, after “misconduct” insert “or deprived of leave of absence under this Act.”
  - (15.) Clause XXXVIII., line 5, after “offices” insert “New Year's Day.”
  - (16.) „ line 5, after “Friday” leave out “Easter Saturday Easter Monday,” and insert instead thereof “and the three following days.”
  - (17.) „ line 10, after “holiday” at end of clause insert “Provided that nothing in this Act shall prevent the responsible Minister in charge of a department from requiring the services of any officers of such department during any such holiday in case of emergency but in that case such officers shall be entitled in lieu thereof to a holiday upon such other occasion as shall not interfere with the public service.”
  - (18.) Clause XL., line 21, after “salary” leave out “of his office,” and insert in lieu thereof “received by him.”
  - (19.) Clause XLIV., line 45, leave out at the beginning the words “of his office,” and insert instead thereof “received by him.”
  - (20.) Clause LI., line 44, after “provide” at end of clause insert “except lockers and weighers in the Customs' service who shall have all the benefits arising from the provisions of this Act except that of increment alone.”



- (21.) Clause LV., line 5, after "apply" insert "part of."  
 (22.) " line 5, after "office" leave out "or any part thereof."  
 (23.) " line 6, after "of" leave out "any other officers," and insert in lieu thereof "a new officer."  
 (24.) " line 7, after "division" leave out "that he may appoint," and insert instead thereof "so that such new officer shall not receive more than the salary of his division and class."  
 (25.) FIRST SCHEDULE, in first column, fourteenth item, after "Law" leave out "Officers," and insert instead thereof "Department."  
 (26.) " in first column, seventeenth item, leave out "Sheriff," and insert instead thereof "Sheriffs."  
 (27.) " at end of the Schedule insert—  
     "Gold Receiver at Melbourne.  
     Resident Engineer.  
     Clerk of the Legislative Council and Clerk of the Parliaments.  
     Clerk Assistant of Legislative Council."

On the motion of Mr. O'Shanassy, the several amendments 4, 5, 6, 12, 13, 14, 15, 16, 17, 18, 19, and 25, were read a second time and agreed to by the Assembly.

Amendment 20 having been read a second time—

Mr. Anderson moved, That the following words be inserted after the word "Act" in the last line but one of this amendment, viz., "to officers of the 4th class."

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That the Assembly agree to the said amendment as so amended—put and resolved in the affirmative.

And the other of the said amendments were disagreed to by the Assembly.

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

9. PREFERABLE LIEN ON CROPS BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Council in this Bill having been read, on the motion of Mr. Anderson, the amendments were read and are as follow :—

Clause VIII., line 43, after "sale" insert "to any *bonâ fide* purchaser."

" line 44, after "thereon" leave out "to any *bonâ fide* purchaser who may have purchased same without notice or knowledge of such lien," and insert instead thereof "nor affect or prejudice the right of any person entitled to any rent issuing out of or holding any rent-charge upon the land mentioned and described in the agreement relating to any preferable lien to distrain upon the crops mentioned therein or on any portion thereof for rent in arrear."

SCHEDULE C., line 4, after "interest" leave out "in," and insert instead thereof "under."

And the said amendments were read a second time and agreed to by the Assembly.

Ordered—That the Bill be returned to the Legislative Council, with a Message acquainting them that the Assembly had agreed to the said amendments.

10. APPROPRIATION BILL.—Mr. Haines moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.

Bill read a second time.

Mr. Haines moved—That this Bill be now committed to a Committee of the whole Assembly.

Question—put and resolved in the affirmative.

And, on the further motion of Mr. Haines, Mr. Speaker left the Chair and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.

Mr. Speaker resumed the Chair; Mr. Lalor having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Assembly ordered the same to be printed, and taken into consideration Tuesday, 17th June instant.

11. POSTPONEMENT OF ORDER OF THE DAY.—The Assembly ordered that the consideration of the following Order of the Day be postponed until after the consideration of the Notice of Motion No. 6 on the Notice Paper for to-day :—

"*Justices Law Administration Bill—Consideration of Report.*"

12. COLLINGWOOD DRAIN.—Mr. Francis moved, pursuant to amended notice, That this House will, on Tuesday, 17th June instant, resolve itself into a Committee of the whole for the purpose of considering the propriety of presenting an Address to His Excellency the Governor, requesting him to place on an Additional Estimate for 1862 the sum of £2000, towards the construction of one main drain leading from Collingwood through Richmond to the Yarra.

Question—put and resolved in the affirmative.

13. CLAIMS TO COMPENSATION.—Mr. Haines moved, pursuant to notice, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider the Report of the Select Committee upon Claims to Compensation.

Question—put and resolved in the affirmative.

14. **MR. A. MACLACHLAN.**—Mr. Francis moved, pursuant to notice, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, requesting him to place on the Additional Estimates for 1862 the sum of £1205, as compensation in full to Mr. Archibald MacLachlan, being the valuation arrived at by arbitrators appointed respectively by the Government and Mr. MacLachlan, and subsequently sustained by a Select Committee of this House.

Debate ensued.

Question—put and resolved in the affirmative.

15. **CONSOLIDATION OF STATUTES.**—Mr. Verdon moved, pursuant to *amended* notice, That in the opinion of this House it is expedient to consolidate and codify the statute Law of this Colony.

Debate ensued.

Question—put and resolved in the affirmative.

16. **JUSTICES LAW ADMINISTRATION BILL.**—On the motion of Mr. Wood the Assembly agreed to the amendments made by the Committee of the whole in this Bill.

Mr. Speaker 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 Mr. Wood, read a third time.

On the motion of Mr. Wood the following amendments were made in this Bill, viz.:—

- In Clause XI., line 12, after “justice” the following words, viz.:—“by which shall be imposed any fine penalty or forfeiture exceeding the sum or value of five pounds or any term of imprisonment exceeding seven days” inserted.  
 „ line 13, after the word “shall” the following words:—“forthwith give notice of his intention so to appeal and shall” inserted.  
 „ lines 17 and 18, the words “or without surety as to such justice may seem meet” omitted and “two sufficient sureties” inserted.

At the end of Clause XI., the following words, viz.:—“Provided always that it shall not be lawful for any person convicted under the provisions of the Act of the Lieutenant-Governor and Legislative Council of Victoria passed in the seventeenth year of the reign of Her present Majesty and numbered II. to appeal to such court of general sessions” inserted.

Clause XXV., at the end the following words, viz.:—“Provided always that if any person convicted under this section of wilful misbehaviour or wilful interruption shall before the rising of the court make to the convicting justice such an apology for such misbehaviour or interruption as by such justice shall be deemed satisfactory it shall be lawful for such justice if he shall think fit to remit such penalty or imprisonment either wholly or in part,” added.

At the end of the First Schedule the following words, viz.:—

17 Vic. No. 2 | “An Act for the further extension of summary jurisdiction in cases of Larceny.” | The fourth section.

added.

“The Second Schedule” omitted.

In Third Schedule, the word “third” omitted and “second” inserted.

In Fourth Schedule, “fourth” omitted and “third” inserted.

In Fifth Schedule, “fifth” omitted and “fourth” inserted.

“The Sixth Schedule” omitted.

In Seventh Schedule, “seventh” omitted and “last” inserted.

In the Last Schedule, “last” omitted and “fifth” inserted.

Clause XXIX., omitted.

In Clause C., the words “suing in any court of petty sessions” were omitted and “complaining to any justice” inserted.

„ the word “clause” omitted, and “section” inserted.

„ after “XXIX.” the words “that any other person is indebted to him” inserted.

„ after “personally” the words “or by his counsel or attorney” inserted.

In Clause XXV., line 11, the word “third” omitted and “second” inserted.

In Clause XXVI., line 19, the word “fourth” omitted and “third” inserted.

„ line 29, the word “fifth” omitted and “fourth” inserted.

In Clause A., line 27, the word “seventh” omitted and “sixth” inserted.

Mr. Gray moved, That the following words be added to Clause XVII., viz.:—

“Provided that if the matter in dispute be the payment of money the respondent on failing in such appeal shall not be ordered to pay for costs in respect of such appeal any greater sum than the amount directed to be paid by the order of the said justice if the said respondent be plaintiff in the said justice court nor greater than the sum adjudged to be paid by the said Supreme Court if the said respondent be defendant in the said justice court and provided that if the matter in dispute be the doing of any other thing than the payment of money then the said Supreme Court shall estimate the value or the expense of doing such thing and the respondent on failing in the said appeal

shall not be ordered to pay for costs in respect of such appeal any sum greater than the value or expense so estimated. Provided further that in no case shall there be taxed against any respondent the costs of more than one counsel. But if the said Supreme Court is of opinion that the matter in dispute is the trial of a right extending beyond the matter immediately at issue in such case then the said court may adjudge the costs of said appeal and may also apportion the same between the said parties at their discretion."

Debate ensued.

Motion, by leave, withdrawn.

On the motion of Mr. Wood the following clauses were read a first time, a second time, and a third time, and added to the Bill :—

"D. If any person shall unlawfully assault any other person he shall on conviction thereof forfeit and pay any fine not exceeding the sum of ten pounds or be committed to any gaol or house of correction for any period not exceeding three months."

"E. Any person who being so convicted shall have paid the fine adjudged to be paid or shall have suffered the imprisonment awarded instead of or for non-payment thereof shall be released from all further criminal proceedings but shall remain liable to all civil proceedings in like manner as if he had not been so convicted."

"F. In case the justices shall find the assault complained of to have been accompanied by any attempt to commit felony or shall be of opinion that the same is from any other circumstances a fit subject for a prosecution by information or otherwise they shall abstain from adjudicating thereupon and shall commit the person charged with such offence for trial in the usual way."

"G. It shall be lawful for any Court of General Sessions on the application of either the appellant or respondent on the hearing of any appeal to state a case in respect of such appeal or any question of law arising thereon for the opinion of the Supreme Court in the same way as the Courts of Quarter Sessions in England are accustomed to state cases for the opinion of the Court of Queen's Bench in England and thereupon on such case being submitted to the said Supreme Court according to the practice which prevails in England in relation to cases so stated as aforesaid the said Supreme Court shall hear the same and shall deal therewith in the like manner as the said Court of Queen's Bench deals with cases so stated and the like proceedings in relation to the case so stated for the opinion of the said Supreme Court shall be had and taken thereon in the said Supreme Court and Court of General Sessions as are usually taken in like cases in the said Court of Queen's Bench and Courts of Quarter Sessions in England and the said Supreme Court shall have power to make such order as to the costs of and occasioned by the hearing of such case as to such Supreme Court shall seem proper.

"H. No greater sum than twenty pounds shall be allowed as costs to the appellant (if successful) in any appeal to the Supreme Court."

"I. Notwithstanding anything contained in the Act of the Legislature of Victoria passed in the sixteenth year of the reign of Her present Majesty numbered III. it shall be lawful for any chairman of any court of general sessions of the peace to do by himself whatsoever is authorised by the said Act to be done by him together with one or more justices. Provided that nothing herein contained shall be deemed to deprive any justice of any right power or authority which he possesses by virtue of the said Act."

Mr. Wood moved, That this Bill do now pass.

Question—put and resolved in the affirmative.

Mr. Wood moved, That the following be the title of the Bill :—

*"An Act for the better administration of the Law by Justices of the Peace and for other purposes in connection therewith."*

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Council, with a Message acquainting them that the Assembly had agreed to the same, with amendments.

17. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered, That the consideration of the following Orders of the Day be postponed as under :—

*"Weights and Measures Bill—Third reading,"* until Tuesday, 17th June instant ;

*"Conveyancers Bill—Second reading,"* until after the consideration of the 17th Order for to-day ;

*"Main Murray Road—Report of Select Committee—To be considered in Committee,"* until Tuesday, 17th June instant ;

*"Church Act Amendment Bill—Second reading,"* until after the consideration of the 17th Order for to-day ;

*"Judges of Courts of Mines and County Courts—Resolution to be considered in Committee,"*

*"Hawthorn Bridge—Motion for Address—To be considered in Committee,"* until Tuesday, 17th June instant ;

*"Drainage of Reefs Bill—Consideration of Report,"* until after the consideration of the 17th Order for to-day ;

*"Dr. Wills—Motion for Address—To be considered in Committee,"* until Tuesday, 17th June instant ;

- “*Mr. Hines—Report from Select Committee—To be considered in Committee,*”  
 “*Adulteration of Food Bill—Second reading,*”  
 “*Gold Fields Management Act Amendment Bill—Second reading,*”  
 “*Horticultural Society—Motion for Address—To be considered in Committee,*”  
 until after the consideration of the 17th Order for to-day ;  
 “*Mr. Hennelle—Report from Select Committee—To be considered in Committee,*”  
 until, Tuesday, 17th June instant ;  
 “*Refuges—Motion for Address—To be considered in Committee,*”  
 “*Oyster Fisheries Act Amendment Bill—Second reading,*” until Tuesday, 17th  
 June instant.

18. DISCHARGE OF ORDERS OF THE DAY.—The following Orders of the Day were read, and discharged :—

“*Equity Jurisdiction Bill—Consideration of Report.*”

“*Signals Bill—Second reading.*”

“*Melbourne Police Office—Motion for Address to be considered in Committee.*”

19. MELBOURNE AND GEELONG CORPORATIONS ACTS AMENDMENT BILL.—On the motion of Mr. Bennett, the amendments made in the Committee of the whole in this Bill, prior to clause XLI., were read and agreed to by the Assembly.

Amendments made in Clause XLI. being read a second time,

Mr. McCann moved, That the words “or the Town of Geelong,” be omitted from the last line of such amendment.

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

Mr. Bennett moved, That all the words after the words “Provided that,” be omitted from line 15 of Clause XLI. of this Bill, with a view to insert instead thereof the words, “in the case of such licenses issued to residents in any Municipal District the Corporation whereof shall not be in receipt of any assistance from toll funds towards the maintenance of any of the streets or roads within or through such district the Council of the said city or town as the case may be issuing such licenses to such residents as aforesaid shall annually pay to the Corporation of such Municipal District one half of the amount of the license fees so received from the residents within such Municipal District.”

Debate ensued.

And the House having continued to sit till after twelve of the clock—

SATURDAY, 14TH JUNE, 1862.

Question—That the words proposed to be omitted stand part of the Clause—put and negatived.

Question—That the words proposed to be inserted in the place of the words omitted—proposed.

Mr. O’Grady moved, That the words “or Road Board” be inserted after the word “Municipal” in the second line of the proposed amendment.

Question—That the words last proposed to be inserted be so inserted—put and negatived.

Mr. Service moved, That all the words from “District” in the second line to “District” inclusive in the 4th line of the proposed amendment, be omitted.

Question—That the words proposed to be omitted stand part of the amendment—put and negatived.

Mr. McCann moved, That the words “or town as the case may be” be omitted from the 4th line of the proposed amendment.

Debate ensued.

Question—That the words proposed to be omitted stand part of the proposed amendment—put. Assembly divided.

Ayes, 39.

Mr. Bennett,	Mr. Kirk,
Mr. Cathie,	Mr. Lalor,
Mr. B. G. Davies,	Mr. Lambert,
Mr. J. Davies,	Mr. Levey,
Mr. Don,	Mr. Levi,
Mr. Gavan Duffy,	Dr. Macadam,
Mr. Edwards,	Capt. Mac Mahon,
Dr. Evans,	Mr. McDonald,
Dr. Foott,	Mr. McLellan,
Mr. Girdlestone,	Mr. Mollison,
Mr. Grant,	Mr. O’Connor,
Mr. Gray,	Mr. O’Shanassy,
Mr. Haines,	Mr. Riddell,
Mr. Heales,	Mr. Sinclair,
Dr. Hedley,	Mr. Sullivan,
Mr. Hood,	Mr. Tucker,
Mr. Houston,	Mr. Weeks.
Mr. Howard,	<i>Tellers.</i>
Mr. Ireland,	Mr. Anderson,
Mr. Johnston.	Mr. Cohen.

Noes, 3.

Mr. J. T. Smith.

*Tellers.*

Mr. McCann,  
Mr. Richardson.

And so it was resolved in the affirmative.

Mr. Cohen moved, That the word "net" be inserted before the word "amount" in the last line but one of the proposed amendment.

Question—That the word proposed to be inserted be so inserted—put.

Assembly divided.

Ayes, 24.

Mr. Cathie,	Mr. McDonald,
Mr. Gavan Duffy,	Mr. McLellan,
Dr. Evans,	Mr. Mollison,
Mr. Haines,	Mr. O'Connor,
Dr. Hedley,	Mr. O'Shanassy,
Mr. Hood,	Mr. Richardson,
Mr. Howard,	Mr. Sinclair,
Mr. Ireland,	Mr. J. T. Smith,
Mr. Kirk,	Mr. Tucker.
Mr. Lalor,	
Dr. Macadam,	<i>Tellers.</i>
Capt. Mac Mahon,	Mr. Cohen,
Mr. McCann,	Mr. Bennett.

Noes, 17.

Mr. B. G. Davies,	Mr. Levey,
Mr. J. Davies,	Mr. Levi,
Mr. Don,	Mr. Riddell,
Mr. Edwards,	Mr. Sullivan,
Mr. Foott,	Mr. Weeks.
Mr. Girdlestone,	
Mr. Gray,	<i>Tellers.</i>
Mr. Heales,	
Mr. Houston,	Mr. Johnston,
Mr. Lambert,	Mr. Anderson.

And so it was resolved in the affirmative.

Question—That the following words, viz :—"In the case of such licenses issued to residents in any Municipal District, the Council of the said city or town, as the case may be, issuing such licenses to such residents as aforesaid, shall annually pay to the Corporation of such Municipal District one half of the net amount of the License Fees so received from the residents within such Municipal District," be inserted in the proviso in the place of the words omitted—put and resolved in the affirmative.

And the said amendment, as so amended, was agreed to by the Assembly.

And the several other amendments were read a second time and agreed to by the Assembly.

Mr. Sinclair moved, That the following clause be now read a first time, viz :—

"Provided that if two-thirds of the ratepayers in any Ward north of La Trobe-street, south of Flinders-street, east of Spring-street, or west of Spencer-street, containing in number not less than 2,500 ratepayers, or representing 5,000 rates, sign and transmit a requisition to the Council, praying that another Ward may be created in such district, the City Council shall accede to the prayer of such requisitionists, and shall thereupon proceed to petition the Governor in Council as provided in section 3 of 8 Victoria No. 12."

Debate ensued.

Question—put and negatived.

On the motion of Mr. Bennett, the Assembly ordered, That the word "of" be inserted after the word "instead" in line 42 of Clause LI., and that the word "Justice" be omitted from lines 29 and 32 in Clause LIV., and the word "Justices" inserted instead thereof.

Mr. Speaker having reported that the Chairman of Committees and the Clerk of the Assembly had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of Mr. Bennett, read a third time and *passed*.

Mr. Bennett moved, That the following be the title of the Bill :—

"*An Act to further alter and amend the Laws relating to the Corporations of the City of Melbourne and of the Town of Geelong respectively and to extend and apply other existing Acts thereto.*"

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

20. REEFS DRAINAGE BILL.—On the motion of Mr. Grant, the Assembly proceeded to consider the amendments made by the Committee of the whole in this Bill, and the Assembly disagreed to the insertion of the words "or a warden and assessors."

The several other amendments were read and agreed to by the Assembly.

Mr. Speaker 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 Mr. Grant, read a third time and *passed*.

Mr. Grant moved that the following be the title of the Bill :—

"*An Act to amend the Law relating to the Drainage of Quartz Reefs.*"

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.

21. EAST COLLINGWOOD IMPROVEMENT BILL.—Mr. Don moved, pursuant to notice, That the following Resolutions be adopted as Standing Orders of the Assembly :—

- (1.) That the promoters of the East Collingwood Improvement Bill, which has been brought into this House in this present Session of Parliament, have leave to suspend any further proceedings thereupon, and to proceed with the same Bill in the next Session of Parliament.
- (2.) That not later than four clear days after the next meeting of Parliament the Bill shall be deposited with the Clerk of the Assembly, with a declaration, signed by the Agent, annexed thereto, stating that the Bill is the same in every respect as the Bill with respect to which proceedings have been so suspended at the last stage of the proceedings in this House in the present Session.

- (3.) That the Bill, endorsed by the Clerk as having been duly deposited with him, shall be laid by him forthwith on the Table of the House in the next Session of Parliament.
- (4.) That the Bill so laid on the Table with the Petition for the Bill and the order of leave to bring in the same in the present Session, shall be read, and thereupon such Bill shall be read a first time and a second time, and be referred to a Select Committee, together with the evidence taken before the Committee in this Session.
- (5.) That all Petitions presented against this Bill, and which stood referred to the Committee on such Bill, shall stand referred to the Committee on the Bill in the next Session of Parliament.

Question—put and resolved in the affirmative.

22. MALMSBURY RAILWAY STATION.—Mr. Tucker moved, pursuant to *amended* notice, That in the opinion of this House the site for the Railway Station at Malmsbury should be at Orr street, on the west side of the River Coliban.

Debate ensued.

Question—put and resolved in the affirmative.

23. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 17th June instant.

“*Conveyancers Bill—Second reading,*”

“*Church Act Amendment Bill—Second reading,*”

“*Mr. Hines—Report from Select Committee to be considered in Committee,*”

“*Adulteration of Food Bill—Second reading,*”

“*Gold Fields Management Act Amendment Bill—Second reading,*”

“*Horticultural Society—Motion for Address—To be considered in Committee,*”

“*Medical Practitioners Bill—Consideration of Report,*”

“*Anatomy Bill—Consideration of Report.*”

24. SUSPENSION OF STANDING ORDERS.—Mr. O'Shanassy moved, by leave of the Assembly, That the Standing Orders of the House be suspended.

Question—put and resolved in the affirmative.

25. ADJOURNMENT.—Mr. O'Shanassy then moved, That this House do at its rising this day adjourn until Tuesday next at Two o'clock, in the first place to consider Bills in an advanced stage.

Question—put and resolved in the affirmative.

Assembly adjourned at twenty minutes past one o'clock, until two o'clock p.m. on Tuesday next.

FRAN<sup>S</sup>. MURPHY,  
*Speaker.*

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 104.

TUESDAY, 17<sup>TH</sup> JUNE, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PAPERS.—Mr. O'Shanassy presented, by command of His Excellency the Governor—
  - University of Melbourne.—Report of the Proceedings of the Council of the University of Melbourne during the year commencing on the 1st day of June, 1861, and terminating on the 31st day of May, 1862.
  - Astronomical and Magnetical Observatory.—Second and Third Annual Reports of the Board of Visitors to the Astronomical and Magnetical Observatory.
 Severally ordered to lie on the Table.
  - Mr. Gavan Duffy presented, by command of His Excellency the Governor—
    - Crown Lands Sales Act.—Farmers' Common on the north side of Kyneton, &c., altered.
 Ordered to lie on the Table.
  - Mr. Speaker laid on the Table of the House—
    - Select Committees.—Return to an Order of the Legislative Assembly, dated 1st May last, for a Return showing the number of Select Committees appointed during the last Parliament, the objects for which obtained, and the result of each Committee ; the names of members of each, and the number of days each member attended ; the number of days of sitting, and the days on which there was no quorum ; the number of witnesses examined on each, and the cost in each case of allowances to witnesses ; the number in which evidence was taken, and the cost of reporting and printing connected with each ; and the actual or approximate total cost of each Committee.
 Ordered to lie on the Table.
  - Mr. Johnston presented—
    - Railway Accounts.—Reply to question put by Mr. Houston, 11th June instant, for the latest report from the Commissioners of Audit on the state of the accounts in the Railway Department.
 Ordered to lie on the Table.
  - Mr. Wood presented—
    - Mr. Warden Webster.—Reply to question put 13th June instant, for a copy of the minutes of enquiry into the charges preferred by Mr. George Clark, late Warden's clerk at St. Arnaud's, against Mr. Warden Webster.
 Ordered to lie on the Table.
  - Mr. Anderson presented, by command of His Excellency the Governor—
    - Immigration and Emigration.—Report of Immigration and Emigration during 1861.
    - Trade and Customs—Returns relating to, for the year 1861.
 Severally ordered to lie on the Table.
  - Mr. Haines presented—
    - Public Accounts—Amended Regulations respecting.
 Ordered to lie on the Table.
    - Charitable Institutions.—Reply to question put by Mr. Orr, 11th June instant, for copies of the latest Financial Statements received by the Treasurer from the various Charitable Institutions receiving aid from the public revenue.
 Ordered to lie on the Table.

3. **MILITARY AND NAVAL DEFENCES COMMITTEE.**—Mr. Loader, Chairman, brought up the Report from this Committee.  
Report read, and, together with the Proceedings of the Committee and Minutes of Evidence, ordered to lie on the Table and to be printed.
4. **FEDERAL UNION COMMITTEE.**—Mr. Gavan Duffy, Chairman, brought up a Report from this Committee.  
Ordered to lie on the Table, and, together with the Proceedings of the Committee, to be printed.
5. **MR. P. C. BUCKLEY'S COMMITTEE.**—Dr. Hedley, Chairman, brought up the Report from this Committee.  
Ordered to lie on the Table, and, together with the Proceedings of the Committee and Minutes of Evidence, to be printed.
6. **INSPECTOR OF POUNDS.**—Mr. Edwards, by leave of the Assembly, moved, That the following Order of the Day be restored to the Paper:—  
“*Inspector of Pounds—Motion for Address—To be considered in Committee.*”  
Question—put and resolved in the affirmative.
7. **REAL PROPERTY BILL.**—Mr. Service, by leave of the Assembly, moved, That an Address be presented to His Excellency the Governor, requesting him to cause to be laid on the Table of this House a copy of any opinion which may have been submitted for his consideration or for the consideration of Her Majesty by the Law Officers of the Crown relative to the Real Property Bill.  
Question—put and resolved in the affirmative.
8. **WEIGHTS AND MEASURES BILL.**—Mr. Speaker 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 Mr. Mollison, read a third time and *passed*.  
Mr. Mollison moved, That the following be the title of the Bill:—  
“*An Act for Weights and Measures.*”  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be returned to the Legislative Council, with a Message acquainting them that the Legislative Assembly had agreed to the same with amendments, in which they desire the concurrence of the Legislative Council.
9. **OPIMUM DUTIES BILL.**—Mr. Speaker 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 Mr. Anderson, read a third time and *passed*.  
Mr. Anderson moved, That the following be the title of the Bill:—  
“*An Act to amend an Act for granting a Duty of Customs on Opium.*”  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.
10. **APPROPRIATION BILL.**—On the motion of Mr. Haines the Assembly agreed to the amendments made by the Committee of the whole in this Bill.  
Mr. Speaker 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 Mr. Haines, read a third time and *passed*.  
Mr. Haines 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 One thousand eight hundred and sixty-two and to appropriate the Supplies granted in this Session of Parliament and for other purposes.*”  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.
11. **POSTPONEMENT OF ORDER OF THE DAY.**—The Assembly ordered that the consideration of the following Order of the Day be postponed until after the consideration of the fourth Order of the Day, General Business, for to-day:—  
“*Claims to Compensation—Report of Select Committee to be considered in Committee.*”
12. **FEDERAL UNION COMMITTEE.**—On the motion of Mr. Gavan Duffy, the Report from this Committee was read by the Clerk.  
Mr. Gavan Duffy then moved, by leave of the Assembly, That the Chief Secretary be requested to communicate with the Governments of the neighboring Colonies, recommending that the delegates about to be appointed to consider the question of a uniform tariff may be authorized also to confer and report upon the question of a Federal Union of the Australian Colonies.  
Question—put and resolved in the affirmative.



Mr. Gavan Duffy then moved, That the foregoing Resolution, together with a copy of the Report, be communicated to the Legislative Council, with a request that they may concur in the same.

Question—put and resolved in the affirmative.

13. FISHERIES ACTS AMENDMENT BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Council in this Bill, having been read—On the motion of Mr. L. L. Smith the amendments were read and are as follow :—

1. TITLE, after "amend" insert "and consolidate."
2. " leave out "Law" and insert "Laws."
3. PREAMBLE, line 1, after "amend" insert "and consolidate."
4. " line 1, after "the" leave out "law" and insert instead thereof "laws."
5. " line 2, after "in" insert "and to preserve and secure the production of fish introduced into."
6. " line 2, after "Victoria" insert "And whereas it is also necessary to prevent fishing with nets in certain waters in the said colony."
7. Clause I., line 7, leave out "An Act" and insert instead thereof "The two several Acts."
8. " line 8, after "reign" insert "the one."
9. " line 9, after "Victoria" insert "and the other intituled '*An Act for the preservation of Fish in the Lakes and Rivers of the Colony of Victoria.*'"
10. " line 9, after "and" leave out "is" and insert "are" instead thereof.

After Clause III., insert new Clauses A and B—

11. (A) Any officer of customs or other officer acting under the direction of the Commissioner of Customs having a writ of assistance may in the daytime enter into and search any house shop or other premises and seize and take away any net which shall not be in accordance with the foregoing section of the Act and the person on whose premises such net shall be found shall upon conviction before any two justices of the peace forfeit and pay a penalty of not less than five pounds. Proper officer to have power to search for illegal nets.

12. (B) It is further provided that in the event of fish being found exposed for sale or otherwise discovered which in the opinion of the proper officer must have been caught or taken in a net the meshes of which shall be of a less size than is herein provided such officer shall have the power to seize and destroy the same and the person in whose possession such fish are found shall be liable on conviction before two magistrates as aforesaid to pay a penalty of five pounds along with the expenses attending the destruction of the fish. Fish caught in illegal nets to be seized and destroyed.

13. Clause VI., line 21, after "of" leave out "ten" and insert instead thereof "five."

After Clause VII. insert the following clauses as marked :—

14. (C) If any person shall take or destroy or attempt to take or destroy in any lake river or other water in the Colony of Victoria any fish of the same species as the fish introduced into such lake river or other water by transportation from other waters (or which shall hereafter be so introduced by any person or persons whomsoever with the consent hereinafter mentioned) within two years after the introduction thereof into such lake river or other water or within such further time as the Governor with the advice of the Executive Council shall by proclamation duly published in the *Government Gazette* declare shall forfeit and pay such sum not exceeding ten pounds as the convicting justice shall think fit. Provided nevertheless that this Act shall not apply to any species of fish hereafter introduced into any lake river or other water as aforesaid unless the person or persons introducing the same shall have previously obtained the consent in writing of two or more justices of the peace acting in and for the district wherein such lake river or other water or some part thereof is respectively situate to introduce the same or to any person who having taken in or from such lake river or other water any of the species of fish so introduced therein as aforesaid shall immediately return the same to the water whence taken. Persons taking or destroying fish to be guilty of a misdemeanor.  
Act not to apply to fish to be hereafter introduced unless consent of justices obtained.

15. (D) If any person shall set lay down use or fish with any kind of net in the Yarra Yarra Plenty Werribee or Saltwater Rivers in the said Colony or in any or either of their respective tributaries or in any other river lake creek stream or pond to which the Governor with the advice of the Executive Council shall by proclamation duly published in the *Government Gazette* extend the provisions of this clause he shall forfeit such net and also such sum not exceeding ten pounds as the convicting justice shall think fit. Nets not to be used in rivers.

16. (E) If any person shall unlawfully and maliciously put any lime or other noxious material in any of such waters with intent thereby to destroy any of the fish therein he shall forfeit and pay such sum not exceeding ten pounds as the convicting justice shall think fit. Penalty for maliciously putting lime into waters.

17. (F) Any person found committing any offence against the provisions of this Act may be apprehended by any person so finding such offender and taken before any justice of the peace who may hear and determine the same in a summary way. Offender against this Act may be apprehended.

And the said several amendments were read a second time and agreed to by the Assembly. Ordered—That the Bill be returned to the Legislative Council, with a Message, acquainting them that the Assembly had agreed to the said several amendments.

14. CHURCH ACT AMENDMENT BILL.—Mr. Mollison moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.

Bill read a second time.

Mr. Mollison moved, That this Bill be now committed to a Committee of the whole Assembly.

Question—put and resolved in the affirmative.

And on the further motion of Mr. Mollison, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration of this Bill.

Mr. Speaker resumed the Chair; and Mr. Lalor having reported that the Committee had gone through this Bill and agreed to the same with amendments, the Assembly agreed to the same.

Mr. Speaker 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 Mr. Mollison, read a third time and *passed*.

Mr. Mollison moved, That the following be the title of the Bill :—

*“ An Act to repeal ‘ An Act to regulate the Temporal Affairs of Churches and  
“ ‘ Chapels of the United Church of England and Ireland in New South  
“ ‘ Wales’ and to make other provisions instead thereof.”*

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Council, with a Message acquainting them that the Assembly had agreed to the same with amendments in which they desired the concurrence of the Legislative Council.

15. ANATOMY BILL.—On the motion of Dr. Hedley, the Assembly agreed to the amendment made by the Committee of the whole in this Bill.

On the motion of Dr. Hedley, the Assembly ordered, That the words “ every separate ” be omitted from the 4th line of Clause III. of this Bill, and the word “ any ” inserted instead thereof; and that the words “ to be reckoned from the time of such decease,” be omitted from the 4th line of Clause VII. of this Bill.

Mr. Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported, and that the Clerk of the Assembly had noted the amendments made on the consideration of the Report—Bill, on the motion of Dr. Hedley, read a third time and *passed*.

Dr. Hedley moved, That the following be title of the Bill :—

*“ An Act for regulating Schools of Anatomy.”*

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Council, with a Message acquainting them that the Assembly had agreed to the same with amendments, in which they desired the concurrence of the Legislative Council.

16. MESSAGES FROM THE LEGISLATIVE COUNCIL.—The following Messages from the Legislative Council by the Clerk-Assistant of the Council :—

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the Bill, intituled, “ *An Act to authorise the borrowing of Three hundred thousand pounds for the purpose of repairing a certain portion of the Railway from Melbourne to Geelong and of forming a Junction line between the Railway from Melbourne to Geelong and the Railway from Geelong to Ballarat and for the formation of such Junction line and also the Deviation line and for other purposes in connection with the said Railway from Melbourne to Geelong* ” without amendment.

(Signed)

MATTHEW HERVEY,

Acting President.

Legislative Council Chamber,  
17th June, 1862.

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the Bill, intituled, “ *An Act for the better Maintenance and Establishment of Common Schools in Victoria,* ” without amendment.

(Signed)

MATTHEW HERVEY,

Acting President.

Legislative Council Chamber,  
13th June, 1862.

17. MEDICAL PRACTITIONERS BILL.—The several amendments made by the Committee of the whole in this Bill having been read—On the motion of Dr. Macadam the several amendments made prior to new Clause A were read a second time and agreed to by the Assembly.

New Clause A having been read, Mr. Hood moved, That the word “ fifty ” be omitted from line five of this clause, and the word “ sixty ” inserted instead thereof.

Debate ensued.

Motion, by leave, withdrawn.

Mr. Hood then moved, That the word “ five ” be inserted after the word “ fifty.”

Debate ensued.

Question—That the word “five,” proposed to be inserted, be so inserted—put.  
 Assembly divided.

Ayes, 20.

Mr. Brodribb,	Mr. Johnston,
Mr. Cathie,	Mr. Kyte,
Mr. Gavan Duffy,	Mr. McDonald,
Mr. Edwards,	Mr. Nicholson,
Dr. Evans,	Mr. Pope,
Mr. Grant,	Mr. J. T. Smith,
Mr. Gray,	Mr. Sullivan.
Mr. Heales,	
Mr. Houston,	<i>Tellers.</i>
Mr. Howard,	Mr. Lambert,
Mr. Humffray,	Mr. Berry.

Noes, 31.

Mr. Cohen,	Mr. O'Connor,
Mr. Cummins,	Mr. O'Grady,
Mr. B. G. Davies,	Mr. O'Shanassy,
Mr. J. Davies,	Mr. Ramsay,
Mr. Denovan,	Mr. Richardson,
Mr. Foott,	Mr. Service,
Mr. Francis,	Mr. Sinclair,
Mr. Gillies,	Mr. W. C. Smith,
Dr. Girdlestone,	Mr. Verdon,
Dr. Hedley,	Mr. Weeks,
Mr. Hood,	Mr. Wood,
Mr. Lalor,	Mr. Wright.
Mr. Loader,	
Dr. Macadam,	<i>Tellers.</i>
Mr. McCulloch,	Mr. Anderson,
Mr. McLellan,	Mr. L. L. Smith.
Mr. Mollison,	

And so it passed in the negative.

Dr. Macadam moved, That the word “three” be inserted after the word “fifty.”

Question—That the word proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That this amendment as so amended be now agreed to—put and resolved in the affirmative.

And the other amendments were then read and agreed to by the Assembly.

Dr. Macadam then moved, That the word “first” be inserted before the word “schedule” in the fourth line of Clause V.

Question—That the word proposed to be inserted be so inserted—put and resolved in the affirmative.

Mr. Heales then moved, That the words “pretended to be or” be omitted from line three of Clause VII.

Debate ensued.

Question—That the words proposed to be omitted stand part of the clause—put and resolved in the affirmative.

Dr. Macadam moved, That the words “English Medical Act” be omitted from line 23 of Clause X. of this Bill, with the view to insert instead thereof the words “Acts of the Imperial Parliament of Great Britain and Ireland specified in the second schedule hereto” be inserted instead thereof.

Question—That the words proposed to be omitted stand part of the clause—put and negatived.

Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put and resolved in the affirmative.

On the motion of Dr. Macadam, the Assembly ordered that the words “The First” be inserted before the word “Schedule” and that the following stand as the Second Schedule :—

#### THE SECOND SCHEDULE.

Date of Act.	Title of Act.
21 and 22 Vict., cap. 90.	<i>“An Act to regulate the qualifications of Practitioners in Medicine and Surgery.”</i>
22 Vict., cap. 21.	<i>“An Act to amend the Medical Act”</i> (1858).

Mr. Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported, and that the Clerk of the Assembly had noted the amendments made on the consideration of the Report.

Dr. Macadam moved, That this Bill be now read a third time.

Mr. Woods moved as an amendment, That the word “now” be omitted, and the words “this day six months” added after the word “time.”

Question—That the word proposed to be omitted stand part of the question—put and resolved in the affirmative.

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

Question—That this Bill do now pass—put and resolved in the affirmative.

Dr. Macadam moved, That the following be the title of the Bill :—

*“An Act to amend the Laws relating to the Registration of legally qualified  
 “Medical Practitioners.”*

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Council, and their concurrence desired therein.

18. CLAIMS TO COMPENSATION.—The Order of the Day for the consideration of the Report from this Select Committee having been read, on the motion of Mr. Haines, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration thereof.

Mr. Speaker resumed the Chair; and Mr. Lalor, by leave of the Assembly, reported that the Committee had agreed to the following resolution, viz.—

That an Address be presented to His Excellency the Governor, requesting him to place upon a Supplementary Estimate for 1862 a sum of £1,451 5s., as compensation to the following persons, viz.—

	£	s.	d.
Mrs. Morphy	325	0	0
Mrs. Murray	325	0	0
Mrs. James	150	0	0
Mrs. R. Smith	150	0	0
Mrs. Dunstone	225	0	0
Mrs. Brown	125	0	0
Mrs. Gilman	60	0	0
Mr. Peck	91	5	0

£1,451 5 0

And the said resolution having been read a second time was agreed to by the Assembly.

19. ADJOURNMENT.—Mr. Grant moved, That this House do now adjourn.

Debate ensued.

Question—put and negatived.

20. MESSAGES FROM THE LEGISLATIVE COUNCIL.—The following Messages from the Legislative Council by the Clerk-Assistant of the Council :—

MR. SPEAKER,

The Legislative Council request that the Legislative Assembly will be pleased to communicate to the Legislative Council copies of the Report and Proceedings from the Select Committee of the Legislative Assembly in the present Session of Parliament upon the Bill, intituled, "*An Act to further alter and amend the Laws relating to the Corporations of the City of Melbourne and of the Town of Geelong respectively and to extend and apply other existing Acts thereto,*" together with the Minutes of Evidence taken before the said Committee.

(Signed)

MATTHEW HERVEY,

Acting President.

Legislative Council Chambers,  
Melbourne, 17th June, 1862.

Mr. Bennett moved, by leave of the Assembly, That copies of the Report and Evidence be transmitted to the Legislative Council in compliance with the request contained in the above Message.

Question—put and resolved in the affirmative.

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the amendments made by the Legislative Assembly in the Bill, intituled, "*An Act for Weights and Measures.*"

(Signed)

MATTHEW HERVEY,

Acting President.

Legislative Council Chamber,  
Melbourne, 17th June, 1862.

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly, that they have agreed to the amendments made by the Legislative Assembly in a Bill, intituled, "*An Act to repeal 'An Act to regulate the temporal affairs of Churches and Chapels of the United Church of England and Ireland in New South Wales' and to make other provisions instead thereof.*"

(Signed)

MATTHEW HERVEY,

Acting President.

Legislative Council Chamber,  
Melbourne, 17th June, 1862.

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the Bill, intituled, "*An Act to apply a sum out of the Consolidated Revenue to the service of the year One thousand eight hundred and sixty-two and to appropriate the supplies granted in this session of Parliament and for other purposes,*" without amendment.

(Signed)

MATTHEW HERVEY,

Acting President.

Legislative Council Chambers,  
Melbourne, 17th June, 1862.

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the amendments made by the Legislative Assembly in the Bill, intituled, "*An Act for the better administration of the Law by Justices of the Peace and for other purposes in connection therewith.*"

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
Melbourne, 17th June, 1862.

21. GOLD MINING ON PRIVATE PROPERTY.—Mr. Weeks moved, pursuant to notice, That the Law Officers of the Crown having given their opinion to the effect, that contracts made between the owners of lands alienated from the Crown and other persons, for mining for gold on such lands are not illegal, and that gold may be taken out of such lands under such contracts, providing the Crown do not interfere to claim the gold. Now as cases of hardship have arisen, and are still more likely to arise under the Crown Lands Sales Act, from the fact that miners have prospected on Crown Lands under miners' rights, and after much labor and expense have succeeded in discovering runs or leads of gold, commonly called gutters, the course of which have in some instances, deviated from the supposed course and trended towards alienated lands, thereby depriving such prospectors of the rewards for their toil and outlay to which they would be entitled under the District Bye-laws or Gold Fields Act; and as cases have occurred in which the owners of such lands have offered to let or sell them to other persons and have refused to make reasonable terms with the parties through whose labor and outlay such leads were discovered and traced—This House is therefore of opinion that, pending legislation for regulating mining on private lands, in cases where it can be shown that the owners of lands into which leads or runs of gold have been traced by persons prospecting or otherwise mining on Crown Lands, refuse to make reasonable terms with such prospectors or miners for the purpose of following and working such lead the Crown should lay claim to the gold and prevent its removal until the question of mining on private lands is settled, thereby protecting prospectors and others from the risk of losing their claims by being brought into competition with others for the right to work such leads under the bye-laws of the district after having traced them.

Debate ensued.

Motion, by leave, withdrawn.

22. CEMETERIES.—Mr. Pope moved, pursuant to notice, That the Honorable the Commissioner of Crown Lands and Survey be empowered to call upon the trustees of cemeteries in the Colony of Victoria, to adopt a regulation whereby the remains of poor persons shall be interred in the ground set apart for the use of the particular religious denomination to which such poor persons may during their lifetime have belonged.

Debate ensued.

Motion, by leave, withdrawn.

23. MINING COMMISSION.—Mr. Humffray moved, pursuant to notice, That in consideration of the magnitude of the mineral wealth of this colony, this House is of opinion that it is expedient for the Government to appoint a Commission to enquire into and report upon—

- (1.) The character and approximate extent of our mineral resources.
- (2.) The best mode of developing the same.
- (3.) Mining jurisprudence generally, with a view of amending and consolidating the mining laws and leasing regulations now in force: (*a*) considering the propriety of selling auriferous lands within certain defined areas, also the proper conditions for mining on private property; (*b*) classifying and codifying the Mining Board Bye-laws; (*c*) defining the rights and privileges of the miners, and as to the desirability of granting generally larger areas for mining and residence purposes, with a better tenure than is provided under the existing bye-laws; (*d*) and also defining the powers and duties of the wardens and mining surveyors and registrars.
- (4.) The necessity for and the proper organization of a distinct Mining Department in the Government, under the charge of a responsible minister.
- (5.) The desirability and practicability of establishing a School of Mines in connection with the Mining Museum.
- (6.) And to enquire generally into the present condition and prospects of the mining interests of Victoria.

Question—put and resolved in the affirmative.

24. OFFICES OF REGISTRAR-GENERAL.—Mr. Grant moved, pursuant to notice, That in the opinion of this House it is not desirable that the offices of the Registrar-General should be removed to the new Treasury, as proposed by the Government, but that offices should be provided for his department in the building lately occupied by the Chief Secretary, or in some other building in that vicinity.

Debate ensued.

Question—put and negatived.

25. PETITION.—Mr. Ramsay presented a Memorial from the Mining Board of the District of Castlemaine, setting forth certain statements in favor of such legislation for the supply of water to Castlemaine and Sandhurst as to this House should be deemed most fitting and advisable.

Ordered to lie on the Table.

26. CASTLEMAINE AND SANDHURST WATER SUPPLY.—Mr. Denovan moved, pursuant to *amended* notice, That Mr. Speaker do now leave the Chair, and the Assembly resolve itself into a Committee of the whole to consider the recommendation contained in the report from the Select Committee on this subject.

Question—put and resolved in the affirmative.

Whereupon Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole accordingly.

Mr. Speaker resumed the Chair ; Mr. Lalor reported, That the Committee had agreed to a certain resolution, which was read, and is as follows—

That in order to supply Castlemaine and Sandhurst with water from the River Coliban it is desirable that an immediate survey be made of the proposed route of the aqueduct and site for the reservoir at an expense not exceeding £2000, the cost to be defrayed out of such portion of the vote for the Storage and Conduction of Water and other works and expenses connected therewith as may be allotted to the Towns of Castlemaine and Sandhurst.

And the said resolution was read a second time, and agreed to by the Assembly.

27. ROADS AND BRIDGES COMMITTEE.—Mr. McLellan moved, pursuant to *amended* notice, That in the opinion of this House the Road Works in the Ararat and Kilmore Districts have been carried out in a very unsatisfactory manner.

Question—put and resolved in the affirmative.

28. MESSAGE FROM THE LEGISLATIVE COUNCIL.—The following Message from the Legislative Council by the Clerk-Assistant of the Council :—

MR. SPEAKER,

The Legislative Council return to the Legislative Assembly a Bill, intituled, "*An Act to regulate the Civil Service*," and acquaint the Legislative Assembly that the Legislative Council insist on the amendment, inserting "Clerk of the Legislative Council and Clerk of the Parliaments," and "Clerk-Assistant of the Legislative Council," at the end of the 1st Schedule, but do not insist on the other amendments to which the Legislative Assembly have disagreed, and they agree with the amendment made by the Legislative Assembly on an amendment made by the Legislative Council.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
17th June, 1862.

Mr. O'Shanassy moved, That the Assembly do still insist on disagreeing to the amendment made by the Legislative Council.

Question—put and resolved in the affirmative.

Mr. O'Shanassy moved, That the Assembly do agree to the following reasons for insisting on such disagreement, viz. :—

(1.) The desire of the officers themselves, who conceived that they had rights under the Constitution Schedule, which they thought might be prejudiced, if they were included in the First Schedule to this Bill.

(2.) If they were included they would have advantages over the other civil servants, to the extent that they would be entitled to superannuation allowance and other advantages, without having their annual salaries submitted to the House of Assembly, under the seventh section of this Bill, an arrangement which would place them higher as a class than any others in the Civil Service, whilst their duties are reputed to be much lighter than those others in the service.

(3.) That their case has been under discussion as to its legal and constitutional aspects, and remains yet undecided, though the Law Officers who have been consulted have advised upon it.

Ordered—That a Message be transmitted to the Legislative Council acquainting them with the above reasons for insisting on disagreeing with above amendment.

29. GOULBURN AND YARRA DISTRICT.—Dr. Owens moved, pursuant to *amended* notice, That this House do now resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying His Excellency to cause the sum of £2000 to be placed upon a Supplementary Estimate for 1862, for the purposes of the survey and formation of public roads through the auriferous district, comprising some 5000 or 6000 square miles not yet surveyed, between the heads of the Goulburn, McAlister, and Yarra Rivers.

Question—put and resolved in the affirmative.

Whereupon Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole accordingly.

Mr. Speaker resumed the Chair. Mr. Lalor reported that the Committee had come to a certain resolution.

Ordered—That the said Report be received to-morrow.

30. MESSAGES FROM THE LEGISLATIVE COUNCIL.—The following Messages from the Legislative Council by the Clerk-Assistant of the Council :—

MR. SPEAKER—

The Legislative Council return to the Legislative Assembly their resolution on the subject of Federal Union, and acquaint the Legislative Assembly that they have agreed to the same with the following amendment, viz. :—after “authorised” leave out “also,” and insert instead thereof “by their respective Legislatures,” with which amendment they desire the concurrence of the Legislative Assembly.

(Signed) MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
17th June, 1862.

On the motion of Mr. Gavan Duffy, the Assembly agreed to the above amendment, and ordered a Message to be transmitted to the Legislative Council acquainting them therewith.

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they no longer insist in the amendment to add “The Clerk of the Council and Clerk of the Parliaments,” and “the Clerk-Assistant of the Legislative Council” to the first schedule to the Civil Service Bill.

(Signed) MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
Melbourne, 17th June, 1862.

31. MR. HENNELLE.—The Order of the Day for the consideration of the Report from the Select Committee on this case having been read, on the motion of Mr. Kyte, Mr. Speaker left the Chair, and the Assembly resolved itself into a Committee of the whole for the consideration thereof.

And the House having continued to sit till after twelve of the clock—

WEDNESDAY, 18th JUNE, 1862.

Mr. Speaker resumed the Chair; Mr. Lalor reported that the Committee had come to a certain resolution.

Ordered—That the said Report be received this day.

32. DISCHARGE OF ORDERS OF THE DAY.—The following Orders of the Day were read and discharged :—

“*Mr. Young—Report from Select Committee—To be taken into consideration.*”

“*Newspapers Bill—Second reading.*”

“*Collingwood Drain—Motion for Address—To be considered in Committee.*”

“*Mr. Archibald McLachlan—Motion for Address—To be considered in Committee.*”

“*Judges of Courts of Mines and County Courts—Resolution to be considered in Committee.*”

“*Hawthorn Bridge—Motion for Address—To be considered in Committee.*”

“*Dr. Wills—Motion for Address—To be considered in Committee.*”

“*Refuges—Motion for Address—To be considered in Committee.*”

“*Oyster Fisheries Act Amendment Bill—Second reading.*”

“*Conveyancers Bill—Second reading.*”

“*Mr. Hines—Report from Select Committee to be considered in Committee.*”

“*Adulteration of Food Bill—Second reading.*”

“*Gold Fields Management Act Amendment Bill—Second reading.*”

“*Inspector of Pounds—Motion for Address—To be considered in Committee.*”

33. POSTPONEMENT OF ORDERS OF THE DAY.—The Assembly ordered that the consideration of the following Orders of the Day be postponed until this day :—

“*Main Murray Road—Report of Select Committee—To be considered in Committee.*”

“*Horticultural Society—Motion for Address—To be considered in Committee.*”

34. ADJOURNMENT.—Mr. O'Shanassy moved, by leave of the Assembly, That the House, at its rising, do adjourn until two o'clock p.m. this day.

Question—put and resolved in the affirmative.

Assembly adjourned at twenty-four minutes to one o'clock until two o'clock p.m. this day.

FRAN<sup>s</sup>. MURPHY,  
Speaker.

## VICTORIA.

## VOTES AND PROCEEDINGS

OF THE

## LEGISLATIVE ASSEMBLY.

No. 105.

WEDNESDAY, 18TH JUNE, 1862.

1. Assembly met pursuant to adjournment.—Mr. Speaker took the Chair.
2. PRINTING COMMITTEE.—Mr. McLellan, on behalf of Mr. Speaker, Chairman, brought up the Twenty-ninth and Thirtieth Reports from this Committee.  
Ordered to lie on the Table and to be printed.
3. MESSAGES FROM THE LEGISLATIVE COUNCIL.—The following Messages from the Legislative Council, by the Clerk-Assistant of the Council :—

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the following Bills without amendment :—

“ *Licensed Publicans Act Amendment Bill.*”

“ *Quartz Reefs Drainage Bill.*”

“ *Medical Practitioners Bill.*”

“ *Opium Duties Bill.*”

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chambers,  
Melbourne, June, 1862.

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the amendments made by the Legislative Assembly in the “ *Anatomy Schools Bill.*”

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
Melbourne, 17th June, 1862.

MR. SPEAKER,

The Legislative Council acquaint the Legislative Assembly that they have agreed to the “ *Bill for the Preservation of Game*” without amendment.

(Signed)

MATTHEW HERVEY,  
Acting President.

Legislative Council Chamber,  
18th June, 1862.

4. PAPERS.—Mr. O'Shanassy presented, by command of His Excellency the Governor—  
Privilege.—Copy of the Government Shorthand Writer's Notes of the Arguments and the Judgment in the matter of Mr. George Dill ; together with an Appendix containing a copy of all the proceedings therein.  
Ordered to lie on the Table.
5. STANDING ORDERS.—Mr. Speaker announced that His Excellency the Governor had been pleased to approve of the several Standing Rules and Orders adopted by this House respecting—  
“ *The Melbourne and Hobson's Bay Railway Act Amendment Bill,*” and  
“ *The East Collingwood Improvement Bill.*”
6. MR. HENNELLE.—Mr. Lalor reported from a Committee of the whole a certain resolution which was read and is as follows :—  
Resolved—That an Address be presented to His Excellency the Governor requesting His Excellency to cause the sum of £2000 to be placed on a Supplementary Estimate for 1862, as compensation to Mr. Hennelle, for personal injuries received by him.  
And the said resolution was read a second time and agreed to by the Assembly.



7. GOULBURN AND YARRA DISTRICT.—Mr. Lalor reported from a Committee of the whole a certain resolution, which was read and is as follows :—

Resolved—That an Address be presented to His Excellency the Governor, praying His Excellency to cause the sum of £2000 to be placed upon a Supplementary Estimate for 1862, for the purposes of the survey and formation of public roads through the auriferous district, comprising some 5000 or 6000 square miles not yet surveyed, between the heads of the Goulburn, McAlister, and Yarra Rivers.

And the said resolution was read a second time and agreed to by the Assembly.

8. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—A Message from His Excellency the Governor by the Usher of the Legislative Council.

MR. SPEAKER,

His Excellency desires the immediate attendance of this Honorable House in the Legislative Council.

Accordingly Mr. Speaker, and the House, went to the Legislative Council, when His Excellency was pleased to give the Royal Assent to the following Bills, viz. :—

*“An Act to apply the sum of Four hundred and twenty-two thousand two hundred and fifty pounds out of the Consolidated Revenue to the Service of the year One thousand eight hundred and sixty-two.”*

*“An Act to apply a sum out of the Consolidated Revenue to the Service of the year One thousand eight hundred and sixty-two and to appropriate the Supplies granted in this Session of Parliament and for other purposes.”*

*“An Act to simplify the Laws relating to the Transfer and Encumbrance of Freehold and other interests in Land.”*

*“An Act to prevent Frauds upon Creditors by Secret Bills of Sale of Personal Chattels.”*

*“An Act to authorize the Exportation from the Colony of Victoria free of Customs Duty of Gold not being the produce of the said Colony and for other purposes.”*

*“An Act to repeal the Act intituled ‘An Act for preventing the extension of the disease called Scab in Sheep’ and to substitute other provisions in lieu thereof.”*

*“An Act to amend the Laws relating to the Customs.”*

*“An Act to consolidate and amend the Laws relating to the Sale and Occupation of Crown Lands.”*

*“An Act for the punishment of any Person who shall by his negligence cause Grievous Bodily Injury to any other Person.”*

*“An Act to consolidate and amend the Law relating to the distillation rectifying and compounding of Spirits to the granting a duty upon Spirits distilled in Victoria and to regulate the brewing of Beer and the sale of fermented and spirituous Liquors in certain cases.”*

*“An Act to amend the Law relating to Leases of Auriferous Land and for other purposes.”*

*“An Act for the better Maintenance and Establishment of Common Schools in Victoria.”*

*“An Act to authorize the borrowing of Three hundred thousand pounds for the purpose of repairing a certain portion of the Railway from Melbourne to Geelong and of forming a Junction line between the Railway from Melbourne to Geelong and the Railway from Geelong to Ballarat and for the formation of such Junction line and also the Deviation line and for other purposes in connection with the said Railway from Melbourne to Geelong.”*

*“An Act for Weights and Measures.”*

*“An Act to amend and consolidate the Laws for the protection of the Fisheries of Victoria.”*

*“An Act to amend the Law relating to the Drainage of Quartz Reefs.”*

*“An Act to amend in certain respects the Law relating to Licensed Public Houses.”*

*“An Act to amend an Act for granting a Duty of Customs on Opium.”*

*“An Act for regulating Schools of Anatomy.”*

*“An Act to repeal ‘An Act to regulate the temporal affairs of Churches and Chapels of the United Church of England and Ireland in New South Wales’ and to make other provisions instead thereof.”*

*“An Act to amend the Laws relating to the Registration of legally qualified Medical Practitioners.”*

*“An Act for the better administration of the Law by Justices of the Peace and for other purposes in connection therewith.”*

*“An Act to regulate the Civil Service.”*

*“An Act to provide for the Preservation of Imported Game and during the breeding Season of Native Game.”*

And His Excellency was pleased to reserve the following Bills for the signification thereon of Her Majesty's assent :—

*“An Act to amend the Law relating to Aliens.”*

*“An Act to give a Preferable Lien on Growing Crops without delivery.”*

9. HIS EXCELLENCY'S SPEECH.—After which His Excellency was pleased to make a Speech to both Houses of Parliament, as followeth :—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

I am happy to be enabled to release you from your attendance on Parliament.

The labors of a long and arduous session may well entitle you to repose, and as the chief questions affecting legislation have been dealt with by you in a spirit of comprehensive liberality and wisdom, I confidently trust that the ordinary sessions of Parliament may in future be reduced in duration to a period much shorter than has hitherto been found necessary.

Legislative measures intended for submission to Parliament in future sessions, may, therefore, during each recess, receive that careful and mature consideration which has been rendered impossible under past arrangements.

The aim of my advisers will be directed to the attainment of this end, to which I attach the utmost importance. The evils consequent upon protracted sessions must have made themselves manifest to you. The utilisation of our Parliamentary system, and the consolidation of our Representative Institutions largely depend upon such an achievement, and it is gratifying to have to observe that already you have in some of the measures passed by you greatly facilitated this object.

I would especially make mention of the Bill to regulate the Civil Service, as falling within the class to which I refer.

Delayed by causes to which it is unnecessary now to allude, this measure will become the more valuable from the serious and attentive consideration which it has received from you. It enables the Government to re-organize the entire staff of persons employed in the civil service upon a basis more suited to the present and prospective state of the public requirements, and it provides, upon equitable principles, for the appointment, classification, promotion, dismissal, and superannuation of officers. If it does not at once correct all the anomalies resulting from the system hitherto in operation, it affords ample opportunity of ultimately effecting all that may be desirable. I congratulate you upon the accomplishment of this long expected and welcome reform. I anticipate from it the most favorable results. It will lessen the labors of the representatives, economise the revenue, give reasonable guarantees to officers who discharge their functions with fidelity and zeal, and subject the exercise of patronage to a well regulated system.

I desire to convey my approval of the short but important measure passed to suspend the operation of certain enactments relating to the Registration and Collection of Parliamentary Votes for the present year. The wasteful expenditure hitherto charged upon the revenue for this purpose has now ceased ; and I trust that, as self-government has been conceded to the inhabitants of this country in all its fullness, the primary duties of self-reliance will in future be recognised and accepted by the electors, instead of their placing, as heretofore, so large a dependance upon the Central Government for the exercise of functions which ought properly to devolve upon themselves.

The Bill to alter the sum appropriated to the payment of the Salary and Allowances of the Governor I have, as directed by the Constitution Act, reserved for the signification of Her Majesty's pleasure.

The Land question, which has so long impeded the way of practical reforms, is now settled on a basis calculated to command the assent and confidence of the country. The attainment of land fit for agricultural uses by the industrious population is now rendered as easy as in any country in the world, and the proposed expenditure of the land fund on local improvements, as well as in renewing the stream of immigrant labor, the cessation of which has so injuriously affected the public interest, will enable the business of farming to be undertaken hereafter under peculiarly favorable terms ; and other branches of rural industry are encouraged by liberal concessions which must operate to strengthen and develope them. At the same time the pastoral occupants have been relieved from a condition of uncertainty which hitherto paralyzed their enterprise, and are now enabled, for a fixed period, to prosecute their industry with renewed confidence. It has been wisely provided, however, that none of the public territory is placed beyond the control of Government. Should any necessity arise requiring its sale, that portion of it which will continue to be licensed for Pastoral occupation under the new Land Law will be open for sale, should the public interest require it, in the same manner in which all lands were sold before the passing of the Land Sales Act of 1860.

The holders of Occupation Licenses for agricultural purposes owe much to your timely intervention for the legal security now accorded them.

I trust that, as you have shown that one of the primary objects of legislation is to give security to property by the consolidation of our land system, our prosperity will, henceforth, be largely augmented, and that the important provisions of the new Bill will be impartially administered in the spirit in which they have been framed by you.

The Bill to regulate Distillation, deemed necessary for the purpose of protecting the revenue from illicit distillers, is expected, at the same time, to prove a timely supplement to the new Land Law, by increasing the demand for home-grown corn at a period when cultivation will necessarily increase, while its beneficial provisions are well calculated to aid in developing our great capabilities as a wine-growing country.

The sum set apart on this year's estimate for the introduction of immigrants, enables the inhabitants, in anticipation of the more permanent provision for a like purpose in the Land Bill, to give effect to their laudable desire to bring their relatives and friends to this country, and the accession to our population of such a valuable element must be regarded with the greatest satisfaction. The proportion devoted to the payment of the passages of persons skilled in the making of high class wines, the preservation and drying of fruit, and the manufacture of vegetable oils, will, I doubt not, conduce to the development of our industrial resources. All these efforts, wisely directed, are calculated to increase the stream of population to Victoria; and, judging by the comparative tables presented by the Census Returns, our material progress has been much checked by neglect of what should be a primary object in the art of colonization.

I have to congratulate you on the sale of the remaining first class debentures at a fair premium, and on the continued confidence of English capitalists in our securities. Had our debentures proved unsaleable, the colony must have suffered very great inconvenience and loss from the want of funds to carry on the important works which have been commenced and are now approaching completion.

The income arising from the sources of revenue which have been in existence, with very small variations during the last four years, has been insufficient to meet the expenditure. In the year 1861, the excess of expenditure over revenue was two hundred and forty-two thousand pounds. This was partly met, as a similar excess had been in preceding years, from a large surplus which was brought over from the year 1857. This surplus having been exhausted it became necessary in the present year to equalise our revenue and expenditure. This has been accomplished, partly by reducing the expenditure and partly by a modification and adjustment of the system of taxation.

The proposed expenditure for 1862 is less than that of 1861 by one hundred and eighty thousand pounds, and as there is a necessary increase in the Special Appropriations for 1862, of seventy-five thousand one hundred and thirty-four pounds, on account of the Railway Loan, the expenditure, exclusive of special appropriations, has been reduced by upwards of a quarter of a million.

In the imposition of new taxes, the object sought to be attained has been the assimilation of the tariff, as nearly as possible, to those of the neighboring Colonies. This course has been adopted with a view to facilitate the establishment of a uniform tariff throughout Australia, and to avoid anything which was likely to interfere with the operations of commerce, or to deprive Victoria of the position she now occupies as an entrepôt for the trade of these portions of Her Majesty's dominions. In so doing, Parliament has, I think, rendered the burden of taxation as light as the necessities of the State would permit during a period of unusual depression, which, I am thankful to say, is gradually passing away. The returns for the last two months show a marked increase in the revenue, particularly that derived from Customs duties, and afford reasonable grounds for the belief, that with returning prosperity it will be found adequate to meet the necessary expenditure.

I regard with pleasure the abolition of Passenger Rates. They were imposed originally from a humane desire to devote the funds derivable from them in aid of charitable purposes, but especially for the unfortunate or distressed portion of that vast population which crowded our cities after the gold discoveries. Latterly they have been justly regarded as a source of irritation, and their entire abolition will be in accordance with the free character of our ports.

I rejoice, also, that you have not overlooked the complaints urged by the Chinese against the Residence Tax. The removal of this burthen, and the substitution of a milder law, which places them, in respect to internal taxation, on terms of equality with the rest of the population, will, I hope, be attended with good results.

The reduction of the Export Duty on Gold is a concession to the large class of persons engaged in mining pursuits, which you have deemed it right to make on account of the increasing expense at which the branch of industry followed by them has of late years been carried on.

You have also passed other measures which prove that you have not been unmindful of the interests of our Gold Fields' population, but precluded, as you have been by your incessant labors during this session, from initiating and perfecting many laws in furtherance of the great and vital interests of the mining community, I propose to supplement your efforts in this respect by the appointment of a Royal Commission, whose powers and duties shall be carefully defined, and trust that their labors may prove of as great value as those of the Commission whose recommendations led to such great practical reforms in the year 1854.

The Bill for facilitating the Transfer of Land owes its origin to the complaints which have been so long and so generally raised of the expense connected with our present system of conveyancing. I trust that it may tend materially to remove the obstacles impeding the easy acquisition and disposal of landed property.

The Bill which has for its object the checking of Disease in Sheep will, it is to be hoped, prove a successful measure, and we may anticipate from its results that our supply of food will be still more plentiful than at present, and that a considerable increase will take place in the yield of wool, which, next to gold, is our principal article of export.

The Bill for the establishment of Common Schools, by abolishing the National and Denominational Boards, and establishing a single Board of Education in their stead, is calculated to affect a considerable reduction in the expense of keeping up our educational establishments.

I deem it my duty to accede to the request recently made by the neighboring Government of South Australia, that a conference of representatives of the respective Australian Governments should be held in Melbourne on the subject of a uniform tariff for the whole group. I attach much importance to the proposal thus made, and I trust that favorable results may be anticipated from this conference.

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

On behalf of Her Majesty I thank you for the readiness and liberality with which you granted supplies to meet the exigencies of the public service for the current year. I trust that every effort will be directed to keep our expenditure within our income, and that, under prudent management, the estimated deficit brought over from last year, of about one hundred and twenty-five thousand pounds will gradually be paid off without materially disturbing our financial arrangements.

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

Before closing this session I feel especially bound to record my deep sense of the important achievement accomplished by means of the Exploration Expedition, organized by your direction for crossing from South to North this vast continent. The stirring and romantic incidents connected with that enterprize, and the melancholy fate of the heroic leader, Mr. Burke, and his brave companion, Mr. Wills, were made known to you during your sittings. My warmest approbation is due to you for the manner in which you propose to commemorate the perseverance and self-sacrifice of these noble, but unfortunate men, as well as for the generous provision which you have made where necessary for their relatives and for the faithful companion who survived them. They solved the problem so long veiled in mystery, and made known, for the interests of science and civilization, the capabilities of the interior. Their discoveries foreshadow the greatness of Australia, and Victoria may well pride herself on these imperishable results of her first efforts in exploration.

The Royal Commissioners delegated to represent your interests at the Great Industrial Exhibition sailed for London early in this year. I anticipate favorable results from their labors. The opportunity presented to them of exhibiting the varied articles indicative of the skill and enterprize of the inhabitants, the interest which must attach to the wonderful natural productions of this country, and the diffusion of reliable information from works of authority at such a period and under such favorable circumstances must prove highly beneficial. A full report of the Commissioners proceedings will be laid before you when obtained, and I trust you will feel some gratification in contributing to swell that vast collection which will be representative of the genius and power of all civilized nations.

In dismissing you to your private business and your homes, I feel that it must be a source of the highest gratification to you to know that the personal sacrifice which you may have had to make in attending to the business of Parliament is compensated by the consciousness that your labours will be appreciated by your constituents, and that the important series of legislative enactments which you have passed are of the highest value to the welfare of your country.

I now, in Her Majesty's name, declare this Parliament to be prorogued to the 23rd day of July, 1862.

(Signed) HENRY BARKLY,  
*Governor.*

FRAN<sup>s</sup>. MURPHY,  
*Speaker.*

## Select Committees

APPOINTED DURING THE SESSION 1861-2.

### 1.—PRINTING.

Appointed 4th September, 1861.

The Hon. the Speaker,  
Mr. McLellan,  
Mr. Berry,  
Mr. Richardson,  
Mr. Levey,

Mr. Lalor,  
Mr. Gillies,  
Mr. Foote,  
Mr. Heales.

### 2.—STANDING ORDERS.

Appointed 4th September, 1861.

The Hon. the Speaker,  
Mr. Lalor,  
Mr. Gavan Duffy,\*  
Mr. Snodgrass,  
Mr. O'Shanassy,\*

Dr. Owens,  
Mr. Brooke,  
Mr. Gray,  
Mr. Aspinall.

\* Resigned 13th November, 1861. Re-appointed 15th January, 1862.

### 3.—REFRESHMENT ROOMS.

Appointed 4th September, 1861.

Mr. Pyke,  
Mr. Frazer,  
Mr. Snodgrass,

Mr. L. L. Smith,  
Mr. J. T. Smith.

### 4.—LIBRARY.

Appointed 4th September, 1861.

The Hon. the Speaker,  
Mr. Edwards,  
Mr. Mollison,

Dr. Macadam,  
Mr. Haines.\*

\* Resigned 13th November, 1861. Re-appointed 15th January, 1862.

### 5.—PARLIAMENT BUILDINGS.

Appointed 4th September, 1861.

The Hon. the Speaker,  
Mr. Grant,  
Mr. Gavan Duffy,\*

Mr. Don,  
Mr. Francis.

\* Resigned 13th November, 1861. Re-appointed 15th January, 1862.

### 6.—INSOLVENCY.

Appointed 24th September, 1861.

Mr. Service,  
Mr. Gillespie,\*  
Mr. Edwards,  
Mr. Verdon,  
Mr. W. C. Smith,  
Mr. Hood,

Mr. Francis,  
Mr. Gray,  
Mr. Loader,  
Mr. Cohen,  
Mr. K. E. Brodribb,  
Mr. Levi.

\* Resigned 28th February, 1862.

## 7.—ELECTIONS AND REGISTRATION OF VOTERS.

Appointed 24th October, 1861.

Mr. Grant,		Mr. Berry,
Mr. Verdon,		Mr. Sullivan,
Dr. Owens,		Mr. Denovan,
Mr. Brooke,		Mr. Fraser,
Mr. Heales,		Mr. Humffray.

## 8.—LUNATIC ASYLUM.

Appointed 24th October, 1861.

Mr. Bennett,		Mr. McLellan,
Mr. O'Shanassy,*		Mr. Flint,
Mr. W. A. Brodribb,		Mr. Berry,
Dr. Hedley,		Mr. Weeks,
Mr. Heales,		Mr. Gillespie,†
Mr. J. S. Johnston,‡		Mr. Don ( <i>Mover</i> ).

\* Resigned 13th November, 1861. Re-appointed 15th January, 1862.

† Appointed 17th December, 1861.

## 9.—FISHERIES ACTS.

Appointed 24th October, 1861.

Mr. Mollison,		Mr. Foott,
Mr. Nicholson,		Mr. Nixon,
Mr. Lalor,		Mr. Brooke,
Mr. Richardson,		Mr. L. L. Smith.

## 10.—ROADS AND BRIDGES, ETC.

Appointed 24th October, 1861.

Mr. Gillies,		Mr. J. Davies,
Mr. Flint,*		Mr. Brooke,
Mr. Bennett,		Mr. Gillespie,‡
Mr. Don,		Mr. Ramsay,§
Mr. Tucker,		Mr. Service,
Dr. Evans,†		Mr. Johnston,
Mr. Gavan Duffy,‡		Mr. McLellan ( <i>Mover</i> ).

\* Resigned 14th March, 1862.

† Appointed 1st November, 1861. Resigned 13th November, 1861. Re appointed 15th January, 1862.

‡ Resigned 28th February, 1862.

§ Appointed 26th March, 1862.

|| Appointed 1st May, 1862.

## 11.—ROYAL MINT.

Appointed 31st October, 1861.

Mr. Levi,		Mr. Lambert,
Dr. Evans,		Mr. Loader,
Dr. Owens,		Mr. W. C. Smith,
Mr. Anderson,		Mr. Pyke ( <i>Mover</i> ).
Mr. Humffray,		

## 12.—DR. THOMSON'S CASE.

Appointed 31st October, 1861.

Mr. McCann,		Dr. Owens,
Mr. Brooks,		Mr. Snodgrass ( <i>Mover</i> ).
Mr. McDonald,		

## 13.—THE MELBOURNE AND SUBURBAN RAILWAY SALE BILL.

Appointed 13th November, 1861.

Mr. Francis,		Mr. Gillies,
Mr. K. E. Brodribb,		Mr. Lambert,
Mr. Mollison,		Mr. Orkney,
Mr. McDonald,		Mr. Loader ( <i>Mover</i> ).
Mr. Pyke,		

## 14.—RAILWAYS.

Appointed by ballot 20th December, 1861.

Mr. W. C. Smith,		Mr. Pyke,
Mr. Johnston,		Mr. Tucker,
Mr. Denovan,		Dr. Owens,
Mr. Francis,		Mr. Cummins,
Mr. Houston,		Mr. McCann,
Mr. Fraser,		Mr. Lalor.

## 15.—GOLD PROSPECTORS.

Appointed 14th January, 1862.

Mr. Grant,  
Mr. McLellan,  
Mr. Houston,  
Mr. Francis,  
Mr. Fraser,  
Mr. B. G. Davis,

Mr. Woods,  
Mr. Lambert,  
Dr. Evans,  
Mr. McCann,  
Mr. Flint (*Mover*).

## 16.—EXPERIMENTAL FARM.

Appointed 14th January, 1862.

Mr. Haines,  
Mr. Hood,  
Mr. Anderson,  
Mr. Don,  
Mr. Heales,

Mr. Kyte,  
Mr. Cummins,  
Mr. Tucker,  
Mr. Fraser (*Mover*).

## 17.—MR. GEORGE HENNELLE'S CASE.

Appointed 16th January, 1862.

Mr. Heales,  
Mr. Ireland,  
Mr. Hood,  
Mr. Don,  
Mr. K. E. Brodribb,

Mr. Kyte,  
Mr. Wood,  
Mr. Anderson,  
Mr. Chapman\* (*Mover*).

\* Seat vacated February, 1862.

## 18.—MR. BRYANT'S CASE.

Appointed 23rd January, 1862.

Mr. Gillespie,\*  
Mr. Brooke,  
Dr. Evans,

\* Resigned 28th February, 1862.

Mr. Francis,†  
Mr. Grant,  
Mr. Lalor (*Mover*).

† Appointed 1st April, 1862.

## 19.—CHIEF MEDICAL OFFICER.

Appointed 23rd January, 1862.

Dr. Owens,  
Mr. Kyte,  
Mr. W. A. Brodribb,  
Mr. Don,  
Mr. Sullivan,

Mr. Haines,  
Mr. J. T. Smith,  
Mr. Heales,  
Mr. Cohen (*Mover*).

## 20.—PENSIONS BILL.

Appointed 23rd January, 1862.

Mr. Gillespie,\*  
Mr. Wood,  
Mr. Gavan Duffy,  
Mr. Mollison,  
Mr. Levi,

\* Resigned 28th February, 1862.

Mr. Nicholson,  
Mr. Brodribb,  
Mr. Heales,  
Mr. Jones,†  
Mr. Woods (*Mover*).

† Added 12th March, 1862.

21.—THE MELBOURNE AND GEELONG CORPORATIONS ACTS  
AMENDMENT BILL.

Appointed 23rd January, 1862.

Mr. Richardson,  
Mr. Johnston,  
Mr. Orkney,  
Mr. Sinclair,  
Mr. Foott,  
Mr. Loader,

Mr. Cohen,  
Mr. Edwards,  
Mr. Kyte,  
Mr. J. T. Smith,  
Mr. J. Davies,  
Mr. Bennett (*Mover*).

## 22.—POLICE FORCE.

Appointed 29th January, 1862.

Mr. W. A. Brodribb,  
Mr. Gillies,  
Mr. Humffray,  
Mr. Ireland,  
Mr. Kyte,  
Mr. O'Shanassy,  
Dr. Owens,\*

Mr. Edwards,\*  
Mr. Verdon,  
Mr. O'Grady,  
Mr. Snodgrass,  
Dr. Mackay,  
Mr. Levey,  
Mr. Fraser (*Mover*).

\* Added 25th February, 1862.

## 23.—MR. W. HINDS.

Appointed 29th January, 1862.\*

Mr. Mollison,  
Dr. Owens,  
Mr. Mac Mahon,  
Mr. McLellan,

Mr. W. A. Brodribb,  
Mr. Houston,  
Mr. Denovan,  
Mr. Woods (*Mover*).

\* Rescinded 6th February, 1862.

## 24.—IMPROVEMENT OF THE YARRA.

Appointed 30th January, 1862.

Mr. J. S. Johnston,  
Mr. Anderson,  
Mr. Denovan,  
Mr. Francis,  
Mr. Loader,  
Mr. Don,

Mr. Kyte,  
Mr. Cohen,  
Mr. Sinclair,  
Mr. J. Davies,  
Mr. Orkney (*Mover*).

## 25.—MR. G. B. HINES' CASE.

Appointed 6th February, 1862.

Mr. Mollison,  
Dr. Owens,  
Mr. Mac Mahon,  
Mr. McLellan,

Mr. W. A. Brodribb,  
Mr. Houston,  
Mr. Denovan,  
Mr. Woods (*Mover*).

## 26.—ANDERSON'S PRE-EMPTIVE RIGHT, POLICE RESERVE, CARLSRUHE, ETC.

Appointed 6th February, 1862.

Dr. Hedley,  
Mr. A. J. Smith,  
Mr. Tucker,  
Mr. Fraser,  
Mr. Anderson,  
Dr. Evans,

Mr. Weeks,  
Mr. J. Davies,  
Mr. Denovan,  
Mr. Sinclair,  
Mr. Snodgrass (*Mover*).

## 27.—MILITARY AND NAVAL FORCES.

Appointed 11th February, 1862.

Mr. Nicholson,  
Mr. Ramsay,  
Mr. Verdon,  
Mr. Heales,  
Mr. Fraser,  
Mr. Lalor,

Mr. A. J. Smith,  
Mr. Mollison,  
Mr. Sullivan,  
Mr. Levey,  
Mr. Hood,  
Mr. Loader (*Mover*).

## 28.—MR. P. C. BUCKLEY'S CASE.

Appointed 12th February, 1862.

Mr. Edwards,  
Mr. Loader,  
Mr. Fraser,  
Mr. Orkney,

Mr. B. G. Davies,  
Mr. McDonald,  
Dr. Hedley (*Mover*).

## 29.—CENTRAL RAILWAY TERMINUS.

Appointed by ballot 20th February, 1862.

Mr. McLellan,  
Mr. J. Davies,  
Mr. Edwards,  
Mr. Loader,  
Mr. Brooke,  
Mr. Kyte,

Mr. Snodgrass,  
Mr. Sullivan,  
Dr. Macadam,  
Mr. Mac Mahon,  
Mr. Sinclair,  
Mr. O'Connor.

## 30.—THE MELBOURNE AND HOBSON'S BAY RAILWAY ACT AMENDMENT BILL.

Appointed 20th February, 1862.

Mr. Grant,  
Mr. Gavan Duffy,  
Mr. O'Shanassy,

Mr. Lalor,  
Mr. Service.



## 31.—LICENSED VICTUALLERS ACT AMENDMENT BILL.

Appointed 21st February, 1862.

Mr. Mollison,  
Mr. Nixon,  
Mr. W. C. Smith,  
Mr. W. A. Brodribb,\*  
Mr. Levey,  
Mr. Orkney,  
Mr. Humffray,  
Mr. Heales,  
Mr. Loader,

Mr. Don,  
Mr. Snodgrass,  
Mr. Wood,  
Mr. Anderson,  
Mr. J. T. Smith,  
Mr. Richardson,  
Mr. Sullivan,  
Mr. Weeks,  
Mr. Edwards (*Mover*).

\* Resigned 26th March, 1862.

## 32.—CLAIMS FOR COMPENSATION.

Appointed 21st February, 1862.

Mr. Denovan,  
Mr. Don,  
Mr. Hood,  
Mr. Humffray,  
Mr. Loader,

Mr. Mollison,  
Mr. Sullivan,  
Mr. Verdon,  
Mr. Haines (*Mover*).

## 33.—RAILWAY STATION, MALMSBURY.

Appointed 5th March, 1862.

Mr. Loader,  
Mr. A. J. Smith,  
Mr. Tucker,  
Mr. Denovan,

Mr. Francis,\*  
Mr. Johnston,  
Mr. Snodgrass,  
Mr. Fraser (*Mover*).

\* Added 9th May, 1862.

34.—ADDRESS OF CONDOLENCE TO THE QUEEN ON THE DEATH OF  
H.R.H. PRINCE ALBERT.

(Appointed 18th March, 1862.)

Mr. Haines,  
Mr. Mollison,  
Mr. Verdon,

Mr. Heales,  
Mr. O'Shanassy.

## 35.—MAIN MURRAY ROAD, SANDHURST.

Appointed 25th March, 1862.

Mr. B. G. Davies,  
Mr. Denovan,  
Mr. Fraser,  
Mr. Hood,  
Mr. Johnston,  
Mr. Lalor,

Dr. Macadam,  
Mr. Sullivan,  
Mr. Weeks,  
Mr. Snodgrass,  
Mr. W. C. Smith,  
Mr. Edwards (*Mover*).

## 36.—THE EAST COLLINGWOOD IMPROVEMENT BILL.

Appointed 29th April, 1862.

Mr. Johnston,  
Mr. Pope,  
Mr. Cummins,  
Mr. Kyte,  
Dr. Hedley,

Mr. Heales,  
Mr. Mollison,  
Mr. Edwards,  
Mr. Don (*Mover*).

## 37.—CASTLEMAINE AND SANDHURST WATER SUPPLY.

Appointed 1st May, 1862.

Mr. Tucker,  
Mr. Houston,  
Mr. Johnston,  
Mr. Verdon,  
Dr. Macadam,  
Mr. Service,

Mr. Heales,  
Mr. Francis,  
Dr. Owens,  
Mr. O'Shanassy,  
Mr. Lalor,  
Mr. Denovan (*Mover*).

## 38.—MR. GEORGE YOUNG'S CASE.

Appointed 1st May, 1862.

Mr. Levey,  
Mr. Wood,  
Mr. Humffray,  
Mr. Howard,

Mr. Wright,  
Dr. Evans,  
Mr. B. G. Davies,  
Mr. Ramsay.

## 39.—FEDERAL UNION.

Appointed 23rd May, 1862.

Mr. O'Shanassy,  
 Mr. Nicholson,  
 Mr. Sullivan,  
 Mr. Heales,  
 Mr. Anderson,

Mr. McCulloch,  
 Mr. Mollison,  
 Dr. Evans,  
 Mr. Gavan Duffy (*Mover*).

*ELECTIONS AND QUALIFICATIONS.*

Appointed 10th September, 1861.

Mr. Cohen,  
 Mr. Gray,  
 Mr. Mollison,  
 Mr. Service,

Mr. Grant,  
 Mr. Ireland,\*  
 Dr. Owens.

\* Re-appointed 18th December, 1861.

VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 1.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

SESSION 1861.

FRIDAY, 20<sup>TH</sup> DECEMBER.No. 1.—*Statutes Construction Bill.*—Motion made and question put—That the Chairman do now report progress.—  
(*Mr. Service.*)

Committee divided.

Ayes, 19.

Mr. Brooke,	Mr. Richardson,
Mr. Foott,	Mr. Service,
Mr. Gillies,	Mr. Sinclair,
Mr. Gray,	Mr. L. L. Smith,
Mr. Heales,	Mr. Sullivan,
Mr. Houston,	Mr. Wright.
Mr. Lambert,	
Mr. McLellan,	<i>Tellers.</i>
Mr. Nixon,	Mr. Verdon,
Mr. Pyke,	Mr. Berry.
Mr. Ramsay.	

Noes, 38.

Mr. Anderson,	Mr. Mac Mahon,
Mr. K. E. Brodribb,	Mr. McCann,
Mr. W. A. Brodribb,	Mr. McDonald,
Mr. Chapman,	Mr. Mollison,
Mr. Cohen,	Mr. Nicholson,
Mr. Cummins,	Mr. Orkney,
Mr. J. Davies,	Mr. O'Connor,
Mr. Denovan,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Dr. Evans,	Mr. Reid,
Mr. Francis,	Mr. Riddell,
Mr. Frazer,	Mr. W. C. Smith,
Mr. Gillespie,	Mr. Snodgrass,
Mr. Haines,	Mr. Tucker,
Dr. Hedley,	Mr. Wilson,
Mr. Hood,	Mr. Wood.
Mr. Ireland,	
Mr. Johnston,	<i>Tellers.</i>
Mr. Kirk,	Mr. Levey,
Mr. Levi,	Mr. Bennett.

VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 2.

## WEEKLY REPORT OF DIVISIONS

IN

## COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

## SESSION 1861-2.

TUESDAY, 21<sup>ST</sup> JANUARY.No. 1.—*Ways and Means.*—

Motion made and question put—That the following duties of Customs shall be charged on the articles next hereinafter mentioned :—

						£	s.	d.
Rice	...	...	...	...	the cwt.	0	2	0
Dried Fruits	...	...	...	...	the cwt.	0	10	0
Sheepwash Tobacco, and an equivalent charge upon all preparations of Tobacco employed for sheepwashing purposes					the lb.	0	0	3
Malt	...	...	...	...	the bushel	0	6	0
Hops	...	...	...	...	the lb.	0	0	2

Committee divided.

(Mr Haines.)

Ayes, 37.

Noes, 11.

Mr. Bennett,	Mr. Mollison,
Mr. K. E. Brodribb,	Mr. Nicholson,
Mr. W. A. Brodribb,	Mr. Nixop,
Mr. Cathie,	Mr. Orkney,
Mr. Chapman,	Mr. O'Connor,
Mr. Cummins,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Dr. Evans,	Mr. Richardson,
Mr. Foott,	Mr. Riddell,
Mr. Gillespie,	Mr. Service,
Mr. Gray,	Mr. A. J. Smith,
Mr. Haines,	Mr. Tucker,
Dr. Hedley,	Mr. Wilson,
Mr. Hood,	Mr. Weeks,
Mr. Ireland,	Mr. Wood.
Mr. Johnston,	
Mr. Kyte,	<i>Tellers.</i>
Mr. Loader,	
Mr. Mac Mahon,	Mr. Anderson,
Mr. McDonald,	Mr. Levey.

Mr. Casey,	Mr. Ramsay,
Mr. B. G. Davies,	Mr. Wright.
Mr. J. Davies,	
Mr. Denovan,	<i>Tellers.</i>
Mr. Houston,	
Mr. McCann,	Mr. Berry,
Mr. McLellan,	Mr. Edwards.

THURSDAY, 23RD JANUARY.

No. 1.—*Discoverers of Gold Fields.*—

Motion made and question put—That an address be presented to His Excellency the Governor, requesting His Excellency to place on an additional estimate for 1862: a sum of £6000, as rewards for the discoverers of new Gold Fields in this colony, subject to such conditions as may be deemed necessary by the Governor in Council.—

(Mr. Denovan.)

Committee divided.

Ayes, 19.		Noes, 17.	
Mr. Aspinall,	Mr. O'Grady,	Mr. Bennett,	Mr. Mac Mahon,
Mr. Cummins,	Mr. Richardson,	Mr. Chapman,	Mr. McDonald,
Mr. Denovan,	Mr. W. C. Smith,	Mr. Cohen,	Mr. O'Shanassy,
Mr. Don,	Mr. Sullivan,	Mr. Gavan Duffy,	Mr. Riddell,
Mr. Foott,	Mr. Weeks,	Dr. Evans,	Mr. Wood.
Mr. Gray,	Mr. Wright.	Mr. Gillespie,	
Mr. Houston,		Mr. Haines,	<i>Tellers.</i>
Dr. Macadam,	<i>Tellers.</i>	Mr. Ireland,	Mr. Anderson,
Mr. McLellan,	Mr. Edwards,	Mr. Johnston,	Mr. Hood.
Mr. Nixon,	Mr. Woods.	Mr. Levey,	
Mr. O'Connor,			

VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 3.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

SESSION 1861-2.

THURSDAY, 30TH JANUARY.

No. 1.—*Hawkers' Act Amendment Bill*.—Clause II.

At any petty sessions any "two or more justices" of the peace thereat assembled shall and may take into consideration applications for Hawkers' and Pedlars' Licenses and it shall be lawful for the justices assembled at such petty sessions or district police court or a majority of them in their discretion to grant to any person or persons who may be approved of by them a license in one or other of the forms aforesaid and it shall be lawful for the said justices to reject any such application or to adjourn the consideration thereof from time to time as they shall see fit Provided that such adjournments do not in the whole exceed three weeks from the day of such petty sessions or district police court.—(*Mr Loader.*)

Motion made—That the words "two or more justices" in the first line of the above clause be omitted with a view to insert in place thereof the word "justice."—(*Mr. Snodgrass.*)

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

Committee divided.

Ayes, 17.

Mr. Bennett,	Mr. Reid,
Mr. W. A. Brodribb,	Mr. Service,
Dr. Evans,	Mr. Tucker,
Mr. Francis,	Mr. Weeks,
Mr. Ireland,	Mr. Wood.
Mr. Jones,	
Mr. Levey,	<i>Tellers.</i>
Dr. Macadam.	Mr. Anderson,
Mr. Orkney,	Mr. Loader,
Mr. O'Shanassy,	

Noes, 19.

Mr. Berry,	Mr. Nixon,
Mr. Denovan,	Mr. Ramsay,
Mr. Don,	Mr. Richardson,
Mr. Edwards	Mr. W. C. Smith,
Mr. Gray,	Mr. Snodgrass,
Mr. Heales,	Mr. Wright.
Dr. Hedley,	
Mr. Houston,	<i>Tellers.</i>
Mr. Lambert,	Mr. Humffray,
Mr. McCann,	Mr. L. L. Smith.
Mr. McLellan,	

VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 4.

## WEEKLY REPORT OF DIVISIONS

IN

## COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

## SESSION 1861-2.

TUESDAY, 11TH FEBRUARY.

*No. 1.—Crown Lands Bill.—Clause VIII.*

The Governor in Council may make general regulations for granting to any member of the police force on his retirement therefrom some certain portion of Crown land, and for determining the quantity of land which may in each case be so granted and the conditions upon which such grant may be made, but no such regulation shall have any force or effect unless and until it has been laid for four consecutive weeks before both Houses of Parliament, and the Governor may grant in fee simple without any charge or consideration to any such retiring member so much Crown land as he may under such regulations be entitled to receive.

Motion made and question put—That this clause stand part of the Bill.—(*Mr. Gavan Duffy.*)

Committee divided.

Ayes, 21.

Mr. Bennett,	Mr. O'Grady,
Mr. Cummins,	Mr. O'Shanassy,
Mr. Gavan Duffy,	Mr. Reid,
Dr. Evans,	Mr. Riddell,
Mr. Haines,	Mr. W. C. Smith,
Dr. Hedley,	Mr. Snodgrass,
Mr. Ireland,	Mr. Tucker,
Mr. Johnston,	
Mr. Mac Mahon,	
Mr. McDonald,	
Mr. Mollison,	
Mr. O'Connor,	

*Tellers.*

Mr. Levey,
Mr. Anderson.

Noes, 25.

Mr. Berry,	Mr. McCann,
Mr. Cathie,	Mr. McLellan,
Mr. B. G. Davies,	Mr. Ramsay,
Mr. J. Davies,	Mr. Richardson,
Mr. Denovan,	Mr. Service,
Mr. Gillies,	Mr. J. T. Smith,
Mr. Gray,	Mr. Sullivan,
Mr. Heales,	Mr. Weeks,
Mr. Houston,	Mr. Woods,
Mr. Kyte,	Mr. Wright.
Mr. Levi,	<i>Tellers.</i>
Mr. Loader,	Mr. Edwards,
Dr. Macadam,	Mr. L. L. Smith.

WEDNESDAY, 12TH FEBRUARY.

*No. 2.—Crown Lands Sale and Occupation Bill.—Clause X.*

“The” lands comprising ten millions of acres and upwards delineated on the map signed, and with the boundaries initiated by the President of the Board of Land and Works, and deposited in the office of the clerk of the parliaments shall be reserved for proclamation in Agricultural Areas as hereinafter provided, and not less than *four* millions of acres shall be open for selection in such areas within *three* months of the passing of this Act, and there shall constantly be kept open for selection in such areas at least *two* millions of acres while so much of the lands delineated in the aforesaid map remains unsold.—  
(*Mr. G. Duffy.*)

Motion made and question put—That after the first word “The” in the first line of the above clause, the word “Crown” be inserted.—(*Mr. Heales.*)

Committee divided.

Ayes, 18.

Mr. Berry,	Mr. Nixon,
Mr. B. G. Davies,	Dr. Owens,
Mr. Denovan,	Mr. L. L. Smith.
Mr. Frazer,	Mr. Sullivan,
Mr. Gillies.	Mr. Weeks,
Mr. Gray,	Mr. Wright.
Mr. Heales,	
Mr. Houston,	<i>Tellers.</i>
Dr. Macadam,	Mr. Edwards,
Mr. McLellan,	Mr. Don.

Noes, 37.

Mr. Aspinall,	Mr. McCann,
Mr. Bennett,	Mr. McDonald,
Mr. K. E. Brodribb,	Mr. Mollison,
Mr. W. A. Brodribb,	Mr. Nicholson,
Mr. Cathie,	Mr. Orkney,
Mr. Cohen,	Mr. O'Grady,
Mr. Cummins,	Mr. O'Shanassy,
Mr. Gavan Duffy,	Mr. Reid,
Dr. Evans,	Mr. Richardson,
Mr. Francis,	Mr. Riddell,
Dr. Hedley,	Mr. Service,
Mr. Humffray,	Mr. A. J. Smith,
Mr. Ireland,	Mr. J. T. Smith,
Mr. Johnston,	Mr. Snodgrass,
Mr. Kirk,	Mr. Tucker,
Mr. Kyte,	
Mr. Levey,	
Mr. Loader,	<i>Tellers.</i>
Dr. Mackay,	Mr. Anderson,
Mr. Mac Mahon,	Mr. Hood,

FRIDAY (MORNING), 14TH FEBRUARY.

*No. 3.—Mrs. Brown.*

Question proposed that an address be presented to His Excellency the Governor, requesting him to place on the Estimates for 1862 a sum of money equal to one year's salary, say £175, for the widow of the late Robert Brown, who lost his life on the 9th November, 1860, in attempting to reach the Swan Spit lightship during a gale of wind, and while in the performance of his duty of lighthouse attendant—(*Mr. Nixon.*)

Motion made and Question put—That the Chairman do now leave the chair—(*Mr. Snodgrass.*)

Committee divided.

Ayes, 13.

Mr. Haines,	Mr. O'Shanassy,
Dr. Hedley,	Mr. Snodgrass
Mr. Hood,	Mr. Tucker.
Mr. Levey.	
Mr. Levi,	<i>Tellers.</i>
Mr. McMahan,	Mr. Anderson,
Mr. McDonald,	Mr. Bennett.
Mr. Mollison,	

Noes, 13.

Mr. Denovan,	Mr. Orkney,
Mr. Edwards.	Mr. Richardson,
Mr. Foott,	Mr. Sinclair.
Mr. Frazer,	
Mr. Gray,	<i>Tellers.</i>
Mr. Heales,	Dr. Macadam,
Mr. Kyte,	Mr. Nixon.
Mr. McCann,	

The Tellers having reported the numbers for the Ayes and the Noes to be respectively 13 or equal, the Chairman gave his vote with the Ayes and declared the question to have been resolved in the affirmative.

FRIDAY, 14TH FEBRUARY.

*No. 4.—Scab Act amendment Bill.—Proposed New Clause.*

This Act shall be in force for three years from the time of its coming into operation, and thence until the end of the then next ensuing Session of Parliament.



Motion made and Question put—That this clause stand part of the Bill.—(*Mr. Mollison.*)  
Committee divided.

Ayes, 21.

Mr. Anderson,  
Mr. Bennett,  
Mr. Heales,  
Mr. Humffray,  
Mr. Kirk,  
Mr. Lambert,  
Mr. Loader,  
Dr. Macadam,  
Mr. McCann,  
Mr. Mollison,  
Mr. O'Grady,  
Mr. Pyke,  
Mr. Richardson,  
Mr. Sinclair,  
Mr. J. T. Smith,  
Mr. Sullivan,  
Mr. Weeks,  
Mr. Wood,  
Mr. Wright,  
*Tellers.*  
Mr. Denovan,  
Mr. Edwards.

Noes, 18.

Mr. Cohen,  
Mr. B. G. Davies,  
Dr. Evans,  
Mr. Foott,  
Mr. Francis,  
Mr. Haines,  
Dr. Hedley,  
Mr. Johnston,  
Mr. McDonald,  
Mr. Nicholson,  
Mr. O'Shanassy,  
Mr. Reid,  
Mr. A. J. Smith,  
Mr. Snodgrass,  
Mr. Tucker,  
Mr. Wilson.  
*Tellers.*  
Mr. Levey,  
Mr. W. A. Brodribb.

*No. 5.—Supply Estimates for 1862.*

Question proposed—That a sum not exceeding £15,000 be granted to Her Majesty to defray the expense for the year 1862, for Dredging Operations [River Yarra, and River Improvements, including Maintenance and Repairs of Steam Dredges, &c.]—(*Mr. Haines.*)

Motion made and Question put—That a sum not exceeding £10,000 be granted to Her Majesty to defray the the expense for the year 1862, for Dredging Operations, [River Yarra, and River Improvements, including Maintenance and Repairs of Steam Dredges, &c.]—(*Mr. O'Connor.*)

Committee divided.

Ayes, 9.

Mr. Denovan,  
Mr. Gillies,  
Mr. McDonald,  
Mr. O'Connor,  
Mr. Ramsay,  
Mr. Sullivan,  
Mr. Tucker.  
*Tellers.*  
Mr. McCann,  
Mr. L. L. Smith.

Noes, 36.

Mr. Aspinall,  
Mr. Bennett,  
Mr. K. E. Brodribb,  
Mr. Cohen,  
Mr. B. G. Davies,  
Mr. J. Davies,  
Mr. Don,  
Mr. Edwards,  
Dr. Evans,  
Mr. Foott,  
Mr. Francis,  
Mr. Gray,  
Mr. Haines,  
Dr. Hedley,  
Mr. Johnston,  
Mr. Kirk,  
Mr. Kyte,  
Mr. Levey,  
Mr. Levi,  
Mr. Loader,  
Mr. Macadam,  
Mr. MacMahon,  
Mr. McLellan,  
Mr. Nicholson,  
Mr. Orkney,  
Mr. O'Grady,  
Mr. O'Shanassy,  
Mr. Richardson,  
Mr. Service,  
Mr. Sinclair,  
Mr. A. J. Smith,  
Mr. Weeks,  
Mr. Wood,  
Mr. Wright.  
*Tellers.*  
Mr. Hood,  
Mr. Anderson.

VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 5.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

SESSION 1861-2.

WEDNESDAY (MORNING,) 19TH FEBRUARY.

No. 1.—*Crown Lands Sale and Occupation Bill.*—Clause X.

The lands comprising ten millions of acres and upwards delineated on the map signed and with the boundaries initialed by the President of the Board of Land and Works and deposited in the office of the clerk of the parliaments, shall be reserved for proclamation in Agricultural Areas as hereinafter provided, "and not less than *four* millions of acres" shall be open for selection in such areas within *three* months of the passing of this Act, "and" there shall constantly be kept open for selection in such areas at least *two* millions of acres while so much of the lands delineated in the aforesaid map remains unsold.—(*Mr. Gavan Duffy.*)

Amendment proposed—That the words "not less than four millions of acres" in the fourth line of the above clause be omitted.—(*Mr Service.*)

Question—That the words proposed to be omitted stand part of the clause—put.  
Committee divided.

Ayes, 32.

Mr. Bennett.	Mr. Mollison,
Mr. K. E. Brodribb,	Mr. Nicholson,
Mr. W. A. Brodribb,	Mr. Orkney,
Mr. Cathie,	Mr. O'Connor,
Mr. Gavan Duffy,	Mr. O'Grady,
Dr. Evans,	Mr. O'Shanassy,
Mr. Haines,	Mr. Reid,
Dr. Hedley,	Mr. Riddell,
Mr. Hood,	Mr. W. C. Smith,
Mr. Humffray,	Mr. Snodgrass,
Mr. Ireland,	Mr. Tucker,
Mr. Johnston,	Mr. Wilson,
Mr. Kirk,	Mr. Wood.
Mr. Levi,	
Dr. Mackay,	<i>Tellers.</i>
Mr. Mac Mahon,	Mr. Anderson,
Mr. McDonald,	Mr. Levey.

Noes, 24.

Mr. Brooke,	Mr. McLellan,
Mr. J. Davies,	Mr. Nixon,
Mr. Denovan,	Dr. Owens,
Mr. Don,	Mr. Ramsay,
Mr. Foott,	Mr. Richardson,
Mr. Frazer,	Mr. Service,
Mr. Gillies,	Mr. Sullivan,
Mr. Gray,	Mr. Woods,
Mr. Heales,	Mr. Wright.
Mr. Houston,	
Mr. Lambert,	<i>Tellers.</i>
Mr. Loader,	Mr. Edwards,
Dr. Macadam,	Mr. Berry.

No. 2.—Amendment proposed—That all the words after the word “and” in the sixth line of the above clause be omitted with a view to insert instead thereof, the words “the remaining areas shall be surveyed, and shall be open for selection as rapidly as possible.”—(Mr. Loader.)

Question—That the words proposed to be omitted stand part of the clause—put.  
Committee divided.

Ayes, 31.

Mr. Bennett,	Mr. Nicholson,
Mr. K. E. Brodribb,	Mr. Orkney,
Mr. W. A. Brodribb,	Mr. O'Connor,
Mr. Cathie,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Dr. Evans,	Mr. Reid,
Mr. Haines,	Mr. Riddell,
Dr. Hedley,	Mr. W. C. Smith,
Mr. Hood,	Mr. Snodgrass,
Mr. Ireland,	Mr. Tucker,
Mr. Johnston,	Mr. Wilson,
Mr. Kirk,	Mr. Wood.
Mr. Levi,	
Dr. Mackay,	<i>Tellers.</i>
Mr. Mac Mahon,	
Mr. McDonald,	Mr. Anderson,
Mr. Mollison,	Mr. Levey.

Noes, 25.

Mr. Brooke,	Mr. McLellan,
Mr. J. Davies,	Mr. Nixon,
Mr. Denovan,	Dr. Owens,
Mr. Don,	Mr. Ramsay,
Mr. Edwards,	Mr. Richardson,
Mr. Foott,	Mr. Service,
Mr. Frazer,	Mr. Sullivan,
Mr. Gillies,	Mr. Woods,
Mr. Gray,	Mr. Wright.
Mr. Heales,	
Mr. Houston,	<i>Tellers.</i>
Mr. Humffray,	
Mr. Lambert,	Dr. Macadam,
Mr. Loader,	Mr. Berry.

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WEDNESDAY, 19TH FEBRUARY.

No. 3.—*Crown Lands Bill*—Clause XI

The Board of Land and Works shall from time to time cause to be surveyed Agricultural Areas taken from the aforesaid lands and such areas shall be as much as possible in defined and extensive districts and not in isolated or scattered portions and shall be surveyed in allotments of not less than *forty* nor more than *six hundred and forty* acres and the Board shall cause plans of the lands so surveyed to be prepared and on such plans each allotment shall be divided into “two” equal subdivisions.

Motion made—That the word “two” in the sixth line of the above clause be omitted with a view to insert instead thereof the word “four.”—(Mr. Gray.)

Question—That the word proposed to be omitted stand part of the clause—put.  
Committee divided.

Ayes, 26.

Mr. Aspinall,	Mr. Mollison,
Mr. Bennett,	Mr. Nicholson,
Mr. W. A. Brodribb,	Mr. Orkney,
Mr. Cohen,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Dr. Evans,	Mr. Riddell,
Mr. Haines,	Mr. A. J. Smith,
Dr. Hedley,	Mr. Tucker,
Mr. Hood,	Mr. Wilson,
Mr. Ireland,	Mr. Wood.
Mr. Johnston,	
Dr. Mackay,	<i>Tellers.</i>
Mr. Mac Mahon,	Mr. Anderson,
Mr. McDonald,	Mr. Levey.

Noes, 24.

Mr. Berry,	Mr. Nixon,
Mr. Cathie,	Mr. Ramsay,
Mr. J. Davies,	Mr. Richardson,
Mr. Denovan,	Mr. Service,
Mr. Don,	Mr. Sinclair,
Mr. Edwards,	Mr. W. C. Smith,
Mr. Foott,	Mr. Sullivan,
Mr. Frazer,	Mr. Weeks,
Mr. Gillies,	Mr. Wright.
Mr. Gray,	
Mr. Heales,	<i>Tellers.</i>
Mr. Humffray,	Dr. Macadam,
Mr. McLellan,	Mr. L. L. Smith.

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SATURDAY (MORNING,) 22ND FEBRUARY.

No. 4.—*Gold Export Duty Act Amendment Bill*.—Clause II.

On and after the first day of January one thousand eight hundred and sixty-three instead of the duty payable as hereinbefore provided upon the exportation of gold from Victoria, there shall be payable the duty following, that is to say—*one* shilling and *six* pence per ounce.—(Mr. Haines.)

Motion made and question put—That the following words, viz., “until the first day of July, 1863, when the duty payable shall be one shilling per ounce until the first day of January, 1864, when the duty payable shall be six pence per ounce until the first day of July of the same year, when the duty shall cease to be levied,” be added to the above clause.—(*Mr. McLellan.*)

Committee divided.

Ayes, 21.

Mr. Berry,	Mr. O'Connor,
Mr. Cathie,	Dr. Owens,
Mr. B. G. Davies,	Mr. Ramsay,
Mr. Edwards,	Mr. W. C. Smith,
Mr. Frazer,	Mr. Sullivan,
Mr. Gillies,	Mr. Weeks,
Mr. Gray,	Mr. Wright.
Mr. Heales,	
Mr. Houston,	<i>Tellers.</i>
Mr. Lambert,	
Mr. McCann,	Mr. Denovan,
Mr. McLellan,	Mr. L. L. Smith.

Noes, 24.

Mr. Bennett,	Mr. MacMahon,
Mr. K. E. Brodribb,	Mr. McDonald,
Mr. W. A. Brodribb,	Mr. Nicholson,
Mr. J. Davies,	Mr. Orkney,
Mr. Gavan Duffy,	Mr. O'Grady,
Dr. Evans,	Mr. O'Shanassy,
Mr. Francis,	Mr. Service,
Mr. Haines,	Mr. A. J. Smith,
Mr. Hood.	Mr. Wood.
Mr. Ireland,	
Mr. Kirk,	<i>Tellers.</i>
Mr. Levey,	Mr. Anderson,
Mr. Levi,	Mr. Johnston.

VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 6.

## WEEKLY REPORT OF DIVISIONS

IN

## COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

## SESSION 1861-2.

TUESDAY, 25<sup>TH</sup> FEBRUARY.*No. 1.—Crown Lands Sale and Occupation Bill.—Clause XVIII.*

Every selector of any such allotment shall be entitled either to purchase the fee of the whole allotment at the price of one pound for each acre or fractional part of an acre therein or "to purchase in like manner the fee of one moiety thereof and" receive a lease of the remaining moiety on the terms herein contained.

Motion made—That the words "to purchase in like manner the fee of one moiety thereof and," in the third line of the above clause, be omitted.—(*Mr. L. L. Smith.*)

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

Committee divided.

Ayes, 26.

Mr. Bennett,	Mr. Mac Mahon,
Mr. K. E. Brodribb,	Mr. McCann,
Mr. W. A. Brodribb,	Mr. McDonald,
Mr. Cohen,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Dr. Evans,	Mr. Service,
Mr. Francis,	Mr. J. T. Smith,
Mr. Haines,	Mr. Tucker,
Dr. Hedley,	Mr. Wilson,
Mr. Hood,	Mr. Wood.
Mr. Ireland,	
Mr. Jones,	<i>Tellers.</i>
Mr. Levey,	Mr. Anderson,
Dr. Mackay,	Mr. Johnston.

Noes, 22.

Mr. Berry,	Dr. Owens,
Mr. J. Davies,	Mr. Ramsay,
Mr. Denovan,	Mr. Sinclair,
Mr. Don,	Mr. W. C. Smith,
Mr. Frazer,	Mr. Sullivan,
Mr. Gillies,	Mr. Verdon,
Mr. Grant,	Mr. Weeks,
Mr. Gray,	Mr. Wright.
Mr. Heales,	
Mr. McLellan,	<i>Tellers.</i>
Mr. Nixon,	Mr. Edwards,
Mr. O'Connor,	Mr. L. L. Smith.

## No. 2.—Clause XIX.

Every such lease shall be for a term of eight years at a rent payable yearly in advance of two shillings and sixpence for each acre or fractional part of an acre so demised and there shall be implied the usual conditions and covenants for the payment of "rent" and also a covenant from Her Majesty to the lessee his executors administrators and assigns that upon the payment of the last sum due on account of the rent so reserved or at any time during the term upon payment of the difference between the amount of rent actually paid and the entire sum of one pound for each acre Her Majesty will without further consideration release to him or them the fee simple of the lands so demised.

Motion made and question put—That after the word "rent" in the third line of the above clause, the following words be inserted, viz., "and a covenant that for the space of three years after the granting of such lease the lessee, his assigns, or personal representatives, or his or their agent or agents, shall reside upon the land so leased, or upon the purchased land included in the same allotment with such leased land."—(*Mr. Gray.*)

Committee divided.

Ayes, 10.

Mr. Berry,	Mr. Service,
Mr. Denovan,	Mr. Wright.
Mr. Gray,	
Mr. Humffray,	<i>Tellers.</i>
Mr. McLellan,	Mr. Edwards,
Mr. Ramsay,	Dr. Owens.

Noes, 25.

Mr. Anderson,	Mr. Nixon,
Mr. Bennett,	Mr. Orkney,
Mr. W. A. Brodribb,	Mr. O'Connor,
Mr. Cummins,	Mr. O'Grady,
Mr. J. Davies,	Mr. O'Shanassy,
Mr. Gavan Duffy,	Mr. A. J. Smith,
Mr. Foott,	Mr. J. T. Smith,
Mr. Haines,	Mr. Tucker,
Dr. Hedley,	Mr. Wood.
Mr. Johnston,	
Mr. Kirk,	<i>Tellers.</i>
Dr. Mackay,	Mr. Levey,
Mr. McDonald,	Mr. W. C. Smith.
Mr. Nicholson,	

## No. 3.—Clause XXI.

No person shall be entitled either in his own name or in the name of any other person to "select" more than *six hundred and forty* acres of land in any area and no infant or married woman or person not domiciled in Victoria at the time of application shall be entitled to select either directly or by trustees any such land.

Amendment proposed—That after the word "select," in the second line of the above clause, the following words, viz., "within any one year" be inserted.—(*Mr. Service.*)

Further amendment proposed—That the words "any one year" in the proposed amendment be omitted, with a view to insert instead thereof the words "three years."—(*Mr. Foott.*)

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

Committee divided.

Ayes, 40.

Mr. Aspinall,	Mr. Mackay,
Mr. Bennett,	Mr. MacMahon,
Mr. Berry,	Mr. McDonald,
Mr. K. E. Brodribb,	Mr. Nicholson,
Mr. W. A. Brodribb,	Mr. Nixon,
Mr. Cathie,	Mr. Orkney,
Mr. Cohen,	Mr. O'Connor,
Mr. Cummins,	Mr. O'Grady,
Mr. J. Davies,	Mr. O'Shanassy,
Mr. Gavan Duffy,	Mr. Service,
Mr. Francis,	Mr. A. J. Smith,
Mr. Haines,	Mr. J. T. Smith,
Dr. Hedley,	Mr. W. C. Smith,
Mr. Hood,	Mr. Tucker,
Mr. Humffray,	Mr. Weeks,
Mr. Ireland,	Mr. Wood,
Mr. Johnston,	Mr. Wright.
Mr. Jones,	
Mr. Kirk,	<i>Tellers.</i>
Mr. Lambert,	Mr. Anderson,
Mr. Levi,	Mr. Levey.

Noes, 11.

Mr. Denovan,	Mr. Sinclair,
Mr. Foott,	Mr. Sullivan.
Mr. Gray,	
Mr. Heales,	<i>Tellers.</i>
Mr. Kyte,	
Dr. Owens,	Mr. Edwards,
Mr. Ramsay,	Mr. McLellan.

## No. 4.—Clause XXII.

“After” twelve months from the date of any such proclamation as aforesaid if any” lands in any area so proclaimed remain unselected the Governor in Council may direct that such lands or any portion of them shall be sold in fee simple by public auction as hereinafter provided.

Amendment proposed—That the words “After twelve months from the date of any such proclamation as aforesaid if any,” in the first line of the above clause, be omitted, with a view to insert instead thereof the words “Whenever three-fourths of the.”—(*Mr. Service.*)

Further amendment proposed—That the words “twelve months,” in the first line of the above clause, be omitted, with a view to insert instead thereof the words “three years.”—(*Mr. Gavan Duffy.*)

Question—That the word “after,” proposed by Mr. Service’s amendment to be omitted, stand part of the clause—put.

Committee divided.

Ayes, 25.		Noes, 21.	
Mr. Bennett,	Mr. McDonald,	Mr. Berry,	Dr. Owens,
Mr. K. E. Brodribb,	Mr. Nicholson,	Mr. Cathie,	Mr. Ramsay,
Mr. W. A. Brodribb.	Mr. O’Grady,	Mr. J. Davies,	Mr. Service,
Mr. Cummins,	Mr. O’Shanassy,	Mr. Denovan,	Mr. Sinclair,
Mr. Gavan Duffy,	Mr. Riddell,	Mr. Foott,	Mr. W. C. Smith,
Mr. Francis,	Mr. A. J. Smith,	Mr. Gray,	Mr. Sullivan,
Mr. Haines,	Mr. J. T. Smith,	Mr. Heales,	Mr. Wright.
Dr. Hedley,	Mr. Tucker,	Mr. Humffray,	
Mr. Hood,	Mr. Wood.	Mr. McLellan,	
Mr. Ireland,		Mr. Nixon,	<i>Tellers.</i>
Mr. Kirk,		Mr. Orkney,	Mr. Edwards,
Mr. Levey,	<i>Tellers.</i>	Mr. O’Connor,	Mr. Weeks.
Mr. Mackay,	Mr. Anderson,		
Mr. Mac Mahon,	Mr. Johnston.		

## No. 5.—Clause XXII.

Motion made and question put—That clause as amended stand part of the Bill.—(*Mr. Gavan Duffy.*)

Committee divided.

Ayes, 26.		Noes, 15.	
Mr. Bennett,	Mr. McDonald,	Mr. Berry,	Mr. O’Connor,
Mr. K. E. Brodribb,	Mr. Nicholson,	Mr. J. Davies,	Mr. Ramsay,
Mr. W. A. Brodribb,	Mr. Orkney,	Mr. Denovan,	Mr. Sullivan,
Mr. Cathie,	Mr. O’Grady,	Mr. Edwards,	Mr. Wright.
Mr. Cummins,	Mr. O’Shanassy,	Mr. Foott,	
Mr. Gavan Duffy,	Mr. A. J. Smith,	Mr. Gray,	<i>Tellers.</i>
Mr. Francis,	Mr. J. T. Smith,	Mr. Heales,	Mr. Humffray,
Mr. Haines,	Mr. W. C. Smith,	Mr. McLellan,	Mr. Weeks.
Dr. Hedley,	Mr. Tucker,	Mr. Nixon.	
Mr. Hood,	Mr. Wood.		
Mr. Ireland,			
Mr. Levey,	<i>Tellers.</i>		
Mr. Mackay,	Mr. Anderson,		
Mr. Mac Mahon,	Mr. Johnston.		

No. 6.—Motion made and question put—That the Chairman report progress, and ask leave to sit again.—(*Mr Gray.*)

Committee divided.

Ayes, 8.		Noes, 19.	
Mr. Edwards,	Mr. Wright.	Mr. Cathie,	Mr. O’Grady.
Mr. Foott,		Mr. Cummins,	Mr. O’Shanassy,
Mr. Gray,	<i>Tellers.</i>	Mr. J. Davies,	Mr. Riddell,
Mr. Ramsay,	Mr. Denovan,	Mr. Gavan Duffy,	Mr. W. C. Smith,
Mr. Weeks,	Mr. Berry.	Mr. Haines,	Mr. Tucker,
		Mr. Hedley,	Mr. Wood.
		Mr. Ireland,	
		Mr. Levey,	<i>Tellers.</i>
		Mr. Mac Mahon,	Mr. Hood,
		Mr. McDonald,	Mr. Bennett.
		Mr. Orkney,	

WEDNESDAY, 26TH FEBRUARY.

*No. 1.—Crown Lands Sale and Occupation Bill.—Clause XXX.*

Every selector of an allotment as aforesaid within *one* year after he becomes a selector shall cultivate at least one acre out of every ten acres thereof or shall erect thereon a habitable dwelling or shall enclose such allotment with a substantial fence.

Motion made and question put—That the following words, viz., “such cultivation, dwelling, or fence to be of a character to accord with general regulations to be framed by the Board of Land and Works, be added to the above clause.—(*Mr. Gray.*)

Committee divided.

Ayes, 19.

Mr. Aspinall,	Mr. Nicholson,
Mr. Cathie,	Mr. Nixon,
Mr. Cummins,	Mr. Orkney,
Mr. J. Davies,	Mr. O'Grady,
Mr. Don.	Mr. Ramsay,
Mr. Gavan Duffy,	Mr. Wright.
Mr. Frazer,	
Mr. Gillies,	
Mr. Gray,	
Mr. Heales,	
Mr. Houston,	

*Tellers.*

Mr. Anderson,
Mr. W. C. Smith.

Noes, 27.

Mr. Berry,	Mr. O'Connor,
Mr. K. E. Brodribb,	Mr. O'Shanassy,
Mr. W. A. Brodribb,	Mr. Richardson,
Mr. Cohen,	Mr. Riddell,
Mr. Denovan,	Mr. Sinclair,
Mr. Edwards,	Mr. J. T. Smith,
Mr. Foott,	Mr. Snodgrass,
Mr. Francis,	Mr. Weeks,
Dr. Hedley,	Mr. Wood.
Mr. Ireland,	Mr. Woods,
Mr. Levey,	
Dr. Mackay,	
Mr. Mac Mahon,	
Mr. McDonald,	
Mr. McLellan,	

*Tellers.*

Mr. Johnston,
Mr. Bennett.



VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 7.

## WEEKLY REPORT OF DIVISIONS

IN

## COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

## SESSION 1861—2.

WEDNESDAY, 5TH MARCH.

*No. 1.—Crown Lands Sale and Occupation Bill.—Clause LVII.*

When any Crown land remains unsold in or within five miles of any municipal district or upon or within five miles of any gold field or in or within five miles of any town not contained in any municipal district or within any agricultural area "of which at least" "one-fourth" part has been sold the Governor in Council may proclaim such land to be a municipal common or a gold fields common or a town common or a farmer's common respectively as the case may be.

Motion made—That the words "of which at least," in the third line of the above clause, be omitted.—(*Mr Gray.*)

Question—That the words proposed to be omitted, stand part of the clause—put.  
Committee divided.

Ayes, 26.		Noes, 14.	
Mr. Bennett,	Mr. Nicholson,	Mr. Berry,	Mr. Nixon,
Mr. K. E. Brodribb,	Mr. Orkney,	Mr. Edwards,	Mr. Richardson,
Mr. Cathie,	Mr. O'Grady,	Mr. Foott,	Mr. Sullivan,
Mr. Cohen,	Mr. O'Shanassy,	Mr. Frazer,	Mr. Wright.
Mr. Cummins,	Mr. Reid,	Mr. Gray,	
Mr. Gavan Duffy,	Mr. Riddell,	Mr. Heales,	<i>Tellers.</i>
Mr. Haines,	Mr. W. C. Smith,	Mr. Houston,	Dr. Macadam,
Dr. Hedley,	Mr. Snodgrass,	Mr. McLellan,	Mr. Denovan.
Mr. Hood,	Mr. Tucker,		
Mr. Ireland,	Mr. J. D. Wood.		
Mr. Kirk,			
Dr. Mackay,	<i>Tellers.</i>		
Mr. Mac Mahon,	Mr. Levey,		
Mr. McDonald,	Mr. Johnston.		

*No. 2.—Further amendment proposed.—*

That the words "one-fourth" in the fourth line of the above clause be omitted with a view to insert instead thereof the words "one-eighth."—(*Mr. Gray.*)

Question—That the words proposed to be omitted stand part of the clause—put.  
Committee divided.

Ayes, 24.		Noes, 12.	
Mr. Bennett,	Mr. Orkney,	Mr. Berry,	Mr. McLellan,
Mr. K. E. Brodribb,	Mr. O'Grady,	Mr. Edwards,	Mr. Nixon,
Mr. Cathie,	Mr. O'Shanassy,	Mr. Foott,	Mr. Richardson.
Mr. Cohen,	Mr. Reid,	Mr. Frazer,	
Mr. Cummins,	Mr. Riddell,	Mr. Gray,	<i>Tellers.</i>
Mr. Gavan Duffy,	Mr. W. C. Smith,	Mr. Heales,	Dr. Macadam,
Mr. Haines,	Mr. Snodgrass,	Mr. Houston,	Mr. Denovan.
Dr. Hedley,	Mr. Tucker,		
Mr. Hood,	Mr. Wood.		
Mr. Ireland,			
Mr. Mac Mahon,	<i>Tellers.</i>		
Mr. McDonald,	Mr. Levey,		
Mr. Nicholson,	Mr. Johnston.		

## THURSDAY (MORNING), 6TH MARCH.

No. 3.—

Motion made and question put—That the Chairman report progress and ask leave to sit again.—(*Mr. Gray.*)

Committee divided.

Ayes, 7.		Noes, 18.	
Mr. Foott,	<i>Tellers.</i>	Mr. Bennett,	Mr. Reid,
Mr. Frazer,		Mr. Cummins,	Mr. Richardson,
Mr. Gray,	Mr. Denovan,	Mr. Gavan Duffy,	Mr. W. C. Smith,
Mr. Heales,	Dr. Macadam.	Mr. Haines,	Mr. Snodgrass,
Mr. McLellan.		Mr. Ireland,	Mr. Tucker,
		Mr. Mac Mahon,	Mr. Wood.
		Mr. McDonald,	
		Mr. Orkney,	<i>Tellers.</i>
		Mr. O'Grady,	Mr. Levey,
		Mr. O'Shanassy,	Mr. Hood.

No. 4.—Clause LXV. proposed.

The managers of any common may grant to butchers or other persons engaged in the trade of slaughtering special licenses to depasture on any such common any numbered of horned cattle sheep or swine specified in such license and may appoint the fees payable for the same and the holders of such license may depasture the animals therein named on such common accordingly.

Motion made and question put—That the Chairman report progress and ask leave to sit again.—(*Mr. Denovan.*)

Committee divided.

Ayes, 4.		Noes, 18.	
Mr. Frazer,	<i>Tellers.</i>	Mr. Cummins,	Mr. Reid,
Mr. Gray,	Mr. Denovan,	Mr. Gavan Duffy,	Mr. Richardson,
	Mr. McLellan.	Mr. Haines,	Mr. W. C. Smith,
		Mr. Ireland,	Mr. Snodgrass,
		Mr. Levey,	Mr. Tucker,
		Mr. Mac Mahon,	Mr. Wood.
		Mr. McDonald,	
		Mr. Orkney,	<i>Tellers.</i>
		Mr. O'Grady,	Mr. Bennett,
		Mr. O'Shanassy,	Mr. Hood.

No. 5.—

Motion made and question put—That the Chairman report progress and ask leave to sit again.—(*Mr. Denovan.*)

Committee divided.

Ayes 4.		Noes 18.	
Mr. Frazer,	<i>Tellers.</i>	Mr. Bennett,	Mr. O'Shanassy,
Mr. Gray,	Mr. Denovan,	Mr. Cummins,	Mr. Reid,
	Mr. McLellan.	Mr. Gavan Duffy,	Mr. Richardson,
		Mr. Haines,	Mr. Snodgrass,
		Mr. Hood,	Mr. Tucker,
		Mr. Ireland,	Mr. Wood.
		Mr. Mac Mahon,	
		Mr. McDonald,	<i>Tellers.</i>
		Mr. Orkney,	Mr. W. C. Smith,
		Mr. O'Grady,	Mr. Levey.

No. 6.—

Motion made and question put—That the Chairman report progress and ask leave to sit again.—(*Mr. Denovan.*)  
Committee divided.

Ayes, 3.		Noes, 17.	
Mr. Gray.	<i>Tellers.</i>	Mr. Bennett,	Mr. O'Shanassy,
	Mr. Denovan,	Mr. Cummins,	Mr. Richardson,
	Mr. McLellan.	Mr. Gavan Duffy,	Mr. Snodgrass,
		Mr. Haines,	Mr. Tucker,
		Mr. Hood,	Mr. Wood.
		Mr. Ireland,	
		Mr. Mac Mahon,	<i>Tellers.</i>
		Mr. McDonald,	
		Mr. Orkney,	Mr. W. C. Smith,
		Mr. O'Grady,	Mr. Levey.

No. 7.—Clause LXVI.

Nothing herein contained shall prevent the sale under this Act of any land comprised in any common proclaimed or subject to licenses granted as aforesaid before or after the passing of this Act and the Governor in Council may at any time increase diminish alter or abolish any such common but no extension of any common shall be greater than may be sufficient to enable each person entitled to commonage thereon to depasture more than four head of cattle.

Motion made and question put—That the Chairman report progress and ask leave to sit again.—(*Mr. Denovan.*)  
Committee divided.

Ayes, 3.		Noes, 17.	
Mr. Denovan.	<i>Tellers.</i>	Mr. Bennett,	Mr. Reid,
	Mr. Gray,	Mr. Cummins,	Mr. Richardson,
	Mr. McLellan.	Mr. Haines,	Mr. Snodgrass,
		Mr. Hood,	Mr. Tucker,
		Mr. Ireland,	Mr. Wood.
		Mr. Mac Mahon,	
		Mr. McDonald,	<i>Tellers.</i>
		Mr. Orkney,	
		Mr. O'Grady,	Mr. W. C. Smith,
		Mr. O'Shanassy,	Mr. Levey.

#### FRIDAY, 7TH MARCH.

No. 1.—*Electoral Act Suspension Bill.*—Clause V.

Any person objecting to any other person as not entitled to have his name retained or inserted in any of the rolls mentioned in the second section of this Act or in any of the lists mentioned in the twenty-first section of the said first recited Act may give notice thereof either in the manner prescribed by the thirteenth and twenty-third sections of the said first-mentioned Act or by publishing such notice in some newspaper ordinarily circulated in the division in which the person so objected to claims to possess a qualification and every notice published in such newspaper may be in the form contained in the schedule to this Act or to the like effect and the production of any newspaper containing any such notice shall be *primâ facie* evidence of notice having been given to the registrar and to the person objected to on the day such newspaper bears date.

Motion made and question put—That the following words, viz.: “and in one of the Melbourne weekly newspapers” be inserted after the word “qualification” in the sixth line of the above clause.—(*Mr. Levey.*)  
Committee divided.

Ayes, 25.		Noes, 12.	
Mr. W. A. Brodribb,	Mr. Orkney,	Mr. Berry,	Mr. McLellan,
Mr. Cummins,	Mr. O'Grady,	Mr. J. Davies,	Mr. Weeks,
Mr. Gavan Duffy,	Mr. O'Shanassy,	Mr. Edwards,	Mr. Wright.
Mr. Foott,	Dr. Owens,	Mr. Gillies,	
Mr. Francis,	Mr. Ramsay,	Mr. Houston,	<i>Tellers.</i>
Mr. Gray,	Mr. Reid,	Mr. Lambert,	Dr. Macadam,
Mr. Heales,	Mr. Service,	Mr. McCann,	Mr. Denovan.
Mr. Ireland,	Mr. W. C. Smith,		
Mr. Johnston,	Mr. Wood.		
Mr. Kyte,			
Mr. Levi,	<i>Tellers.</i>		
Dr. Mackay,			
Mr. McDonald,	Mr. Levey,		
Mr. Nicholson,	Mr. Bennett.		

VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 8.

WEEKLY REPORT OF DIVISIONS  
IN  
COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

SESSION 1861-2.

TUESDAY, 11<sup>TH</sup> MARCH.*No. 1.—Supply—Estimates for 1862.*

Motion made and question put—That a sum not exceeding £200 be granted to Her Majesty to defray the charge for 1862 for a Queen's Plate to be run for at the Melbourne races.—(*Mr. Heales.*)

Committee divided.

Ayes, 21.		Noes, 25.	
Mr. Aspinall,	Mr. McDonald,	Mr. Berry,	Mr. O'Connor,
Mr. K. E. Brodribb,	Mr. O'Grady,	Mr. W. A. Brodribb,	Mr. Ramsay,
Mr. Cohen,	Mr. O'Shanassy,	Mr. Brooke,	Mr. Richardson,
Mr. Gavan Duffy,	Mr. A. J. Smith,	Mr. B. G. Davies,	Mr. Service,
Mr. Edwards,	Mr. Verdon,	Mr. J. Davies,	Mr. Sinclair,
Dr. Evans,	Mr. Wilson,	Mr. Denovan,	Mr. J. T. Smith,
Mr. Haines,	Mr. Wood.	Mr. Don,	Mr. Tucker,
Mr. Ireland,		Mr. Foott,	Mr. Weeks,
Mr. Johnston,	<i>Tellers.</i>	Mr. Gillies,	Mr. Wright
Mr. McCulloch,	Mr. Levey,	Mr. Gray,	
Mr. Mackay,	Mr. Lambert.	Mr. Heales,	<i>Tellers.</i>
Mr. Mac Mahon,		Mr. Houston,	Dr. Macadam,
		Mr. McLellan,	Mr. McCann.
		Mr. Nixon,	

*No. 2.—Education.*

Question proposed—That a sum not exceeding the sum of £125,000 be granted to Her Majesty to provide for existing establishments, to be distributed in the manner and on the conditions hereunder specified, viz. :—

Subdivision, No. 1.

## NATIONAL BOARD.

	£	s.	d.	£	s.	d.
Salaries and Departmental Contingencies of Board ...	4,100	0	0			
Salaries to Teachers ... ..	30,900	0	0			
				35,000	0	0

Subdivision, No. 2.

## DENOMINATIONAL BOARD.

Salaries and Departmental Contingencies of Board ...	6,844	0	0			
Salaries of Teachers ... ..	83,156	0	0			
				90,000	0	0

The aforesaid sums to be expended by both Boards, under the following conditions, viz. :

1. That no school, except for the instruction of the deaf and dumb or blind, receive aid if the average attendance of pupils shall be below twenty.

2. That no new school, within three miles of any school receiving aid from the revenue, shall receive aid from this grant, unless there shall have been in the school last established an average attendance of forty pupils during the six months immediately following the date of its establishment.
3. That no school in connection with any denomination shall be established or revived by the Denominational Board within three miles of any school in connection with the same denomination; and no school shall be established or revived by the National Board within three miles of a school already receiving aid from the National Board, unless there shall have been for the previous six months at such school receiving aid an average attendance of one hundred pupils.

Total Division, No. 19, £125,000.

Motion made and question put—That the sum of £2,050 be granted to Her Majesty for salaries and departmental contingencies, under Subdivision 1—National Board, for six months.—(*Mr. Heales.*)

Committee divided.

Ayes, 27.		Noes, 23.	
Mr. Berry.	Mr. Nixon,	Mr. Aspinall,	Mr. Mac Mahon,
Mr. Brooke,	Mr. O'Connor,	Mr. K. E. Brodribb,	Mr. O'Grady,
Mr. B. G. Davies,	Dr. Owens,	Mr. W. A. Brodribb,	Mr. O'Shanassy,
Mr. J. Davies,	Mr. Ramsay,	Mr. Cohen,	Mr. A. J. Smith,
Mr. Denovan,	Mr. Richardson,	Mr. Don,	Mr. J. T. Smith,
Mr. Foott,	Mr. Service,	Mr. Gavan Duffy,	Mr. Tucker,
Mr. Francis,	Mr. Sinclair,	Mr. Edwards,	Mr. Wilson,
Mr. Gillies,	Mr. Verdon,	Dr. Evans,	Mr. Wood.
Mr. Gray,	Mr. Weeks,	Mr. Haines,	
Mr. Heales,	Mr. Wright.	Mr. Johnston,	<i>Tellers.</i>
Dr. Hedley,		Mr. Levey,	
Mr. Houston,	<i>Tellers.</i>	Mr. McCulloch,	Dr. Macadam,
Mr. Humffray,		Dr. Mackay,	Mr. Kirk,
Mr. McCann,	Mr. McLellan,		
Mr. McDonald,	Mr. Lambert,		

#### WEDNESDAY, 12TH MARCH.

*No. 1.—Supply—Estimates for 1862.*

Question proposed—That a sum not exceeding £15,450 be granted to Her Majesty to defray the salaries of teachers under the National Board for the year 1862.—(*Mr. Haines.*)

Motion made and question put—That the following words, viz., “and in the opinion of this Committee it is desirable that this item be increased by £1,750,” be added to the above resolution.—(*Mr. Service.*)

Committee divided.

Ayes, 6.		Noes, 45.	
Mr. Gray,	<i>Tellers.</i>	Mr. Aspinall,	Mr. Macadam,
Mr. Hood,		Mr. Bennett,	Mr. McCulloch,
Mr. Levi,	Mr. Service,	Mr. Berry,	Mr. McLellan,
Mr. Nixon,	Mr. B. G. Davies.	Mr. K. E. Brodribb,	Mr. Orkney,
		Mr. W. A. Brodribb,	Mr. O'Grady,
		Mr. Cathie,	Mr. O'Shanassy,
		Mr. Cohen,	Mr. Ramsay,
		Mr. J. Davies,	Mr. Reid,
		Mr. Denovan,	Mr. Richardson,
		Mr. Don,	Mr. Riddell,
		Mr. Gavan Duffy,	Mr. Sinclair,
		Mr. Edwards,	Mr. A. J. Smith,
		Dr. Evans,	Mr. J. T. Smith,
		Mr. Foott,	Mr. Snodgrass,
		Mr. Frazer,	Mr. Tucker,
		Mr. Gillies,	Mr. Verdon,
		Mr. Haines,	Mr. Weeks,
		Mr. Heales,	Mr. Wood,
		Dr. Hedley,	Mr. Wright.
		Mr. Houston,	
		Mr. Ireland,	<i>Tellers.</i>
		Mr. Jones,	
		Mr. Kirk,	Mr. Humffray,
		Mr. Levey,	Mr. L. L. Smith.

*No. 2.—Education.*

Question proposed—“That no new school, within three miles of any school receiving aid from the revenue, shall receive aid from this grant,” unless there shall have been in the

school last established an average attendance of forty pupils during the six months immediately following the date of its establishment.—(*Mr. Haines*).

Amendment proposed—That the following words, viz., “That no new school, within three miles of any school receiving aid from the revenue, shall receive aid from this grant,” in the first and second lines of the question be omitted.—(*Mr. Levey*.)

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

Ayes, 18.		Noes, 15.	
Mr. Berry,	Mr. Loader,	Mr. Aspinall,	Mr. Reid,
Mr. B. G. Davies,	Dr. Macadam,	Mr. Gavan Duffy,	Mr. A. J. Smith,
Mr. J. Davies,	Mr. Ramsay,	Mr. Edwards,	Mr. Tucker,
Mr. Denovan,	Mr. Richardson,	Dr. Evans,	Mr. Wood.
Mr. Frazer,	Mr. Service,	Mr. Ireland,	
Mr. Gray,	Mr. Wright.	Mr. Mollison,	<i>Tellers.</i>
Mr. Haines,		Mr. Orkney,	Mr. Levey,
Mr. Heales,	<i>Tellers.</i>	Mr. O'Grady,	Mr. Hood.
Mr. Houston,	Mr. Gillies,	Mr. O'Shanassy,	
Mr. Levi,	Mr. Johnston.		

#### THURSDAY (MORNING), 13TH MARCH.

No. 3.—

Motion made and question put—That the Chairman report progress and ask leave to sit again.—(*Mr. Edwards*.)  
Committee divided.

Ayes, 4.		Noes, 23.	
	<i>Tellers.</i>	Mr. Aspinall,	Mr. Loader,
Mr. Denovan,	Mr. Edwards,	Mr. Berry,	Mr. Orkney,
Mr. Ramsay,	Mr. B. G. Davies,	Mr. J. Davies,	Mr. O'Grady,
		Mr. Gavan Duffy,	Mr. O'Shanassy,
		Dr. Evans,	Mr. Service,
		Mr. Frazer,	Mr. Tucker,
		Mr. Gillies,	Mr. Wood,
		Mr. Gray,	Mr. Wright.
		Mr. Haines,	
		Mr. Hood,	<i>Tellers.</i>
		Mr. Ireland,	Dr. Macadam,
		Mr. Johnston.	Mr. Houston.
		Mr. Levi,	

#### FRIDAY, 14TH MARCH.

No. 1.—*Supply—Estimates for 1862.*

Question proposed—That a sum not exceeding £2,000 be granted to Her Majesty for cemeteries during the year 1862.—(*Mr. Haines*.)

Motion made and question put—That the following words be added to the above resolution, viz., “and in the opinion of this Committee it is desirable that this sum be increased by £3,000.”—(*Mr. Cummins*.)  
Committee divided.

Ayes, 12.		Noes, 19.	
Mr. B. G. Davies,	Mr. O'Grady,	Mr. W. A. Brodribb,	Mr. McDonald,
Mr. Gray,	Mr. Ramsay,	Mr. J. Davies,	Mr. Service,
Mr. Heales,	Mr. Richardson.	Mr. Denovan,	Mr. J. T. Smith,
Mr. Kirk,		Dr. Evans,	Mr. Weeks,
Mr. Kyte,	<i>Tellers.</i>	Mr. Haines,	Mr. Wood,
Dr. Macadam,	Mr. Edwards,	Dr. Hedley,	Mr. Wright.
Mr. McLellan,	Mr. McCann.	Mr. Hood,	
		Mr. Ireland,	<i>Tellers.</i>
		Mr. Loader,	Mr. Don,
		Mr. McCulloch,	Mr. Johnston.
		Mr. Mac Mahon,	

VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 9.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

SESSION 1861-2.

WEDNESDAY, 19TH MARCH.

*No. 1.—Crown Lands Sale and Occupation Bill.—Clause LXIX.*

The Governor shall in the same manner as heretofore issue to the persons who shall at the time of the passing of this Act be in the licensed occupation of runs for pastoral purposes and the executors administrators and assigns of such persons yearly licenses to occupy such runs for pastoral purposes but no such license heretofore or hereafter to be issued shall be deemed to prevent such run or any part thereof from being sold or leased proclaimed a common or occupied by virtue of any miner's right or license for other than pastoral purposes or from being otherwise dealt with under the authority of this or any other Act now in force or to confer any greater privilege upon the person to whom the same shall be issued than licenses to occupy for pastoral purposes have hitherto conferred.

Amendment proposed—That the following proviso, viz., “Provided that no such yearly license shall be dated after the first day of January one thousand eight hundred and “sixty-four” or be in force after the thirty-first day of December of that year except for temporary purposes as hereinafter provided,” be added to the above clause.—(*Mr. Service*).

Further amendment proposed, That the words sixty-four in the second line of the above proposed amendment be omitted with a view to insert instead thereof the words “seventy-one.”

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

Committee divided.

Ayes, 29.

Mr. Berry,	Mr. McLellan,
Mr. Brooke,	Mr. Nixon,
Mr. Cummins,	Mr. Ramsay,
Mr. B. G. Davies,	Mr. Richardson,
Mr. J. Davies,	Mr. Service,
Mr. Denovan,	Mr. Sinclair,
Mr. Don,	Mr. W. C. Smith,
Mr. Foott,	Mr. Sullivan,
Mr. Francis,	Mr. Weeks,
Mr. Frazer,	Mr. Woods,
Mr. Gillies,	Mr. Wright.
Mr. Gray,	
Mr. Heales,	
Mr. Houston,	
Mr. Lambert,	
Mr. Levi,	

*Tellers.*Dr. Macadam,  
Dr. Owens.

Noes, 37.

Mr. Aspinall,	Mr. McDonald,
Mr. Bennett,	Mr. Mollison,
Mr. K. E. Brodribb,	Mr. Nicholson,
Mr. W. A. Brodribb,	Mr. Orkney,
Mr. Cathie,	Mr. O'Connor,
Mr. Cohen,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Dr. Evans,	Mr. Reid,
Mr. Grant,	Mr. Riddell,
Dr. Hedley,	Mr. A. J. Smith,
Mr. Howard,	Mr. J. T. Smith,
Mr. Ireland,	Mr. Snodgrass,
Mr. Johnston,	Mr. Tucker,
Mr. Jones,	Mr. Wilson,
Mr. Kirk,	Mr. Wood.
Mr. Kyte,	
Mr. McCulloch,	
Dr. Mackay,	
Mr. Mac Mahon,	
Mr. McCann,	

*Tellers.*Mr. Humfray,  
Mr. Levey.

## No. 2.—

Question—That the words seventy-one proposed to be inserted in the place of the words omitted be so inserted—put.

Committee divided.

## Ayes, 34.

Mr. Aspinall,	Mr. McDonald,
Mr. Bennett,	Mr. Mollison,
Mr. K. E. Brodribb,	Mr. Nicholson,
Mr. W. A. Brodribb,	Mr. O'Connor,
Mr. Cathie,	Mr. O'Grady,
Mr. Cohen,	Mr. O'Shanassy,
Mr. Gavan Duffy,	Mr. Reid,
Dr. Evans,	Mr. Riddell,
Dr. Hedley,	Mr. A. J. Smith,
Mr. Howard,	Mr. J. T. Smith,
Mr. Humffray,	Mr. Snodgrass,
Mr. Ireland,	Mr. Tucker,
Mr. Jones,	Mr. Wilson,
Mr. Kirk,	Mr. Wood.
Mr. McCulloch,	
Dr. Mackay,	<i>Tellers.</i>
Mr. Mac Mahon,	Mr. Levey,
Mr. McCann,	Mr. Johnston.

## Noes, 33.

Mr. Berry,	Mr. Levi,
Mr. Brooke,	Mr. McLellan,
Mr. Cummins,	Mr. Nixon,
Mr. B. G. Davies,	Mr. Orkney,
Mr. J. Davies,	Mr. Ramsay,
Mr. Denovan,	Mr. Richardson,
Mr. Don,	Mr. Service,
Mr. Edwards,	Mr. Sinclair,
Mr. Foott,	Mr. W. C. Smith,
Mr. Francis,	Mr. Sullivan,
Mr. Frazer,	Mr. Weeks,
Mr. Gillies,	Mr. Woods,
Mr. Grant,	Mr. Wright.
Mr. Gray,	
Mr. Heales,	<i>Tellers.</i>
Mr. Houston,	Dr. Macadam,
Mr. Kyte,	Dr. Owens.
Mr. Lambert,	

## No. 3.—

Question—That the amendment as so amended be added to the above clause—put.  
Committee divided.

## Ayes, 49.

Mr. Aspinall,	Dr. Mackay,
Mr. Bennett,	Mr. Mac Mahon,
Mr. K. E. Brodribb,	Mr. McDonald,
Mr. W. A. Brodribb,	Mr. Mollison,
Mr. Cathie,	Mr. Nicholson,
Mr. Cohen,	Mr. Orkney,
Mr. Cummins,	Mr. O'Connor,
Mr. B. G. Davies,	Mr. O'Grady,
Mr. J. Davies,	Mr. O'Shanassy,
Mr. Denovan,	Mr. Reid,
Mr. Don,	Mr. Richardson,
Mr. Gavan Duffy,	Mr. Service,
Dr. Evans,	Mr. Sinclair,
Mr. Foott,	Mr. A. J. Smith,
Mr. Francis,	Mr. J. T. Smith,
Mr. Frazer,	Mr. W. C. Smith,
Dr. Hedley,	Mr. Sullivan,
Mr. Howard,	Mr. Tucker,
Mr. Humffray,	Mr. Wilson,
Mr. Ireland,	Mr. Wood,
Mr. Johnston,	Mr. Wright.
Mr. Kirk,	
Mr. Levi,	<i>Tellers.</i>
Mr. Loader,	Mr. Levey,
Dr. Macadam,	Mr. Jones.
Mr. McCulloch,	

## Noes, 7.

Mr. Gray,	<i>Tellers.</i>
Mr. Kyte,	
Mr. McCann,	Mr. Edwards,
Mr. Nixon,	Mr. Berry.
Mr. Snodgrass,	

## No. 4.—

Question—That clause LXIX., as amended, stand part of the Bill—put.  
Committee divided.

## Ayes, 39.

Mr. Aspinall,	Mr. McDonald,
Mr. Bennett,	Mr. Mollison,
Mr. K. E. Brodribb,	Mr. Nicholson,
Mr. W. A. Brodribb,	Mr. Orkney,
Mr. Cathie,	Mr. O'Connor,
Mr. Cohen,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Dr. Evans,	Mr. Reid,
Mr. Francis,	Mr. Riddell,

## Noes, 28.

Mr. Berry,	Mr. McLellan,
Mr. Brooke,	Mr. Nixon,
Mr. B. G. Davies,	Dr. Owens,
Mr. J. Davies,	Mr. Ramsay,
Mr. Denovan,	Mr. Richardson,
Mr. Don,	Mr. Service,
Mr. Foott,	Mr. Sinclair,
Mr. Frazer,	Mr. Sullivan,
Mr. Gillies,	Mr. Weeks,



*Ayes—continued.*

Dr. Hedley,	Mr. A. J. Smith,
Mr. Howard,	Mr. J. T. Smith,
Mr. Humffray,	Mr. W. C. Smith,
Mr. Ireland,	Mr. Snodgrass,
Mr. Jones,	Mr. Tucker,
Mr. Kirk,	Mr. Wilson,
Mr. Kyte,	Mr. Wood.
Mr. Loader,	
Mr. McCulloch,	<i>Tellers.</i>
Dr. Mackay,	Mr. Levey,
Mr. Mac Mahon,	Mr. Johnston.
Mr. McCann,	

*Noes—continued.*

Mr. Grant,	Mr. Woods,
Mr. Gray,	Mr. Wright.
Mr. Heales,	
Mr. Houston,	<i>Tellers.</i>
Mr. Lambert,	Mr. Edwards,
Mr. Levi,	Dr. Macadam.

FRIDAY (MORNING), 21<sup>ST</sup> MARCH.

*No. 1.—Real Property Bill.—Clause III.*

In the construction and for the purposes of this Act and in all instruments purporting to be made or executed thereunder (if not inconsistent with the context and subject matter) the following terms shall have the respective meanings hereinafter assigned to them that is to say:—

The word “land” shall mean extend to and include land messuages tenements and hereditaments corporeal and incorporeal of every kind and description or any estate or interest therein together with all paths passages ways watercourses liberties privileges easements plantations gardens mines minerals and quarries and all trees and timber thereon or thereunder lying or being unless unless the same are specially excepted.

“Grant” shall mean the Crown grant of any land.

“Proprietor” shall mean any person seised or possessed of any freehold or other estate or interest in land at law or in equity in possession in futurity or expectancy :

“Transfer” shall mean the passing of any estate or interest in land under this Act whether for valuable consideration or otherwise :

“Transmission” shall mean the acquirements of title to or interest in land consequent on the death will intestacy bankruptcy insolvency or marriage of a proprietor :

“Mortgage” shall mean any charge on land created merely for securing a debt :

“Mortgagor” shall mean the proprietor of land or of any estate or interest in land pledged as security for a debt :

“Mortgagee” shall mean the proprietor of a mortgage :

“Encumbrance” shall mean any charge on land created for the purpose of securing the payment of an annuity or sum of money other than a debt :

“Encumbrancer” shall mean the proprietor of any land or of any estate or interest in land charged with any annuity or some of money other than a debt.

“Encumbrancee” shall mean the proprietor of an encumbrance.”

“Lunatic” shall mean any person who shall have been found to be a lunatic upon inquiry by the Supreme Court or by any judge thereof or upon a commission of inquiry issuing out of the Supreme Court in the nature of a writ *de lunatico inquirendo* :

“Person of unsound mind” shall mean any person not an infant who not having been found to be a lunatic shall be incapable from infirmity of mind to manage his own affairs :

“Consular Officer” shall include Consul-General Consul and Vice-Consul and any person for the time discharging the duties of Consul-General Consul or Vice-Counsul :

“Instrument” shall mean and include any grant certificate of title conveyance assurance deed map plan will probate or exemplification of will or any other document in writing relating to the transfer or other dealing with land or evidencing title thereto :

“Person” shall include a female as well as a male and shall include a body corporate :

The describing any person as a proprietor transferror transferee mortgagor mortgagee encumbrancer encumbrancee lessor or lessee or as trustee or as seised of having or taking any estate or interest in any land shall be deemed to include the heirs executors administrators and assigns of such person :

And generally unless the contrary shall appear from the context every word importing the singular number only shall extend to several persons or things and every word importing the plural number shall apply to one person or thing and every word importing the masculine gender only shall extend to a female and whenever a form in the schedule hereto is directed to be used such direction shall apply equally to any form to the like effect signed by the Registrar-General or stamped with his seal or which for the same purpose may be authorized in conformity with the provisions of this Act and any variation from such forms not being in matter of substance shall not affect their validity or regularity but they may be used with such alterations as the character of the parties or the circumstances of the case may render necessary.

Motion made—That the following paragraphs, viz. :—

“ ‘Encumbrancer’ shall mean the proprietor of any land or of any estate or interest in land charged with any annuity or sum of money other than a debt.

“ ‘Encumbrancee’ shall mean the proprietor of an encumbrance,”

be omitted.—(*Mr. Wood*).

Question—That the words proposed to be omitted stand part of the clause—put.  
Committee divided.

Ayes, 29.

Mr. Berry,	Mr. McDonald,
Mr. B. G. Davies,	Mr. McLellan,
Mr. J. Davies,	Mr. Pope,
Mr. Denovan,	Mr. Ramsay,
Mr. Don,	Mr. Richardson,
Mr. Foott,	Mr. Sinclair,
Mr. Gillies,	Mr. Sullivan,
Mr. Gray,	Mr. Tucker,
Mr. Heales,	Mr. Weeks,
Mr. Houston,	Mr. Woods,
Mr. Howard,	Mr. Wright.
Mr. Humffray,	
Mr. Kyte,	
Mr. Levi,	<i>Tellers.</i>
Dr. Macadam,	Mr. Edwards,
Mr. McCann,	Mr. Service.

Noes, 4.

Mr. Ireland,	<i>Tellers.</i>
Mr. O'Shanassy.	Mr. Levey,
	Mr. Wood.

VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 10.

## WEEKLY REPORT OF DIVISIONS

IN

## COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

## SESSION 1861-2.

TUESDAY, 25<sup>TH</sup> MARCH.*No. 1.—Crown Lands Sale and Occupation Bill.—Clause XCV.*

The occupier of any run may with the sanction of the said board and upon payment of a fee of ten pounds for every subdivision divide such run and the said board shall determine the amount of rent to be paid in respect of each subdivision of the original run so that the rent to be paid for the whole of such subdivisions shall not be less than the rent paid for the run when undivided and the Governor shall issue licenses authorising the occupation for pastoral purposes of each run into which the original run shall have been so divided at the rent so determined by the said board as last aforesaid.

Motion made and question put—That this clause stand part of the Bill.—(*Mr. Gavan Duffy.*)  
Committee divided.

Ayes, 29.

Mr. Bennett,	Mr. McDonald,
Mr. Cohen,	Mr. Mollison,
Mr. J. Davies,	Mr. Nicholson,
Mr. Denovan,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Dr. Evans,	Mr. Riddell,
Mr. Francis,	Mr. A. J. Smith,
Mr. Haines,	Mr. J. T. Smith,
Dr. Hedley,	Mr. Snodgrass,
Mr. Hood,	Mr. Wilson,
Mr. Howard,	Mr. Wood.
Mr. Johnston,	
Mr. Levi,	
Mr. McCulloch,	<i>Tellers.</i>
Dr. Mackay,	Mr. Anderson,
Capt. Mac Mahon,	Mr. Levey.

Noes, 14.

Mr. Berry,	Mr. Ramsay,
Mr. Foott,	Mr. Richardson,
Mr. Gray,	Mr. Sullivan,
Mr. Heales,	Mr. Wright.
Mr. Houston,	
Dr. Macadam,	<i>Tellers.</i>
Mr. McCann,	Mr. Edwards,
Mr. Orkney,	Mr. McLellan.

WEDNESDAY, 26TH MARCH.

*No. 1.—Crown Lands Sale and Occupation Bill.*—Proposed new clause.

This Act shall continue in force until the thirty-first day of December in the year of our Lord One thousand eight hundred and seventy-one and no longer Provided nevertheless that it shall be lawful after such day to do all such acts as may be necessary for fulfilling any contract or engagement theretofore legally made or entered into under this Act And all proceedings civil or criminal by this Act authorised to be taken may be commenced or prosecuted after such day.

Motion made and question put—That the above proposed new clause stand part of the Bill.

—(*Mr Gavan Duffy.*)

Committee divided.

Ayes, 25.

Mr. Bennett,	Mr. Nicholson,
Mr. Cohen,	Mr. O'Grady,
Mr. J. Davies,	Mr. O'Shanassy,
Mr. Gavan Duffy,	Mr. A. J. Smith,
Dr. Evans,	Mr. J. T. Smith,
Mr. Haines,	Mr. Snodgrass,
Mr. Hood,	Mr. Tucker,
Mr. Howard,	Mr. Wilson,
Mr. Ireland,	Mr. Wood.
Mr. Kyte,	
Mr. McCulloch,	
Capt. Mac Mahon,	
Mr. McDonald,	
Mr. Mollison,	

*Tellers.*

Mr. Anderson,  
Mr. Johnston.

Noes, 14.

Mr. Brooke,	Mr. Nixon,
Mr. Denovan,	Mr. Pope,
Mr. Foott,	Mr. Ramsay,
Mr. Frazer,	Mr. Wright.
Mr. Gray,	
Mr. Heales,	
Mr. Houston,	
Mr. McCann,	

*Tellers.*

Mr. Humffray,  
Mr. Edwards.

VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 11.

## WEEKLY REPORT OF DIVISIONS

IN

## COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

## SESSION 1861—2.

TUESDAY, 1ST APRIL.

*No. 1. Crown Lands Sale and Occupation Bill.*—Proposed New Clause.

Notwithstanding anything to the contrary herein contained any selector under this Act may also select in trust for his or her children until they become of age.

Motion made and Question put—That the above proposed new clause be read a second time.—(*Mr. Bennett.*)

Committee divided.

Ayes, 19.

Mr. Bennett,	Mr. Pyke,
Mr. Cohen,	Mr. Reid,
Mr. Cummins,	Mr. Richardson,
Mr. B. G. Davies,	Mr. J. T. Smith,
Mr. Edwards,	Mr. Tucker,
Dr. Hedley,	Mr. Wilson.
Mr. Hood,	
Mr. Howard,	
Mr. Levey,	<i>Tellers.</i>
Mr. McDonald,	Mr. Don,
Mr. O'Grady,	Mr. McCann,

Noes, 30.

Mr. Berry,	Mr. Mollison,
Mr. K. E. Brodribb,	Mr. Nicholson,
Mr. Brooke,	Mr. Orkney,
Mr. Denovan,	Mr. O'Shanassy,
Mr. Gavan Duffy,	Mr. Ramsay,
Dr. Evans,	Mr. Service,
Mr. Francis,	Mr. Sullivan,
Mr. Gillies,	Mr. Verdon,
Mr. Gray,	Mr. Weeks,
Mr. Haines,	Mr. Wood,
Mr. Heales,	Mr. Woods,
Mr. Johnston,	Mr. Wright.
Mr. Jones,	
Mr. Loader,	<i>Tellers.</i>
Mr. McCulloch,	Mr. Anderson,
Mr. McLellan,	Mr. L. L. Smith.

*No. 2.*—Proposed New Clause.

Provided that notwithstanding anything hereinbefore contained to the contrary any person who on the passing of this Act received a license to occupy for pastoral purposes any run which had not been previously occupied under such license or the license for which had been forfeited and for which no return of stock has been made nor assessment on the same been paid to the Government previous to the passing of this Act and if it shall appear that such run in its natural state is capable of depasturing in all seasons of the year a greater number of sheep than five thousand or one thousand head of cattle the

portion of such run beyond such grazing capabilities shall be surrendered to the Government within three months after such grazing capabilities shall have been ascertained as provided by this Act and such portion so surrendered shall be let by public auction as provided by this Act. Provided further that such licensee may apply for and obtain a re-determination of such grazing capabilities in the first quarter of the last year of his license and if it shall then appear that such run has by the adoption of artificial means been rendered capable of permanently depasturing an additional number by one-half or more beyond the number of sheep or cattle which the run in its natural state was capable of depasturing the duration of such license thereof shall be extended for a further period of ten years at the same amount of rent and on the same terms and condition as the original license.

Motion made and Question put—That the above proposed clause be read a second time.—*(Mr. Snodgrass.)*

Committee divided.

Ayes, 30.*		Noes, 19.	
Mr. Bennett,	Mr. McDonald,	Mr. Berry,	Mr. Richardson,
Mr. K. E. Brodribb,	Mr. Mollison,	Mr. Brooke,	Mr. Service,
Mr. Cohen,	Mr. Nicholson,	Mr. B. G. Davies,	Mr. Sullivan,
Mr. Cummins,	Mr. Orkney,	Mr. Denovan,	Mr. Verdon,
Mr. Don,	Mr. O'Connor,	Mr. Edwards,	Mr. Weeks,
Mr. Gavan Duffy,	Mr. O'Grady,	Mr. Gillies,	Mr. Wright.
Dr. Evans,	Mr. O'Shanassy,	Mr. Gray,	
Mr. Francis,	Mr. Reid,	Mr. Heales,	<i>Tellers.</i>
Mr. Haines,	Mr. J. T. Smith,	Mr. Howard,	Mr. L. L. Smith,
Dr. Hedley,	Mr. Tucker,	Mr. Pyke,	Mr. Woods.
Mr. Hood,	Mr. Wilson,	Mr. Ramsay,	
Mr. Ireland,	Mr. Wood.		
Mr. Johnston,			
Mr. Jones,	<i>Tellers.</i>		
Mr. Loader,	Mr. Anderson,		
Mr. McCulloch,	Mr. Levey.		
Mr. McCann,			

\* *Sic in orig.*

No. 3.—Proposed New Clause.

Whenever the land delineated in the map aforesaid or any portion of the same has been surveyed geodetically or by any skeleton survey and the blocks of land enclosed within the lines of such survey or of any Government survey founded thereon do not exceed in extent *five* miles square it shall then be lawful for the Governor in Council notwithstanding anything hereinbefore contained to proclaim any portion of such land which has been so surveyed an agricultural area open to selection without waiting to have the same subdivided into allotments and subdivisions and the Board of Land and Works may permit selectors to have the same surveyed into suitable allotments for the purposes of selection by surveyors licensed by the said board and may sell and lease the same to the said selectors according to regulations to be framed by the said board such regulations to be so framed that the mode and terms of selection shall conform as near as may be to those heretofore prescribed for selecting lands under this Act and the effect and consequence of such selection shall be in all respects the same as is in this Act provided for with respect to other selected lands.

Motion made and Question put—That the above proposed new clause be read a second time.—*(Mr. Gray.)*

Committee divided.

Ayes, 24.		Noes, 32.	
Mr. Berry,	Mr. Orkney,	Mr. Anderson,	Dr. Mackay,
Mr. Brooke,	Dr. Owens,	Mr. Aspinall,	Mr. McCann,
Mr. B. G. Davies,	Mr. Ramsay,	Mr. Bennett,	Mr. McDonald,
Mr. J. Davies,	Mr. Richardson,	Mr. K. E. Brodribb,	Mr. Mollison,
Mr. Denovan,	Mr. Service,	Mr. Cohen,	Mr. Nicholson,
Mr. Edwards,	Mr. Sinclair,	Mr. Cummins,	Mr. O'Grady,
Mr. Foott,	Mr. Sullivan,	Mr. Gavan Duffy,	Mr. O'Shanassy,
Mr. Frazer,	Mr. Verdon,	Dr. Evans,	Mr. Reid,
Mr. Gillies,	Mr. Woods.	Mr. Francis,	Mr. Riddell,
Mr. Gray,	<i>Tellers.</i>	Mr. Haines,	Mr. J. T. Smith,
Mr. Heales,	Mr. Don,	Mr. Hood,	Mr. Snodgrass,
Mr. Kyte,	Mr. L. L. Smith.	Mr. Howard,	Mr. Tucker,
Mr. McLellan,		Mr. Ireland,	Mr. Wood.
		Mr. Kirk,	<i>Tellers.</i>
		Mr. Levi,	
		Mr. Loader,	Capt. Mac Mahon,
		Mr. McCulloch,	Mr. Johnston.

## No. 2.—Proposed New Clause.

Every selector of agricultural land under this Act shall be entitled to depasture not more than ten head of cattle over the unalienated land surrounding the allotment selected as aforesaid until commonage as provided by this Act shall have been granted in the area in which such allotment is situated Provided that every such selector shall give notice in writing to the pastoral tenant over whose run he requires to depasture cattle of his intention so to do together with a description of the brands upon the cattle to be so depastured.—(*Mr. McCann.*)

Motion made and Question put—That the above proposed new clause be read a second time.

Committee divided.

Ayes, 15.

Mr. Denovan,	Mr. Riddell,
Mr. Don,	Mr. Snodgrass,
Mr. Gray,	Mr. Sullivan,
Mr. Hood,	Mr. Tucker,
Mr. McCann,	
Mr. McDonald,	<i>Tellers.</i>
Mr. McLellan,	Mr. Levey,
Mr. O'Grady,	Mr. L. L. Smith.
Mr. Richardson,	

Noes, 36.

Mr. Anderson,	Mr. Kyte,
Mr. Bennett,	Mr. McCulloch,
Mr. Berry,	Dr. Mackay,
Mr. K. E. Brodribb,	Capt. Mac Mahon,
Mr. Brooke,	Mr. Mollison,
Mr. Cohen,	Mr. Nicholson,
Mr. Cummins,	Mr. O'Shanassy,
Mr. J. Davies,	Mr. Ramsay,
Mr. Gavan Duffy,	Mr. Reid,
Mr. Edwards,	Mr. Sinclair,
Dr. Evans,	Mr. J. T. Smith,
Mr. Foott,	Mr. Verdon,
Mr. Francis,	Mr. Wood,
Mr. Frazer,	Mr. Woods.
Mr. Gillies,	
Mr. Haines,	<i>Tellers.</i>
Mr. Heales,	
Mr. Howard,	Mr. Service,
Mr. Ireland,	Mr. B. G. Davies,
Mr. Johnston,	

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WENDESDAY (MORNING), 2ND APRIL.

## No. 5.—

Motion made and Question put—That the Chairman report progress, and ask leave to sit again.—(*Mr Gray.*)

Committee divided.

Ayes, 11.

Mr. Cummins,	Mr. Ramsay,
Mr. Denovan,	Mr. Sullivan.
Mr. Edwards,	
Mr. Foott,	<i>Tellers.</i>
Mr. Gray,	Mr. Berry,
Mr. Levi,	Mr. Gillies.
Mr. McLellan,	

Noes, 19.

Mr. Bennett,	Mr. Mollison,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Dr. Evans,	Mr. Richardson,
Mr. Haines,	Mr. Riddell,
Mr. Ireland,	Mr. Tucker,
Mr. Johnston,	Mr. Wood.
Mr. Levey,	
Mr. Loader,	<i>Tellers.</i>
Capt. Mac Mahon,	Mr. Anderson,
Mr. McCann,	Mr. Hood.
Mr. McDonald,	

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WEDNESDAY, 2ND APRIL.

No. 6.—*Crown Lands Sale and Occupation Bill.*—New Clause W. Proposed.

There shall be appropriated to the purposes of assisted immigration into Victoria in every year of the moneys received in such year for the fee simple of land sold in agricultural areas and the Governor in Council may from time to time make regulations for directing and promoting such immigration and all such regulations shall with all convenient dispatch be laid before both Houses of Parliament.—(*Mr. Gavan Duffy.*)

Motion made and Question put—That the Chairman report progress, and ask leave to sit again.—(*Mr. Snodgrass.*)

Committee divided.

## Ayes, 23.

Mr. Berry,	Mr. Pope,
Mr. J. Davies,	Mr. Richardson,
Mr. Denovan,	Mr. Sinclair,
Mr. Don,	Mr. J. T. Smith,
Mr. Foott,	Mr. Snodgrass,
Mr. Gillies,	Mr. Sullivan,
Mr. Gray,	Mr. Weeks,
Mr. Heales,	Mr. Wright.
Mr. Houston,	
Mr. Levi,	
Mr. McCann,	
Mr. Orkney,	
Dr. Owens,	

*Tellers.*

Mr. Humffray,
Mr. McLellan.

## Noes, 27.

Mr. Anderson,	Mr. McCulloch,
Mr. Bennett,	Capt. Mac Mahon,
Mr. K. E. Brodribb,	Mr. McDonald,
Mr. Cohen,	Mr. Nicholson,
Mr. Cummins,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Dr. Evans,	Mr. Riddell,
Mr. Francis,	Mr. W. C. Smith,
Mr. Haines,	Mr. Wood.
Dr. Hedley,	Mr. Woods,
Mr. Hood,	
Mr. Howard,	
Mr. Ireland,	
Mr. Kyte,	
Mr. Loader,	

*Tellers.*

Mr. Levey,
Mr. Johnston.

## THURSDAY (MORNING), 3RD APRIL.

No. 7.—Question proposed, That new clause W. be read a second time.—(*Mr. Gavan Duffy.*)

Motion made and Question put—That the Chairman report progress, and ask leave to sit again.—(*Mr. Weeks.*)

Committee divided.

## Ayes, 16.

Mr. Berry,	Mr. Pope,
Mr. Don,	Mr. Sinclair,
Mr. Foott,	Mr. Sullivan,
Mr. Gillies,	Mr. Weeks,
Mr. Gray,	Mr. Wright.
Mr. Heales,	
Mr. Houston,	
Mr. McCann,	
Dr. Owens,	

*Tellers.*

Mr. McLellan,
Mr. Denovan.

## Noes, 29.

Mr. Bennett,	Mr. McDonald,
Mr. K. E. Brodribb,	Mr. Nicholson,
Mr. Cohen,	Mr. Orkney,
Mr. Cummins,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. O'Shanassy.
Dr. Evans,	Mr. Richardson,
Mr. Francis,	Mr. Riddell,
Mr. Haines,	Mr. W. C. Smith,
Dr. Hedley,	Mr. Snodgrass,
Mr. Hood,	Mr. Wood,
Mr. Howard,	Mr. Woods.
Mr. Ireland,	
Mr. Levey,	
Mr. Loader,	
Mr. McCulloch,	
Capt. Mac Mahon,	

*Tellers.*

Mr. Anderson,
Mr. Johnston.

No. 8.—

Question—That the proposed new clause be read a second time—put.  
Committee divided.

## Ayes, 28.

Mr. Bennett,	Capt. Mac Mahon,
Mr. K. E. Brodribb,	Mr. McCann,
Mr. Cohen,	Mr. McDonald,
Mr. Cummins,	Mr. Nicholson,
Mr. Gavan Duffy,	Mr. O'Connor,
Dr. Evans,	Mr. O'Grady,
Mr. Francis,	Mr. O'Shanassy,
Mr. Haines,	Mr. Riddell,
Dr. Hedley,	Mr. W. C. Smith,
Mr. Hood,	Mr. Snodgrass,
Mr. Howard,	Mr. Wood.
Mr. Ireland,	
Mr. Levey,	
Mr. Loader,	
Mr. McCulloch,	

*Tellers.*

Mr. Anderson,
Mr. Johnston.

## Noes, 17.

Mr. Denovan,	Mr. Sinclair,
Mr. Don,	Mr. Sullivan,
Mr. Foott,	Mr. Weeks,
Mr. Gray,	Mr. Woods,
Mr. Heales,	Mr. Wright.
Mr. Houston,	
Mr. McLellan,	
Dr. Owens,	
Mr. Pope,	
Mr. Richardson,	

*Tellers.*

Mr. Berry,
Mr. Gillies,

## FRIDAY, 4TH APRIL.

No. 9. *Crown Lands Sale and Occupation Bill.*—Proposed New Clause W.

There shall be appropriated to the purposes of assisted immigration into Victoria in every year after the 31st day of December 1862 one-fourth of the moneys received in such year.—(*Mr. Gavan Duffy.*)

Amendment proposed—That the following words, viz.:—from the sale or the leasing of land “or from licenses for the use thereof” under this Act and the Governor in Council may from time to time make regulations for promoting and directing such immigration



which regulations shall be first submitted to both houses of parliament but the division of the said moneys shall be made in such a manner that the immigrants shall be selected "during the first nine months of the year" from England Scotland Ireland and Wales in proportion to the population of such countries respectively according to the last census for the time being—be inserted after the word "year" in the last line of the proposed new clause, in the place of certain words omitted.—(*Mr. Francis.*)

Further amendment proposed—That the words "or from licenses for the use thereof" be omitted from the second line of the above proposed amendment.—(*Mr. Service.*)

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

Committee divided.

Ayes, 26.

Mr. Bennett,	Mr. Loader,
Mr. K. E. Brodribb,	Dr. Mackay,
Mr. Cummins,	Capt. Mac Mahon,
Mr. Gavan Duffy,	Mr. McDonald,
Dr. Evans,	Mr. Nicholson,
Mr. Francis,	Mr. O'Grady,
Dr. Hedley,	Mr. O'Shanassy,
Mr. Hood,	Mr. A. J. Smith,
Mr. Howard,	Mr. Wilson,
Mr. Ireland,	Mr. Wood.
Mr. Johnston,	
Mr. Kirk,	<i>Tellers.</i>
Mr. Kyte,	Mr. Levey,
Mr. Levi,	Mr. W. C. Smith.

Noes, 18.

Mr. Berry,	Mr. Pope,
Mr. J. Davies,	Mr. Ramsay,
Mr. Denovan,	Mr. Service,
Mr. Foott,	Mr. Sullivan,
Mr. Frazer,	Mr. Weeks,
Mr. Gray,	Mr. Wright.
Mr. Heales,	
Mr. Houston,	<i>Tellers.</i>
Mr. Lambert,	Mr. McLellan,
Mr. Nixon,	Mr. Gillies.

No. 10.—

Further amendment proposed—That the words "during the first nine months of the year," be omitted from the sixth line of the proposed amendment.—(*Mr. Service.*)

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

Committee divided.

Ayes, 28.

Mr. Bennett,	Dr. Mackay,
Mr. K. E. Brodribb,	Capt. Mac Mahon,
Mr. Cummins,	Mr. McDonald,
Mr. J. Davies,	Mr. Nicholson,
Mr. Gavan Duffy,	Mr. O'Grady,
Dr. Evans,	Mr. O'Shanassy,
Mr. Francis,	Mr. A. J. Smith,
Mr. Gray,	Mr. Sullivan,
Dr. Hedley,	Mr. Wilson,
Mr. Hood,	Mr. Weeks,
Mr. Howard,	Mr. Wood.
Mr. Ireland,	
Mr. Johnston,	<i>Tellers.</i>
Mr. Kirk,	Mr. Levey,
Mr. Kyte,	Mr. W. C. Smith.

Noes, 16.

Mr. Berry,	Mr. Nixon,
Mr. Denovan,	Mr. Pope,
Mr. Foott,	Mr. Ramsay,
Mr. Frazer,	Mr. Service,
Mr. Heales,	Mr. Wright.
Mr. Houston,	
Mr. Lambert,	<i>Tellers.</i>
Mr. Levi,	Mr. McLellan,
Mr. Loader,	Mr. Gillies.

#### SATURDAY (MORNING) 5TH APRIL.

No. 11.—

Question—That new clause W. as amended stand part of the Bill—put.

Committee divided.

Ayes, 22.

Mr. Bennett,	Capt. Mac Mahon,
Mr. K. E. Brodribb,	Mr. MacDonald,
Mr. Cummins,	Mr. Nicholson,
Mr. Gavan Duffy,	Mr. O'Grady,
Dr. Evans,	Mr. O'Shanassy,
Mr. Francis,	Mr. W. C. Smith,
Dr. Hedley,	Mr. Wilson,
Mr. Hood,	Mr. Wood.
Mr. Howard,	
Mr. Ireland,	<i>Tellers.</i>
Mr. Kirk,	Mr. Levey,
Mr. Kyte,	Mr. Johnston.

Noes, 19.

Mr. Berry,	Mr. Pope,
Mr. J. Davies,	Mr. Ramsay,
Mr. Foott,	Mr. Service,
Mr. Gillies,	Mr. Sullivan,
Mr. Gray,	Mr. Weeks,
Mr. Heales,	Mr. Wright.
Mr. Houston,	
Mr. Lambert,	<i>Tellers.</i>
Mr. Levi,	Mr. McLellan,
Mr. Loader,	Mr. Denovan,
Mr. Nixon,	

## LEGISLATIVE ASSEMBLY.

No. 12.

WEEKLY REPORT OF DIVISIONS  
IN  
COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

SESSION 1861—2.

TUESDAY, 8<sup>TH</sup> APRIL.*No. 1. Crown Lands Sale and Occupation Bill.*—Clause W.

There shall be appropriated to the purposes of assisted immigration into Victoria in every year after the thirty-first of December one thousand eight hundred and sixty-two one-fourth of the moneys received in such year from the sale or the leasing of land or from licenses for the use thereof under this Act and the Governor in Council may from time to time make regulations for promoting and directing such immigration which regulations shall be first submitted to both Houses of Parliament but the division of the said moneys shall be made in such a manner that the immigrants shall be selected during the first nine months of the year from England Scotland Ireland and Wales in proportion to the population of such countries respectively according to the last census for the time being.

Motion made and Question put—That the following words be added to the above clause, viz. :—and there shall be further appropriated of the said moneys one-fourth part thereof to local boards in aid of their district rates one-fourth part thereof to the consolidated revenue in aid of the expenditure on main roads and bridges and the remaining one-fourth part thereof for the purpose of forming a sinking fund with a view to the extinguishment of the railway loan.—(*Mr. Francis.*)

Committee divided.

Ayes, 31.

Mr. Bennett,	Mr. Nixon,
Mr. Cohen,	Dr. Owens,
Mr. J. Davies,	Mr. Pope,
Mr. Denovan,	Mr. Richardson,
Mr. Don,	Mr. Riddell,
Mr. Edwards,	Mr. Service,
Mr. Foott,	Mr. Sinclair,
Mr. Francis,	Mr. L. L. Smith,
Mr. Frazer,	Mr. Snodgrass,
Mr. Gillies,	Mr. Verdon,
Mr. Gray,	Mr. Weeks,
Mr. Higinbotham,	Mr. Wright.
Mr. Kirk,	
Mr. Lambert,	
Mr. Levi,	<i>Tellers.</i>
Mr. McCann,	Mr. Houston,
Mr. Mollison,	Mr. Woods.

Noes, 33.

Mr. Aspinall,	Capt. MacMahon,
Mr. Berry,	Mr. McDonald,
Mr. Brodribb,	Mr. Nicholson,
Mr. Brooke,	Mr. Orkney,
Mr. Cummins,	Mr. O'Connor,
Mr. Gavan Duffy,	Mr. O'Grady,
Dr. Evans,	Mr. O'Shanassy,
Mr. Haines,	Mr. Ramsay,
Dr. Hedley,	Mr. Reid,
Mr. Hood,	Mr. J. T. Smith,
Mr. Ireland,	Mr. W. C. Smith,
Mr. Jones,	Mr. Tucker,
Mr. Kyte,	Mr. Wilson,
Mr. Levey,	Mr. Wood.
Mr. Loader,	<i>Tellers.</i>
Mr. McCulloch,	Mr. Anderson,
Dr. Mackay,	Mr. Johnston.

VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 13.

## WEEKLY REPORT OF DIVISIONS

IN

## COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

## SESSION 1861-2.

FRIDAY, 9TH MAY.

No. 1.—*Supply—Estimates for 1862.*

## DIVISION No. 80.—ROADS AND BRIDGES.

For and towards the construction and maintenance of roads and bridges throughout the colony, including sums in aid to District Road Boards, and also including sums in aid of tolls revenue, but excluding the amount to be derived from tolls, to be expended as under, viz. :—

(No. 1.)—In the construction of the undermentioned lines of road to be recognized as main lines :—

1. The road to New South Wales, from Melbourne to Albury, <i>viâ</i> Chiltern, with branch from Wangaratta to Beechworth	...	...	...	...	} £100,000 0 0
2. From Ballaarat to Ararat and Hamilton by Wickliffe	...	...	...	...	
3. From Ballaarat to Creswick "and" Clunes	...	...	...	...	
4. From Castlemaine to "Maldon"	...	...	...	...	
5. From Maldon, through Dunolly, to Korong	...	...	...	...	
6. From Castlemaine, through Newstead, Carisbrook, and Maryborough, to Avoca	...	...	...	...	
7. From Sale to Port Albert	...	...	...	...	

Amendment proposed—That the word "and" in the third item in the above proposed resolution be omitted, and that the following words be inserted after the word Clunes in the same item, viz.,—Talbot and Amherst, until it joins the main road between Maryborough and Avoca.—(*Mr. Frazer.*)

Question—That the word proposed to be omitted stand part of the resolution—put

Committee divided.

## Ayes, 30.

Mr. Bennett,	Mr. Nicholson,
Mr. Denovan,	Mr. Orr,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Dr. Evans,	Dr. Owens,
Mr. Francis,	Mr. Service,
Mr. Haines,	Mr. A. J. Smith,
Dr. Hedley,	Mr. Sullivan,
Mr. Higinbotham,	Mr. Wilson,
Mr. Hood,	Mr. Weeks,
Mr. Howard,	Mr. Wood,
Mr. Ireland,	Mr. Wright.
Mr. Kirk,	
Mr. Levi,	
Mr. McCulloch,	
Capt. Mac Mahon,	
Mr. McCann,	
Mr. Mollison,	

*Tellers.*

Mr. Anderson,
Mr. Levey.

## Noes, 26.

Mr. Berry,	Mr. O'Grady,
Mr. Cathie,	Mr. Pope,
Mr. J. Davies,	Mr. Ramsay,
Mr. Frazer,	Mr. Richardson,
Mr. Gillies,	Mr. Riddell,
Dr. Girdlestone,	Mr. Sinclair,
Mr. Gray,	Mr. J. T. Smith,
Mr. Heales,	Mr. W. C. Smith,
Mr. Houston,	Mr. Verdon.
Mr. Humffray,	
Mr. Johnston,	
Mr. McDonald,	
Mr. McLellan,	
Mr. Orkney,	
Mr. O'Connor,	

*Tellers.*

Mr. L. L. Smith,
Mr. Woods.

No. 2.—Amendment proposed—That, after the word “Maldon,” in the fourth item of the proposed resolution, the following words be added, viz.,—“There to branch off on “one side through Dunolly to Korong, and on the other side to Maryborough and Avoca.”—(*Mr. Ramsay.*)

Question—That the words proposed to be added be so added—put  
Committee divided.

## Ayes, 33.

Mr. Cathie,	Mr. O'Grady,
Mr. J. Davies,	Mr. Orr,
Mr. Denovan,	Dr. Owens,
Mr. Francis,	Mr. Pope,
Mr. Frazer,	Mr. Ramsay,
Mr. Girdlestone,	Mr. Richardson,
Mr. Grant,	Mr. Riddell,
Mr. Gray,	Mr. Service,
Mr. Heales,	Mr. J. T. Smith,
Mr. Higinbotham,	Mr. Sullivan,
Mr. Houston,	Mr. Verdon,
Mr. Howard,	Mr. Woods,
Mr. Kirk,	Mr. Wright.
Mr. McCann,	
Mr. McDonald,	
Mr. McLellan,	
Mr. Orkney,	
Mr. O'Connor,	

*Tellers.*

Mr. L. L. Smith,
Mr. Gillies.

## Noes, 17.

Mr. Bennett,	Mr. Nicholson,
Mr. Cummins,	Mr. O'Shanassy,
Mr. Gavan Duffy,	Mr. A. J. Smith,
Dr. Evans,	Mr. Wilson,
Mr. Haines,	Mr. Wood.
Dr. Hedley,	
Mr. Hood,	
Mr. Ireland,	
Mr. Levi,	
Capt. Mac Mahon,	

*Tellers.*

Mr. Anderson,
Mr. Johnston.

VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 14.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

SESSION 1861—2.

TUESDAY, 13TH MAY.

No. 1.—*Supply—Estimates for 1862.*

DIVISION No. 80.—ROADS AND BRIDGES.

For and towards the construction and maintenance of roads and bridges throughout the colony, including sums in aid to District Road Boards, and also including sums in aid of tolls revenue, but excluding the amount to be derived from tolls, to be expended as under, viz. :—

(No. 1.)—In the construction of the undermentioned lines of road to be recognized as main lines :—

1. The road to New South Wales, from Melbourne to Albury, <i>viâ</i> Chiltern, with branch from Wangaratta to Beechworth	...	...
2. From Ballaarat to Ararat and Hamilton by Wickliffe	...	...
3. From Ballaarat to Creswick and Clunes	...	...
4. From Castlemaine to Maldon	...	...
5. From Maldon, through "Dunolly, to Korong"	...	...
6. From Castlemaine, through Newstead, Carisbrook, and Maryborough, to Avoca	...	...
7. From Sale to Port Albert	...	...
		£100,000 0 0

Amendment proposed—That the following words, viz., "Dunolly to Korong" be omitted from the fifth item of the above resolution, with a view to insert, instead thereof, the words "Tarnagulla to Inglewood and Bendigo."—(*Mr. Grant.*)

Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put.

Committee divided.

Ayes, 29.

Mr. Brooke,	Mr. O'Grady,
Mr. Cummins,	Mr. Orr,
Mr. J. Davies,	Mr. Pope,
Mr. Denovan,	Mr. Ramsay,
Mr. Foott,	Mr. Riddell,
Mr. Frazer,	Mr. Sinclair,
Mr. Gillies,	Mr. L. L. Smith,
Dr. Girdlestone,	Mr. W. C. Smith,
Mr. Grant,	Mr. Sullivan,
Mr. Gray,	Mr. Tucker,
Mr. Heales,	Mr. Woods.
Mr. Houston,	
Mr. Howard,	
Mr. McDonald,	
Mr. McLellan,	
Mr. Nixon,	

Tellers.

Mr. Edwards,  
Mr. Lambert.

Noes, 23.

Mr. Bennett,	Mr. O'Shanassy,
Mr. K. E. Brodribb,	Mr. Richardson,
Mr. Cohen,	Mr. Service,
Dr. Evans,	Mr. A. J. Smith,
Mr. Francis,	Mr. J. T. Smith,
Dr. Hedley,	Mr. Weeks,
Mr. Hood,	Mr. Wood,
Mr. Johnston,	Mr. Wright.
Mr. Levi,	
Mr. McCulloch,	
Dr. Mackay,	
Mr. Mollison,	
Mr. Nicholson,	

Tellers.

Mr. Anderson,  
Mr. Levey.

No. 2.—Motion made and question put—That the following words, viz., “From the Maryborough and Avoca road through Amherst and Talbot, also seven miles towards Clunes from Talbot” form part of the above resolution.—(*Mr. Frazer.*)

Committee divided.

Ayes, 22.		Noes, 23.	
Mr. Cathie,	Mr. Orr,	Mr. Bennett,	Mr. Nicholson,
Mr. Cummins,	Mr. Pope,	Mr. Cohen,	Mr. O'Connor,
Mr. J. Davies,	Mr. Riddell,	Mr. Denovan,	Mr. O'Shanassy,
Mr. Frazer,	Mr. J. T. Smith,	Mr. Gavan Duffy,	Mr. Richardson,
Mr. Gillies,	Mr. Snodgrass,	Dr. Evans,	Mr. A. J. Smith,
Dr. Girdlestone,	Mr. Tucker,	Mr. Foott,	Mr. Weeks,
Mr. Grant,	Mr. Woods.	Dr. Hedley,	Mr. Wood,
Mr. Gray,		Mr. Hood,	Mr. Wright.
Mr. Houston,		Mr. Johnston.	
Dr. Mackay,	<i>Tellers.</i>	Mr. Levi,	<i>Tellers.</i>
Mr. McDonald,	Mr. Humffray,	Mr. McCulloch,	
Mr. McLellan,	Mr. W. C. Smith.	Mr. McCann,	Mr. Anderson,
Mr. Nixon,		Mr. Mollison,	Mr. Levey.

No. 3.—Motion made and question put—That the words “From Dunolly to St. Arnaud” form part of the above resolution.—(*Mr. Woods.*)

Committee divided.

Ayes, 15.		Noes, 31.	
Mr. Edwards,	Mr. Ramsay,	Mr. Bennett,	Mr. Orkney,
Mr. Frazer,	Mr. Service,	Mr. Cathie,	Mr. O'Grady,
Mr. Gillies,	Mr. W. C. Smith.	Mr. Cummins,	Mr. Orr,
Dr. Girdlestone,	Mr. Snodgrass.	Mr. J. Davies,	Mr. O'Shanassy,
Mr. Gray,		Mr. Denovan,	Mr. Richardson,
Mr. McDonald,	<i>Tellers.</i>	Mr. Gavan Duffy,	Mr. Riddell,
Mr. McLellan,		Dr. Evans,	Mr. J. T. Smith,
Mr. O'Connor,	Mr. Woods,	Mr. Foott,	Mr. Sullivan,
Mr. Pope,	Mr. Houston.	Dr. Hedley,	Mr. Tucker,
		Mr. Hood,	Mr. Weeks,
		Mr. Johnston,	Mr. Wood,
		Mr. Levi,	Mr. Wright.
		Dr. Mackay,	
		Mr. McCann,	<i>Tellers.</i>
		Mr. Mollison,	Mr. Levey,
		Mr. Nicholson,	Mr. Anderson.
		Mr. Nixon,	

#### WEDNESDAY (MORNING) 14TH MAY.

No. 4.—Motion made and question put—That the words “From Kilmore to Carlsruhe” form part of the above resolution.—(*Mr. Snodgrass.*)

Committee divided.

Ayes, 12.		Noes, 32.	
Mr. Gillies,	Mr. Snodgrass,	Mr. Berry,	Mr. Mollison,
Mr. Gray,	Mr. Tucker.	Mr. Cathie,	Mr. Nicholson,
Mr. McDonald,		Mr. Cummins,	Mr. Orkney,
Mr. Nixon,	<i>Tellers.</i>	Mr. J. Davies,	Mr. Orr,
Mr. O'Connor,		Mr. Denovan,	Mr. O'Shanassy,
Mr. Pope,	Mr. Edwards,	Mr. Gavan Duffy,	Mr. Ramsay,
Mr. Riddell,	Mr. Frazer.	Dr. Evans,	Mr. Richardson,
Mr. Service,		Mr. Foott,	Mr. J. T. Smith,
		Dr. Girdlestone,	Mr. Sullivan,
		Dr. Hedley,	Mr. Weeks,
		Mr. Hood,	Mr. Wood,
		Mr. Houston,	Mr. Wright.
		Mr. Johnston,	
		Mr. Levi,	<i>Tellers.</i>
		Mr. McCulloch,	Mr. Levey,
		Dr. Mackay,	Mr. Anderson.
		Mr. McCann,	
		Mr. McLellan,	

No. 5.—Motion made and question put—That the following words, viz., “From Ballaarat to Skipton *via* Smythesdale and Linton,” form part of the above resolution.—(*Mr. Pope.*)

Committee divided.

Ayes, 18.  
 Mr. Cathie, Mr. O'Connor,  
 Mr. Cummins, Mr. Pope,  
 Mr. J. Davies, Mr. Service,  
 Mr. Denovan, Mr. Tucker,  
 Mr. Edwards, Mr. Woods.  
 Mr. Gillies,  
 Dr. Girdlestone,  
 Mr. Gray,  
 Mr. Houston,  
 Mr. McDonald,  
 Mr. Nixon,

*Tellers.*

Mr. W. C. Smith,  
 Mr. Frazer.

Noes, 28.  
 Mr. Bennett, Mr. Orr,  
 Mr. Gavan Duffy, Mr. O'Shanassy,  
 Dr. Evans, Mr. Ramsay,  
 Mr. Foott, Mr. Richardson,  
 Dr. Hedley, Mr. Riddell,  
 Mr. Hood, Mr. J. T. Smith,  
 Mr. Levey, Mr. Sullivan,  
 Mr. Levi, Mr. Weeks,  
 Mr. McCulloch, Mr. Wood,  
 Dr. Mackay, Mr. Wright.  
 Mr. McCann,  
 Mr. McLellan,  
 Mr. Mollison,  
 Mr. Nicholson,  
 Mr. Orkney,  
 Mr. O'Grady,

*Tellers.*

Mr. Anderson,  
 Mr. Johnston.

No. 6.—Motion made and question put—That the words "From Kilmore to Heathcote" form part of the above resolution.—(*Mr Gray.*)  
 Committee divided.

Ayes, 20.  
 Mr. Cummins, Mr. Pope,  
 Mr. J. Davies, Mr. Ramsay,  
 Mr. Denovan, Mr. Service,  
 Mr. Edwards, Mr. Snodgrass,  
 Mr. Gillies, Mr. Tucker,  
 Dr. Girdlestone, Mr. Woods.  
 Mr. Gray,  
 Mr. Houston,  
 Mr. McDonald,  
 Mr. McLellan,  
 Mr. Nixon,  
 Mr. O'Grady,

*Tellers.*

Mr. W. C. Smith,  
 Mr. Frazer.

Noes, 25.  
 Mr. Bennett, Mr. O'Connor,  
 Mr. Cathie, Mr. Orr,  
 Mr. Gavan Duffy, Mr. O'Shanassy,  
 Dr. Evans, Mr. Richardson,  
 Mr. Foott, Mr. Riddell,  
 Dr. Hedley, Mr. J. T. Smith,  
 Mr. Hood, Mr. Weeks,  
 Mr. Johnston, Mr. Wood,  
 Mr. Levi, Mr. Wright.  
 Mr. McCulloch,  
 Dr. Mackay,  
 Mr. McCann,  
 Mr. Mollison,  
 Mr. Nicholson,

*Tellers.*

Mr. Levey,  
 Mr. Anderson.

#### FRIDAY, 16TH MAY.

No. 7.—*Estimates for 1862—Civil Service.—Salary Resolutions.*

Motion made—That the maximum and minimum rates of salaries to be paid to the officers of the 5th, 4th, 3rd, and 2nd classes of the ordinary division of the Civil Service during the year 1862 be the following, viz. :—

	£	£
5th Class—minimum,	80	maximum, 180
4th " "	200	" " 350 "
3rd " "	375	" " 485
2nd " "	500	" " 600

(*Mr. Haines.*)

Amendment proposed—That the figures "350," in the second line of the proposed rates of salary in the above resolution, be omitted, with a view to insert, instead thereof, the figures "300."—(*Mr. Heales.*)

Question—That the figures proposed to be omitted stand part of the question—put.  
 Committee divided.

Ayes, 28.  
 Mr. Anderson, Mr. McCulloch,  
 Mr. Aspinall, Dr. Mackay,  
 Mr. Bennett, Capt. Mac Mahon,  
 Mr. Cummins, Mr. McDonald,  
 Mr. Gavan Duffy, Mr. Mollison,  
 Mr. Edwards, Mr. Nicholson,  
 Mr. Francis, Mr. O'Connor,  
 Mr. Haines, Mr. O'Grady,  
 Mr. Higinbotham, Mr. O'Shanassy,  
 Mr. Hood, Mr. Wood.  
 Mr. Howard,  
 Mr. Humfray,  
 Mr. Ireland,  
 Mr. Johnston,  
 Mr. Kyte,  
 Mr. Levi,

*Tellers.*

Mr. Levey,  
 Mr. W. C. Smith.

Noes, 17.  
 Mr. J. Davies, Mr. Service,  
 Mr. Denovan, Mr. Sinclair,  
 Dr. Girdlestone, Mr. Sullivan,  
 Mr. Gray, Mr. Weeks,  
 Mr. Heales, Mr. Wright.  
 Mr. Houston,  
 Mr. Orr,  
 Mr. Pope,  
 Mr. Ramsay,  
 Mr. Richardson,

*Tellers.*

Mr. McLellan,  
 Mr. Gillies.

VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 15.

## WEEKLY REPORT OF DIVISIONS

IN

## COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

## SESSION 1861—2.

TUESDAY, 20TH MAY.

No. 1.—*Supply—Estimates for 1862.*

Motion made—That a sum not exceeding £600 be granted to Her Majesty to defray the salary of the Clerk Assistant of the Legislative Assembly for the year 1862.—(*Mr. Haines.*)

Amendment proposed—That the following words be added to the above resolution, viz., “And in the opinion of this Committee this item should be increased by £100.”—(*Mr. Heales.*)

Further amendment proposed—That the following words be added to the above resolution, viz., “And in the opinion of this Committee this item should be increased by £50.”—(*Mr. Francis.*)

Question—That the following words, viz., “And in the opinion of this Committee this item should be increased by £50”—put.

Committee divided.

Ayes, 22.

Mr. Bennett,	Capt. MacMahon,
Mr. Cohen,	Mr. McDonald,
Mr. Cummins,	Mr. Mollison,
Mr. Gavan Duffy,	Mr. Nicholson,
Dr. Evans,	Mr. Orkney,
Mr. Francis,	Mr. O'Shanassy,
Mr. Haines,	Mr. Riddell,
Mr. Hood,	Mr. A. J. Smith.
Mr. Ireland,	
Mr. Johnston,	<i>Tellers.</i>
Mr. Levey,	Mr. Anderson,
Mr. Levi,	Mr. Houston.

Noes, 21.

Mr. Berry,	Mr. Ramsay,
Mr. Cathie,	Mr. Richardson,
Mr. J. Davies,	Mr. L. L. Smith,
Mr. Denovan,	Mr. W. C. Smith,
Dr. Girdlestone,	Mr. Tucker,
Mr. Heales,	Mr. Verdon,
Mr. Howard,	Mr. Woods.
Mr. McCann,	
Mr. McLellan,	<i>Tellers.</i>
Mr. O'Connor,	Mr. Edwards,
Mr. O'Grady,	Dr. Owens.
Mr. Orr,	

WEDNESDAY, 21ST MAY.

No. 2.—Question proposed—That a sum not exceeding £6000 be granted to Her Majesty] to defray all expenses for rations, clothing, stores, medical attendance, buildings, and salaries of guardian and teachers, &c., for the Aborigines.—(*Mr. Haines.*)

Motion made and question put—That the following words be added to the above resolution, viz., “And in the opinion of this Committee this item should be increased by £1000.”—(*Mr. Heales.*)



Committee divided.

Ayes, 24.

Mr. Berry,	Mr. O'Grady,
Mr. J. Davies,	Mr. Orr,
Mr. Frazer,	Mr. Pope,
Mr. Gillies,	Mr. Ramsay,
Dr. Girdlestone,	Mr. Richardson,
Mr. Heales,	Mr. Sinclair,
Dr. Hedley,	Mr. Sullivan,
Mr. Higinbotham,	Mr. Weeks.
Mr. Houston,	
Mr. McCulloch,	
Dr. Mackay,	<i>Tellers.</i>
Mr. McCann,	Mr. Denovan,
Mr. McDonald,	Mr. Don.
Mr. McLellan,	

Noes, 24.

Mr. Brodribb,	Mr. O'Shanassy,
Mr. Cohen,	Mr. Riddell,
Mr. Cummins,	Mr. Service,
Mr. Gavan Duffy,	Mr. A. J. Smith,
Dr. Evans,	Mr. W. C. Smith,
Mr. Francis,	Mr. Tucker,
Mr. Haines,	Mr. Wilson,
Mr. Howard,	Mr. Wood.
Mr. Johnston,	
Mr. Kyte,	<i>Tellers.</i>
Capt. Mac Mahon,	Mr. Anderson,
Mr. Mollison,	Mr. Bennett.
Mr. Nicholson,	
Mr. O'Connor,	

The Tellers having declared the numbers for the ayes and the noes to be respectively 24, or equal, the Chairman gave his vote with the noes, and declared the question to have passed in the negative.

No. 3.—Motion made and question put—That the following words be added to the above resolution, viz., “And in the opinion of this Committee this item should be increased by £900.”—(*Mr. Heales.*)

Committee divided.

Ayes, 25.

Mr. Aspinall,	Mr. McLellan,
Mr. Berry,	Mr. O'Grady,
Mr. J. Davies,	Mr. Orr,
Mr. Frazer,	Mr. Pope,
Mr. Gillies,	Mr. Ramsay,
Dr. Girdlestone,	Mr. Richardson,
Mr. Gray,	Mr. Sinclair,
Mr. Heales,	Mr. Sullivan,
Dr. Hedley,	Mr. Weeks.
Mr. Higinbotham,	
Mr. Houston,	<i>Tellers.</i>
Mr. McCulloch,	Mr. Denovan,
Dr. Mackay,	Mr. Don.
Mr. McCann,	

Noes, 25.

Mr. Brodribb,	Mr. Nicholson,
Mr. Cohen,	Mr. O'Connor,
Mr. Cummins,	Mr. O'Shanassy,
Mr. Gavan Duffy,	Mr. Riddell,
Dr. Evans,	Mr. Service,
Mr. Francis,	Mr. A. J. Smith,
Mr. Haines,	Mr. Tucker,
Mr. Howard,	Mr. Wilson,
Mr. Ireland,	Mr. Wood.
Mr. Johnston,	
Mr. Kyte,	<i>Tellers.</i>
Capt. MacMahon,	Mr. Anderson,
Mr. McDonald,	Mr. W. C. Smith.
Mr. Mollison,	

The Tellers having declared the numbers for the ayes and the noes to be respectively 25, or equal, the Chairman gave his vote with the noes, and declared the question to have passed in the negative.

No. 4.—Motion made and question put—That the following words be added to the above resolution, viz., “And in the opinion of this Committee this item should be increased by £500.”—(*Mr. Heales.*)

Committee divided.

Ayes, 27.

Mr. Aspinall,	Dr. Mackay,
Mr. Berry,	Mr. McCann,
Mr. Cohen,	Mr. O'Grady,
Mr. J. Davies,	Mr. Orr,
Mr. Denovan,	Mr. Pope,
Mr. Edwards,	Mr. Ramsay,
Mr. Frazer,	Mr. Richardson,
Mr. Gillies,	Mr. Sinclair,
Dr. Girdlestone,	Mr. Sullivan,
Mr. Gray,	Mr. Weeks.
Mr. Heales,	
Dr. Hedley,	<i>Tellers.</i>
Mr. Higinbotham,	Mr. McLellan,
Mr. Houston,	Mr. Don.
Mr. McCulloch,	

Noes, 25.

Mr. Anderson,	Mr. Nicholson,
Mr. Brodribb,	Mr. O'Connor,
Mr. Cummins,	Mr. O'Shanassy,
Mr. Gavan Duffy,	Mr. Riddell,
Dr. Evans,	Mr. Service,
Mr. Foott,	Mr. A. J. Smith,
Mr. Francis,	Mr. Tucker,
Mr. Howard,	Mr. Wilson,
Mr. Ireland,	Mr. Wood.
Mr. Johnston,	
Mr. Kyte,	<i>Tellers.</i>
Capt. MacMahon,	Mr. W. C. Smith,
Mr. McDonald,	Mr. Bennett.
Mr. Mollison,	

No. 5.—*Distillation Bill*.—Clause LXXV.

From and after the commencement of this Act there shall be paid levied and collected towards the consolidated revenue of Victoria a duty of "six" shillings upon every gallon (standard measure of the strength of proof by Sykes' hydrometer and so in proportion for any greater or less strength than proof) of spirits that may be distilled in Victoria from malt grain roots grapes or wine and a duty of eight shillings upon every gallon as aforesaid of spirits that may be distilled in Victoria from sugar treacle molasses or from wort wash or spent wash with which sugar treacle or molasses has been made or mixed or from beer or ale Provided that nothing herein contained shall apply to alter the rate of duty upon spirits which may have been distilled in Victoria previous to the passing of this Act after the passing as well as upon any deficiencies ascertained in the manner hereinafter directed.

Motion made—That the word "six" in the second line of the above clause be omitted with a view to insert instead thereof the word "five."—(*Mr. Cummins.*)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 38.

Mr. Bennett,	Mr. McDonald,
Mr. Cathie,	Mr. McLellan,
Mr. Cohen,	Mr. Mollison,
Mr. J. Davies,	Mr. Nicholson,
Mr. Gavan Duffy,	Mr. O'Connor,
Mr. Edwards,	Mr. O'Grady,
Dr. Evans,	Mr. O'Shanassy,
Mr. Francis,	Mr. Pope,
Mr. Gillies,	Mr. Ramsay,
Dr. Girdlestone,	Mr. Service,
Mr. Haines,	Mr. W. C. Smith,
Mr. Heales,	Mr. Sullivan,
Mr. Hood,	Mr. Verdon,
Mr. Houston,	Mr. Weeks,
Mr. Humfray,	Mr. Wood,
Mr. Ireland,	Mr. Wright.
Mr. Johnston,	
Mr. McCulloch,	<i>Tellers.</i>
Dr. Mackay,	Mr. Anderson,
Capt. MacMahon,	Mr. Levey.

Noes, 7.

Mr. Cummins,  
Mr. Denovan,  
Mr. Richardson,  
Mr. Riddell,  
Mr. Tucker.

*Tellers.*

Mr. L. L. Smith,  
Mr. McCann.

## LEGISLATIVE ASSEMBLY.

No. 16.

## WEEKLY REPORT OF DIVISIONS

IN

## COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

## SESSION 1861—2.

TUESDAY, 27<sup>TH</sup> MAY.No. 1.—*Supply—Estimates for 1862.*

Motion made and question put—That a sum not exceeding £5000 be granted to Her Majesty to defray the expense, for the year 1862, of immigration lecturers and expenses in connection therewith.—(*Mr. Anderson*)  
Committee divided.

Ayes, 26.

Mr. Bennett,	Mr. McDonald,
Mr. Brodribb,	Mr. Nicholson,
Mr. Cathie,	Mr. O'Connor,
Mr. Cummins,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. Service,
Dr. Evans,	Mr. A. J. Smith,
Mr. Haines,	Mr. L. L. Smith,
Mr. Hood,	Mr. Snodgrass,
Mr. Howard,	Mr. Wood.
Mr. Humffray,	
Mr. Kyte,	
Mr. Levey,	
Mr. Levi,	
Mr. Loader,	
Capt. Mac Mahon,	

*Tellers.*Mr. Anderson,  
Mr. Johnston.

Noes, 28.

Mr. Berry,	Mr. Orr,
Mr. Brooke,	Dr. Owens,
Mr. Cohen,	Mr. Pope,
Mr. J. Davies,	Mr. Ramsay,
Mr. Don,	Mr. Richardson,
Mr. Gillies,	Mr. Riddell,
Dr. Girdlestone,	Mr. Sinclair,
Mr. Gray,	Mr. J. T. Smith,
Mr. Heales,	Mr. Sullivan,
Dr. Hedley,	Mr. Wright.
Mr. Higinbotham,	
Mr. Houston,	
Mr. Lambert,	
Mr. McCulloch,	
Mr. Mollison,	
Mr. Orkney,	

*Tellers.*Mr. Woods,  
Mr. Denovan.THURSDAY (MORNING), 29<sup>TH</sup> MAY.No. 2.—*Supply—Estimates for 1862.*

Question proposed—That a sum of £57,875 be granted to Her Majesty to defray the expense of existing Municipalities, in proportion to the amount of rates collected for the year 1861, subject to the particular deductions as hereinafter set forth, upon returns finally closed on the 30th June, 1862, and transmitted to the Treasury not later than 31st July, 1862, as follows:—

To those Municipalities which were created during 1861, and those which received less than £1000 of the Grant in Aid for 1861, their proportion upon the amount of collections without any deductions.

To those Municipalities which were created during 1859 and 1860, subject to a deduction of 15 per cent.

To those Municipalities which were created in 1857 and 1858, subject to deductions of  $33\frac{1}{3}$  per cent., with the exception of the Municipality of Fitzroy, which is to be subject to a deduction of 50 per cent.

To those Municipalities which were created in 1855 and 1856, subject to a deduction of 50 per cent.—(*Mr. Haines.*)

Amendment proposed and question put—That the following words, viz., “with the exception of East Collingwood, upon which only a reduction of 25 per cent. shall be made,” be added to the last paragraph of the above resolution.—(*Mr. Berry.*)  
Committee divided.

Ayes, 14.		Noes, 19.	
Mr. Bennett,	Mr. O'Grady,	Mr. Cathie,	Mr. O'Shanassy,
Mr. Berry,	Mr. Riddell,	Mr. J. Davies,	Mr. Richardson,
Mr. Denovan,	Mr. J. T. Smith.	Mr. Gavan Duffy,	Mr. Sullivan,
Mr. Don,		Mr. Francis,	Mr. Weeks,
Dr. Girdlestone,		Mr. Gillies,	Mr. Wood,
Mr. Gray,	<i>Tellers.</i>	Mr. Haines,	Mr. Wright.
Mr. Howard,	Mr. Edwards,	Mr. Hood,	
Mr. Levi,	Mr. L. L. Smith.	Mr. Levey,	<i>Tellers.</i>
Mr. McLellan,		Capt. Mac Mahon,	Mr. Anderson,
		Mr. McDonald,	Mr. Johnston.
		Mr. Nicholson,	

THURSDAY, 29TH MAY.

No. 3.—*Common Schools Bill*—Clause V.

The Governor in Council shall appoint five Commissioners who shall be a body politic and corporate by the style and title of the “Board of Education” and by that style and title shall have perpetual succession be able and capable to sue and be sued in all courts of law and equity shall have and use as occasion may require a common seal shall and may accept purchase hold to them and their successors as members of the said corporation to and for the uses thereof real and personal estate and property of every kind and the Governor in Council shall fill up any vacancy in such Board of Education as shall occur by the death or resignation or disqualification of any of the members and shall have power to remove any member or members of such Board and to appoint another or others in his or their stead Provided that no person so appointed shall continue to act as a member of the said Board for a longer period than five years unless re-appointed by the Governor in Council Provided also that any member of the Board absenting himself from more than four consecutive duly convened meetings of the Board without the leave of the Board shall *ipso facto* be disqualified from acting as a member thereof Provided also that three of the said Commissioners shall form a quorum at any meeting of the said Board Provided always that no two members of such Board shall belong to one and the same religious denomination.

Amendment proposed and question put—That the following words be added to the above clause, viz., “nor shall an officiating minister of any religious body be a member of the said Board.”—(*Mr. Mollison.*)  
Committee divided.

Ayes, 22.		Noes, 23.	
Mr. Berry,	Mr. McLellan	Mr. Cummins,	Mr. O'Shanassy,
Mr. Don,	Mr. Mollison,	Mr. J. Davies,	Mr. Pope,
Mr. Francis,	Mr. Orr,	Mr. Denovan,	Mr. Sinclair,
Mr. Frazer,	Dr. Owens,	Mr. Gavan Duffy,	Mr. A. J. Smith,
Dr. Girdlestone,	Mr. Ramsay,	Dr. Evans,	Mr. J. T. Smith,
Mr. Gray,	Mr. Richardson,	Mr. Haines,	Mr. Snodgrass,
Mr. Higinbotham,	Mr. Service.	Mr. Heales,	Mr. Verdon,
Mr. Houston,		Dr. Hedley,	Mr. Wright.
Mr. Johnston,		Mr. Hood,	
Mr. Lambert,	<i>Tellers.</i>	Mr. Ireland,	<i>Tellers.</i>
Mr. Levi,	Mr. Edwards,	Capt. Mac Mahon,	Mr. Anderson,
Mr. Loader,	Mr. Weeks.	Mr. Nicholson,	Mr. Wood.
Mr. McDonald,		Mr. O'Grady,	

No. 4.—Clause VI.

The duties of the Board of Education shall be—

1. To frame general regulations for the distribution of all moneys granted by the Legislature and subject to the provisions of this Act to determine as they shall see fit upon the localities in which schools receiving aid from the revenue shall be established or maintained.”
2. To frame general regulations for the inspection of schools and the examination and classification of “teachers.”
3. To recommend to the Governor in Council for appointment such officers as shall be deemed requisite for the proper carrying out of the regulations framed by them.
4. To see that the moneys apportioned from the grant made from the general revenue for the purpose of public education be applied to the objects for which they were granted.

Question proposed—That after the word “teachers,” in line 7 of the above clause, the following words be inserted, viz.: “To determine upon the course of secular instruction to be adopted in the schools to fix and from time to time to alter as the Board may think fit the fees to be charged to parents of children attending the schools and generally to do everything that may be necessary for carrying into effect this Act according to the true intent thereof;”—(*Mr. Heales.*)

Motion made and question put—That the Chairman report progress and ask leave to sit again.—(*Dr. Evans.*)

Committee divided.

Ayes, 16.		Noes, 25.	
Mr. Cummins,	Mr. O'Shanassy,	Mr. Berry,	Mr. McLellan,
Mr. Gavan Duffy,	Mr. A. J. Smith,	Mr. J. Davies,	Mr. Orr,
Dr. Evans,	Mr. J. T. Smith,	Mr. Denovan,	Dr. Owens,
Dr. Girdlestone,	Mr. Wood.	Mr. Don,	Mr. Ramsay,
Dr. Hedley,		Mr. Francis,	Mr. Richardson,
Mr. Hood,		Mr. Frazer,	Mr. Sinclair,
Mr. Ireland,		Mr. Gray,	Mr. Verdon,
Capt. Mac Mahon,	Mr. Snodgrass,	Mr. Heales,	Mr. Weeks,
Mr. Nicholson,	Mr. Johnston.	Mr. Higinbotham,	Mr. Wright.
Mr. O'Grady,		Mr. Houston,	
		Mr. Lambert,	
		Mr. Levi,	
		Mr. Loader,	Mr. Service,
		Mr. McDonald,	Mr. Pope.

No. 5.—Motion made—That paragraph 1 of the above clause be omitted.—(*Mr. O'Shanassy.*)  
Question—That the paragraph proposed to be omitted stand part of the clause—put.  
Committee divided.

Ayes, 31.		Noes, 10.	
Mr. Berry,	Dr. Owens,	Mr. Cummins,	Mr. J. T. Smith.
Mr. J. Davies,	Mr. Pope,	Mr. Gavan Duffy,	
Mr. Edwards,	Mr. Ramsay,	Dr. Evans,	
Mr. Frazer,	Mr. Richardson,	Mr. Haines,	
Dr. Girdlestone,	Mr. Service,	Mr. Ireland,	Mr. Hood,
Mr. Gray,	Mr. Sinclair,	Mr. Mollison,	Mr. O'Grady.
Mr. Heales,	Mr. A. J. Smith,	Mr. O'Shanassy,	
Dr. Hedley,	Mr. Snodgrass,		
Mr. Higinbotham,	Mr. Verdon,		
Mr. Houston,	Mr. Weeks,		
Mr. Johnston,	Mr. Wood,		
Mr. Lambert,	Mr. Wright.		
Mr. Levi,			
Mr. McDonald,			
Mr. McLellan,			
Mr. Nicholson,	Mr. Denovan,		
Mr. Orr,	Mr. Don.		

#### FRIDAY (MORNING), 30TH MAY.

No. 6.—Motion made and question put—That the Chairman report progress and ask leave to sit again.—(*Mr. Ireland.*)  
Committee divided.

Ayes, 11.		Noes, 26.	
Mr. Cummins,	Mr. J. T. Smith,	Mr. J. Davies,	Mr. Orr,
Mr. Gavan Duffy,	Mr. Snodgrass,	Mr. Denovan,	Dr. Owens,
Dr. Evans,		Mr. Don,	Mr. Pope,
Mr. Haines,		Mr. Francis,	Mr. Ramsay,
Mr. O'Grady,	Mr. Ireland,	Mr. Frazer,	Mr. Richardson,
Mr. O'Shanassy,	Mr. Hood.	Dr. Girdlestone,	Mr. Service,
Mr. A. J. Smith,		Mr. Gray,	Mr. Sinclair,
		Mr. Heales,	Mr. Verdon,
		Mr. Higinbotham,	Mr. Wright.
		Mr. Houston,	
		Mr. Levi,	
		Capt. Mac Mahon,	
		Mr. McDonald,	Mr. Berry,
		Mr. McLellan,	Mr. Lambert.
		Mr. Nicholson,	

No. 7.—Motion made and question put—That the Chairman report progress and ask leave to sit again.—(*Mr. Ireland.*)  
Committee divided.

Ayes, 9.  
 Mr. Cummins, Mr. Snodgrass.  
 Dr. Evans,  
 Mr. Haines,  
 Mr. Ireland,  
 Mr. O'Grady,  
 Mr. O'Shanassy,

*Tellers.*

Mr. Hood,  
 Mr. A. J. Smith,

Noes, 29.  
 Mr. J. Davies, Mr. Nicholson,  
 Mr. Denovan, Mr. Orr,  
 Mr. Don, Dr. Owens,  
 Mr. Edwards, Mr. Pope,  
 Mr. Francis, Mr. Ramsay,  
 Mr. Frazer, Mr. Richardson,  
 Dr. Girdlestone, Mr. Service,  
 Mr. Gray, Mr. Sinclair,  
 Mr. Heales, Mr. J. T. Smith,  
 Mr. Higinbotham, Mr. Verdon,  
 Mr. Houston, Mr. Wright.  
 Mr. Lambert,  
 Mr. Levi,  
 Capt. Mac Mahon,  
 Mr. McDonald,  
 Mr. McLellan,

*Tellers.*

Mr. Weeks,  
 Mr. Berry.

No. 8.—Clause IX.

No school unless for the deaf and dumb and blind shall receive aid from the revenue unless there shall have been during the preceding six months in such school an average attendance of not less than twenty pupils.

Motion made and question put—That this Clause as amended stand part of the Bill.—  
 (*Mr. Heales.*)

Committee divided.

Ayes, 28.  
 Mr. Berry, Mr. Nicholson,  
 Mr. J. Davies, Mr. Orr,  
 Mr. Denovan, Dr. Owens,  
 Mr. Don, Mr. Pope,  
 Mr. Edwards, Mr. Ramsay,  
 Mr. Francis, Mr. Richardson,  
 Mr. Frazer, Mr. Service,  
 Dr. Girdlestone, Mr. Sinclair,  
 Mr. Gray, Mr. Verdon,  
 Mr. Heales, Mr. Wright.  
 Mr. Higinbotham,  
 Mr. Houston,  
 Mr. Lambert,  
 Mr. Levi,  
 Capt. Mac Mahon,  
 Mr. McDonald,

*Tellers.*

Mr. McLellan,  
 Mr. Weeks.

Noes, 9.  
 Mr. Cummins, Mr. Snodgrass.  
 Dr. Evans,  
 Mr. Haines,  
 Mr. Ireland,  
 Mr. O'Grady,  
 Mr. O'Shanassy,

*Tellers.*

Mr. Hood,  
 Mr. A. J. Smith.

FRIDAY, 30<sup>TH</sup> MAY.

No. 9.—*Supply—Estimates for 1862.*

Question proposed—That a sum not exceeding £2000 be granted to Her Majesty to defray the charge for 1862 for advertising.—(*Mr. Haines.*)

Amendment proposed and question put—That the following words, viz., “To be applied subject to and in accordance with the following condition: That that portion of the vote which will be applied in payment of advertisements inserted in the Melbourne daily press shall be distributed amongst the three existing journals as nearly as possible according to the scale adopted in the year 1861,” be added to the above resolution.—

(*Mr. Higinbotham.*)

Committee divided.

Ayes, 25.  
 Mr. Berry, Mr. Orkney,  
 Mr. B. G. Davies, Mr. Orr,  
 Mr. J. Davies, Dr. Owens,  
 Mr. Don, Mr. Ramsay,  
 Mr. Frazer, Mr. Service,  
 Mr. Gillies, Mr. Sinclair,  
 Dr. Girdlestone, Mr. Sullivan,  
 Mr. Grant, Mr. Woods,  
 Mr. Gray, Mr. Wright.  
 Mr. Heales,  
 Mr. Higinbotham,  
 Mr. Houston,  
 Mr. Levi,  
 Mr. McLellan,

*Tellers.*

Mr. Denovan,  
 Mr. L. L. Smith.

Noes, 21.  
 Mr. Anderson, Mr. Mollison,  
 Mr. Bennett, Mr. Nicholson,  
 Mr. Gavan Duffy, Mr. O'Grady,  
 Dr. Evans, Mr. O'Shanassy,  
 Mr. Francis, Mr. A. J. Smith,  
 Mr. Haines, Mr. J. T. Smith,  
 Dr. Hedley, Mr. Snodgrass,  
 Mr. Humffray,  
 Mr. Ireland,  
 Mr. Kirk,  
 Mr. McCulloch,  
 Dr. Mackay,

*Tellers.*

Mr. Johnston,  
 Mr. Wood.

No. 10.—Question proposed—That a sum not exceeding £2000 be granted to Her Majesty to defray the charge for 1862 for advertising, to be applied subject to and in accordance with the following condition: That that portion of the vote which will be applied in payment of advertisements inserted in the Melbourne daily press shall be distributed amongst the three existing journals as nearly as possible according to the scale adopted in the year 1861, after having deducted one-half of the whole amount now unexpended of the sum now voted.

Motion made and question put—That the following words be added to the above proposed resolution, viz: “That £1200 be granted, and in the opinion of the Committee no money be henceforth paid for advertisements in the public press.”—(*Mr. Woods.*)  
Committee divided.

Ayes, 23.		Noes, 16.	
Mr. Bennett,	Mr. O'Grady,	Mr. B. G. Davies,	Mr. Orr,
Mr. Don,	Mr. O'Shanassy,	Mr. J. Davies,	Dr. Owens,
Mr. Gavan Duffy,	Mr. A. J. Smith,	Mr. Frazer,	Mr. Ramsay,
Dr. Evans,	Mr. J. T. Smith,	Dr. Girdlestone,	Mr. Sullivan.
Mr. Francis,	Mr. W. C. Smith,	Mr. Grant,	
Mr. Haines,	Mr. Snodgrass,	Mr. Gray,	<i>Tellers.</i>
Dr. Hedley,	Mr. Wood,	Mr. Heales,	
Mr. Humffray,	Mr. Woods.	Mr. Higinbotham,	Mr. Gillies,
Mr. Kirk,		Mr. Houston,	Mr. Denovan.
Mr. McCulloch,	<i>Tellers.</i>	Mr. McLellan,	
Dr. Mackay,			
Mr. Mollison,	Mr. Anderson,		
Mr. Nicholson,	Mr. Johnston.		

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SATURDAY (MORNING), 31ST MAY.

No. 11.—*Supply—Estimates for 1861.*

Question proposed—That a sum not exceeding £715,414 7s. 3d. be granted to Her Majesty to defray the salaries, for the year 1862, of 3109 civil servants and others, inclusive of the votes arrived at this evening, and in the opinion of this Committee the salary voted to the Honorable the Speaker should be increased by the sum of £200.

Motion made and question put—That the items in the above resolution be submitted by departments.—(*Mr. Gray.*)

Committee divided.

Ayes, 12.		Noes, 19.	
Mr. J. Davies,	Mr. McLellan,	Mr. Anderson,	Mr. Orkney,
Mr. Don,	Mr. Wright.	Mr. Bennett,	Mr. O'Grady,
Mr. Frazer,		Mr. Gavan Duffy,	Mr. O'Shanassy,
Mr. Gillies,	<i>Tellers.</i>	Dr. Evans,	Mr. J. T. Smith,
Dr. Girdlestone,		Mr Francis,	Mr. Snodgrass,
Mr. Gray,	Mr. Edwards,	Mr. Haines,	Mr. Wood.
Mr. Heales,	Mr. Woods.	Dr. Hedley,	
Mr. Houston,		Mr. Hood,	<i>Tellers.</i>
		Mr. Johnston,	
		Mr. Kirk,	Mr. Levey,
		Mr. McCulloch,	Mr. W. C. Smith.

VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 17.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

SESSION 1861-2.

WEDNESDAY, 4TH JUNE.

No. 1.—*Melbourne and Geelong Corporations Acts Amendment Bill*—New Clause G.

No person who shall have been attainted of any treason or convicted of any "felony" or infamous offence in any part of Her Majesty's dominions shall be capable of being elected an alderman or councillor of the said city or of the said town and any person who being such alderman or councillor shall be attainted or convicted as aforesaid shall thereupon cease to be a member of such council and the office held by such person shall become vacant and shall be filled up in the manner and within the time provided by law for filling occasional vacancies in such office.

Motion made and question put—That the following words be inserted after the word "felony," in the first line of the above clause, viz., "or of personating or procuring or inducing any other person to personate any elector at any municipal or parliamentary election."—(*Mr. Heales.*)

Committee divided.

Ayes, 25.

Mr. Berry,	Mr. Levi,
Mr. Cohen,	Mr. Nixon,
Mr. Cummins,	Mr. Ramsay,
Mr. B. G. Davies,	Mr. Service,
Mr. J. Davies,	Mr. Sinclair,
Mr. Denovan,	Mr. A. J. Smith,
Mr. Gavan Duffy,	Mr. J. T. Smith,
Mr. Foott,	Mr. Tucker,
Dr. Girdlestone,	Mr. Wright.
Mr. Heales,	
Mr. Houston,	
Mr. Howard,	
Mr. Lambert,	
Mr. Levey,	

*Tellers.*Mr. Anderson,  
Mr. Humffray.

Noes, 18.

Mr. Brodribb,	Mr. O'Grady,
Dr. Evans,	Mr. O'Shanassy,
Mr. Gray,	Mr. Richardson,
Mr. Higinbotham,	Mr. Riddell,
Mr. Ireland,	Mr. Wood.
Mr. Johnston,	
Mr. Kyte,	
Mr. McCann,	
Mr. Nicholson,	
Mr. Orkney,	
Mr. O'Connor,	

*Tellers.*Mr. Bennett,  
Mr. Kirk.

No. 2.—Clause XLI.

All such registrations as aforesaid and all licenses issued by either of the said councils to porters drivers and others over whom power for regulation and government has been given to the said councils shall if not suspended or cancelled under the powers hereinbefore conferred or in pursuance of the provisions of any bye-law of the said councils remain in force until the time appointed or which shall be appointed by the said councils respectively for the expiry of the same and all such registrations and licenses which shall be made granted or renewed after the passing hereof shall be annual and shall date from such time of each year as the said councils respectively shall appoint and for every such registration and license and for every renewal thereof there shall be paid by the recipient in aid of the town fund of the said city or town as the case may be such sum not exceeding the sum of two pounds as the said councils respectively shall by bye-law fix and determine.

Motion made and question put—That the following proviso be added to this clause, viz.—  
"Provided that it shall not be lawful to levy any fee for any of the purposes aforesaid from any person holding a similar license from any existing municipal or other corporate body when the ordinary place of residence of such person is not within the municipal boundaries of the city of Melbourne or the town of Geelong."—(*Mr. O'Grady.*)



Committee divided.

Ayes, 21.		Noes, 17.	
Mr. Berry,	Mr. Nixon,	Mr. Cathie,	Mr. O'Shanassy,
Mr. Brodribb,	Mr. Ramsay,	Mr. Cummins,	Mr. Richardson,
Mr. Brooke,	Mr. Riddell,	Mr. J. Davies,	Mr. Sinclair,
Mr. Gavan Duffy,	Mr. L. L. Smith,	Mr. Gray,	Mr. J. T. Smith,
Dr. Evans,	Mr. W. C. Smith,	Mr. Kyte,	Mr. Tucker.
Mr. Foott,	Mr. Sullivan,	Mr. Loader,	
Mr. Heales,	Mr. Weeks.	Dr. Macadam,	
Mr. Houston,		Mr. McLellan,	
Mr. Johnston,		Mr. Orkney,	
Mr. Lambert,		Mr. O'Connor,	
Mr. Levi,			
Mr. Nicholson,			
	<i>Tellers.</i>		<i>Tellers.</i>
	Mr. Anderson,		Mr. Cohen,
	Mr. O'Grady.		Mr. Bennett.

THURSDAY (MORNING), 5TH JUNE.

No. 3.—Clause XLII.

And for the purpose of conferring further powers upon the councils of the said city and town respectively for the establishment and maintenance of cattle markets Be it enacted that all the several powers duties and immunities vested in the council of the said town of Geelong for the establishment and maintenance of a cattle market therein under the provisions of an Act passed in the thirteenth year of the reign of Her Majesty Queen Victoria intituled "*An Act to incorporate the inhabitants of the Town of Geelong and to extend and apply thereto the laws now in force for the regulation of the Corporation of Melbourne*" be deemed to extend and shall be held and taken to apply to the piece or portion of land described and set forth in the schedule hereunto annexed marked B.

Motion made and question put—That this clause, as amended, stand part of the Bill.—*(Mr. Bennett.)*

Committee divided.

Ayes, 11.		Noes, 20.	
Mr. Berry,	Mr. J. T. Smith,	Mr. Cohen,	Mr. O'Shanassy,
Mr. J. Davies,	Mr. Tucker.	Mr. Cummins,	Mr. Ramsay,
Mr. Gray,		Mr. Gavan Duffy,	Mr. L. L. Smith,
Dr. Macadam,		Dr. Evans,	Mr. W. C. Smith,
Mr. McCann,		Mr. Foott,	Mr. Sullivan,
Mr. Nixon,		Mr. Johnston,	Mr. Weeks.
Mr. Sinclair,		Mr. Kyte,	
	<i>Tellers.</i>	Mr. Levey,	
	Mr. Bennett,	Mr. Levi,	
	Mr. Richardson.	Mr. McLellan,	
		Mr. Orkney,	
		Mr. O'Grady,	
			<i>Tellers.</i>
			Mr. O'Connor,
			Mr. Anderson.

THURSDAY, 5TH JUNE.

No. 4.—*Printing Act Amendment Bill.*

Motion made and question put—That the Chairman do now leave the Chair.—*(Mr. Loader.)*

Committee divided.

Ayes, 21.		Noes, 17.	
Mr. Bennett,	Mr. McDonald,	Mr. Berry,	Mr. Orr,
Mr. Brodribb,	Mr. Nicholson,	Mr. Brooke,	Dr. Owens,
Mr. Cohen,	Mr. Service,	Mr. J. Davies,	Mr. Pope,
Mr. Edwards,	Mr. A. J. Smith,	Mr. Gray,	Mr. Ramsay,
Dr. Evans,	Mr. J. T. Smith,	Mr. Houston,	Mr. L. L. Smith.
Mr. Francis,	Mr. Tucker,	Mr. Humffray,	
Mr. Haines,	Mr. Weeks.	Mr. Lambert,	
Dr. Hedley,		Mr. McLellan,	
Mr. Higinbotham,		Mr. Nixon,	
Mr. Kirk,		Mr. O'Grady,	
Mr. Levey,			
Mr. Levi,			
	<i>Tellers.</i>		<i>Tellers.</i>
	Mr. Anderson,		Dr. Macadam,
	Mr. Loader.		Mr. B. G. Davies.

## SATURDAY (MORNING), 7TH JUNE.

No. 5.—*Supply—Estimates for 1862.*

Question proposed—That a sum not exceeding £75,000 be granted to Her Majesty to defray the Grant in Aid of Charitable Institutions for the year 1862, as follows:—

On condition that a statement of transactions and account of receipts and expenditure of the year ending 31st December, 1861, has been deposited in the Treasury, according to the conditions of the Grant for that year, and that a similar account be furnished in the prescribed form to the Treasurer, for the year 1862, prior to the 31st January, 1863, and that a sum equal to one-third of the amount of the present Grant be raised by private contributions; and on further conditions that the Secretary, or some other officer of every such Institution, shall, before the last day of January in the year 1863, make a return, verified by his solemn declaration before a Justice of the Peace, to the Treasurer of the number of persons received into such Institution during the year preceding, the number of officials and servants, and the vital statistics of such Institution, together with such other and further information as the Governor in Council, by rules and regulations from time to time in that behalf made, may direct.

						Building.	Maintenance.
						£	£
Subdivisions—(Inalterable).							
No. 1.—Ararat Hospital	...	...	...	...	...	1,000	
No. 2.—Ballarat District Hospital	...	...	...	...	...	“4,000”	
No. 3.—Beechworth Hospital	...	...	...	...	...	3,000	
No. 4.—Belfast Hospital	...	...	...	...	...	600	
No. 5.—Castlemaine District Hospital	...	...	...	...	...	3,750	
No. 6.—Dunolly Hospital	...	...	...	...	...	1,200	
No. 7.—Heathcote Hospital	...	...	...	...	...	600	
No. 8.—Kilmore Hospital	...	...	...	...	...	600	
No. 9.—Kyneton Hospital	...	...	...	...	...	1,500	
No. 10.—Maryborough District Hospital	...	...	...	...	...	2,000	
No. 11.—Melbourne Hospital	...	...	...	...	...	13,000	
No. 12.—Melbourne Lying-in Hospital	...	...	...	...	...	2,000	
No. 13.—Pleasant Creek Hospital	...	...	...	...	500	1,000	
No. 14.—Portland Hospital	...	...	...	...	...	750	
No. 15.—Sandhurst Hospital	...	...	...	...	750	4,000	
No. 16.—Warrnambool Hospital	...	...	...	...	...	500	
No. 17.—Ballarat Benevolent Asylum	...	...	...	...	500	2,000	
No. 18.—Beechworth Benevolent Asylum	...	...	...	...	450		
No. 19.—Castlemaine Benevolent Asylum	...	...	...	...	...	1,000	
No. 20.—Melbourne Benevolent Asylum	...	...	...	...	...	10,000	
No. 21.—Sandhurst Benevolent Asylum	...	...	...	...	...	1,500	
No. 22.—Infirmery and Benevolent Asylum, Geelong	...	...	...	...	...	4,500	
No. 23.—Protestant Orphan Asylum, Melbourne	...	...	...	...	500	3,000	
No. 24.—Geelong Orphan Asylum	...	...	...	...	...	1,500	
No. 25.—Roman Catholic Orphanage, Geelong	...	...	...	...	500	1,000	
No. 26.—St. Vincent de Paul's Orphanage, Emerald Hill	...	...	...	...	750	1,750	
No. 27.—Amherst District Hospital	...	...	...	...	500	1,000	
No. 28.—Maldon Hospital	...	...	...	...	...	750	
No. 29.—Swan Hill District Hospital	...	...	...	...	...	300	
No. 30.—Creswick Hospital	...	...	...	...	750		
<i>Unconditionally so far as regards private contributions.</i>							
No. 31.—Immigrants' Aid Society	...	...	...	...	...	2,000	
						5,200	69,800

Motion made and question put—That the Chairman report progress and ask leave to sit again.—(Mr. Gillies.)

Committee divided.

## Ayes, 22.

Mr. Aspinall,	Mr. Orr,
Mr. Brooke,	Dr. Owens,
Mr. Cathie,	Mr. Pope,
Mr. B. G. Davies,	Mr. Ramsay,
Mr. Foott,	Mr. Weeks,
Mr. Frazer,	Mr. Woods,
Mr. Gillies,	Mr. Wright.
Dr. Girdlestone,	
Mr. Gray,	
Mr. Heales,	<i>Tellers.</i>
Dr. Macadam,	Mr. Denovan,
Mr. McCann,	Mr. Houston.
Mr. McLellan,	

## Noes, 25.

Mr. Anderson,	Mr. O'Shanassy,
Mr. Bennett,	Mr. Richardson,
Mr. Cummins,	Mr. Riddell,
Mr. Gavan Duffy,	Mr. Service,
Dr. Evans,	Mr. A. J. Smith,
Mr. Haines,	Mr. W. C. Smith,
Mr. Higinbotham,	Mr. Sullivan,
Mr. Hood,	Mr. Tucker,
Mr. Levi,	Mr. Wood.
Mr. McCulloch,	
Mr. McDonald,	<i>Tellers.</i>
Mr. Mollison,	
Mr. O'Connor,	Mr. Howard,
Mr. O'Grady,	Mr. Johnston.

## No. 6.

Motion made and question put—That the Chairman report progress and ask leave to sit again.—(*Mr. Frazer.*)

Committee divided.

Ayes, 22.		Noes, 25.	
Mr. Aspinall,	Mr. McLellan,	Mr. Bennett,	Mr. O'Shanassy,
Mr. Brooke,	Mr. O'Connor,	Mr. Cummins,	Mr. Ramsay,
Mr. Cathie,	Mr. Orr,	Mr. Denovan,	Mr. Richardson,
Mr. B. G. Davies,	Dr. Owens,	Mr. Gavan Duffy.	Mr. Riddell,
Mr. Frazer,	Mr. W. C. Smith,	Dr. Evans,	Mr. Service,
Mr. Gillies,	Mr. Weeks,	Mr. Foott,	Mr. A. J. Smith,
Dr. Girdlestone,	Mr. Wright.	Mr. Haines,	Mr. Sullivan,
Mr. Gray,		Mr. Higinbotham,	Mr. Tucker,
Mr. Heales,		Mr. Hood,	Mr. Wood.
Mr. Houston,		Mr. Howard,	
Dr. Macadam,	<i>Tellers.</i>	Mr. Levi,	<i>Tellers.</i>
Mr. McCann,	Mr. Woods,	Mr. McCulloch,	Mr. Anderson,
Mr. McDonald,	Mr. Pope.	Mr. Mollison,	Mr. Johnston.
		Mr. O'Grady,	

## No. 7.

Motion made and question put—That the following words and figures be added to the second item in the above resolution, viz.: "And in the opinion of this Committee this item should be increased by £2000."—(*Mr. Gillies.*)

Committee divided.

Ayes, 28.		Noes, 17.	
Mr. Cathie,	Mr. O'Connor,	Mr. Bennett,	Mr. Richardson,
Mr. Cummins,	Mr. Orr,	Mr. Gavan Duffy,	Mr. Riddell,
Mr. B. G. Davies,	Dr. Owens,	Dr. Evans,	Mr. A. J. Smith,
Mr. Denovan,	Mr. Pope,	Mr. Hood,	Mr. Tucker,
Mr. Foott,	Mr. Ramsay,	Mr. Howard,	Mr. Wood.
Mr. Frazer,	Mr. Service,	Mr. Levi,	
Mr. Gillies,	Mr. Sullivan,	Mr. McCulloch,	<i>Tellers.</i>
Dr. Girdlestone,	Mr. Weeks,	Mr. Mollison,	Mr. Johnston,
Mr. Gray,	Mr. Woods,	Mr. O'Grady,	Mr. Anderson.
Mr. Haines,	Mr. Wright.	Mr. O'Shanassy,	
Mr. Heales,			
Mr. Higinbotham,	<i>Tellers.</i>		
Dr. Macadam,	Mr. W. C. Smith,		
Mr. McCann,	Mr. Houston.		
Mr. McDonald,			
Mr. McLellan,			

VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 18.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

SESSION 1861-2.

TUESDAY, 10TH JUNE.

No. 1.—*Railway Loan Bill*—Clause I.

It shall be lawful to repair improve and put into good order that portion of the line of railway between Melbourne and Geelong lying between the point known as the Geelong Junction and the town of Geelong and also the branch railway from Geelong to the harbor and to make improvements at and additions to the station at Geelong and to make a railway jetty at Geelong and to construct other necessary works in connection with the said railway from Melbourne to "Geelong" and to make and maintain a deviation from the said line of railway between Melbourne and Geelong upon the lands described in the first schedule to this Act annexed and delineated in the plans deposited with the Clerk of the Legislative Council and with the Clerk of the Legislative Assembly and all proper works and conveniences in connection therewith and to make and maintain a junction line of railway between the railway from Melbourne to Geelong and the railway from Geelong to Ballarat upon the lands described in the second schedule to this Act annexed and delineated in the plans deposited with the Clerk of the Legislative Council and with the Clerk of the Legislative "Assembly" and all proper works and conveniences in connection therewith and to enter upon take and use all such land as shall be necessary for or in connection with any of the purposes hereinbefore mentioned.

Motion made—That all the words after the word "Geelong," in the sixth line of the above clause, down to the word "Assembly" inclusive, in the fourteenth line of the clause, be omitted.--(*Mr Brooke.*)

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

Committee divided.

Ayes, 29.

Mr. Anderson,	Capt. Mac Mahon,
Mr. Brodribb,	Mr. McDonald,
Mr. Cathie,	Mr. Mollison,
Mr. J. Davies,	Mr. Nicholson,
Mr. Denovan,	Mr. O'Connor,
Mr. Gavan Duffy,	Mr. O'Grady,
Dr. Evans,	Mr. Orr,
Mr. Frazer,	Mr. O'Shanassy,
Dr. Girdlestone,	Mr. J. T. Smith,
Mr. Haines,	Mr. Wood,
Mr. Hood,	Mr. Woods.
Mr. Humffray,	
Mr. Ireland,	<i>Tellers.</i>
Mr. Johnston,	Mr. W. C. Smith,
Mr. Kirk,	Mr. Gillies.
Mr. Kyte,	

Noes, 26.

Mr. Aspinall,	Dr. Owens,
Mr. Berry,	Mr. Pope,
Mr. Brooke,	Mr. Ramsay,
Mr. Cohen,	Mr. Richardson,
Mr. Cummins,	Mr. Service,
Mr. Foott,	Mr. Sinclair,
Mr. Grant,	Mr. A. J. Smith,
Mr. Gray,	Mr. Tucker,
Mr. Heales,	Mr. Wright.
Mr. Houston,	
Mr. Jones,	<i>Tellers.</i>
Mr. Lambert,	Mr. McCann,
Mr. Levi,	Mr. L. L. Smith.
Mr. McLellan,	
Mr. Nixon,	

WEDNESDAY, 11TH JUNE.

No. 2.—*Supply—Estimates for 1862.*

Motion made and question put—That a sum not exceeding £1000 be granted to Her Majesty to defray the salary of the Crown Solicitor for the year 1862.—(*Mr. Haines.*)

Committee divided.

Ayes, 27.

Mr. Anderson,	Mr. Mollison,
Mr. Bennett,	Mr. Nicholson,
Mr. Brodribb,	Mr. O'Connor,
Mr. Cummins,	Mr. O'Grady,
Mr. Gavan Duffy,	Mr. O'Shanassy,
Mr. Frazer,	Mr. Riddell,
Mr. Grant,	Mr. A. J. Smith,
Mr. Gray,	Mr. J. T. Smith,
Mr. Haines,	Mr. Tucker,
Mr. Hood,	Mr. Wood.
Mr. Howard,	
Mr. Ireland,	
Mr. Johnston,	
Mr. Levey,	
Mr. McDonald,	

*Tellers.*

Capt. Mac Mahon,  
Mr. W. C. Smith.

Noes, 27.

Mr. Berry,	Mr. Lambert,
Mr. Cohen,	Dr. Macadam,
Mr. J. Davies,	Mr. Nixon,
Mr. Denovan,	Mr. Orr,
Mr. Don,	Mr. Pope,
Mr. Foott,	Mr. Ramsay,
Mr. Francis,	Mr. Richardson,
Mr. Gillies,	Mr. Service,
Dr. Girdlestone,	Mr. Sullivan,
Mr. Heales,	Mr. Woods.
Mr. Higinbotham,	
Mr. Houston,	
Mr. Jones,	
Mr. Kirk,	
Mr. Kyte,	

*Tellers.*

Mr. McLellan,  
Mr. L. L. Smith.

The Tellers having declared the number for the ayes and the noes to be respectively twenty-seven, or equal, the Chairman gave his vote with the noes, and declared the question to have passed in the negative.

VICTORIA.

## LEGISLATIVE ASSEMBLY.

No. 19.

## WEEKLY REPORT OF DIVISIONS

IN

## COMMITTEE OF THE WHOLE ASSEMBLY.

EXTRACTED FROM THE MINUTES.

## SESSION 1861-2.

TUESDAY, 17<sup>TH</sup> JUNE.No. 1.—*Claims to Compensation.*

Question proposed—That an Address be presented to His Excellency the Governor, requesting him to place upon a Supplementary Estimate for 1862 a sum of £1360, as compensation to the following persons, viz. :—

	£	s.	d.
Mrs. Morphy	325	0	0
Mrs. Murray	325	0	0
Mrs. James	150	0	0
Mrs. R. Smith	150	0	0
Mrs. Dunstone	225	0	0
Mrs. Brown	125	0	0
Mrs. Gilman	60	0	0
	1360	0	0

Motion made and question put—That the following words and figures be added to the above resolution, viz., “Mr. Peck, £91 5s.”—(*Mr. Haines.*)  
Committee divided.

Ayes, 53.

Mr. Bennett,	Mr. Loader,
Mr. Brodribb,	Dr. Macadam,
Mr. Brooke,	Mr. McCulloch,
Mr. Cathie,	Capt. Mac Mahon,
Mr. Cohen,	Mr. McLellan,
Mr. Cummins,	Mr. Mollison,
Mr. B. G. Davies,	Mr. Nixon,
Mr. Denovan,	Mr. Orkney,
Mr. Don,	Mr. O'Connor,
Mr. Gavan Duffy,	Mr. O'Grady,
Mr. Edwards,	Mr. O'Shanassy,
Dr. Evans,	Dr. Owens,
Mr. Foott,	Mr. Pope,
Mr. Francis,	Mr. Ramsay,
Mr. Gillies,	Mr. Riddell,
Dr. Girdlestone,	Mr. Service,
Mr. Grant,	Mr. J. T. Smith,
Mr. Gray,	Mr. L. L. Smith,
Mr. Haines,	Mr. W. C. Smith,
Mr. Heales,	Mr. Sullivan,
Mr. Higinbotham,	Mr. Verdon,
Mr. Houston,	Mr. Weeks,
Mr. Howard,	Mr. Woods.
Mr. Humffray,	
Mr. Ireland,	
Mr. Johnston,	
Mr. Kyte,	
Mr. Levey,	

*Tellers.*Mr. Hood,  
Mr. Berry.

Noes, 4.

Mr. J. Davies,  
Mr. Lambert.*Tellers.*Mr. Richardson,  
Mr. Tucker.

No. 2.—*Goulburn and Yarra District—Survey and Formation of.*

Motion made and question put—That in the opinion of this Committee an Address be presented to His Excellency the Governor, praying His Excellency to cause the sum of £2000 to be placed upon a Supplementary Estimate for 1862, for the purposes of the survey and formation of public roads through the auriferous district—comprising some 5000 or 6000 square miles not yet surveyed—between the heads of the Goulburn, McAlister, and Yarra Rivers.—(*Dr. Owens.*)

Committee divided.

Ayes, 36.

Mr. Berry,	Mr. McDonald,
Mr. Brooke,	Mr. McLellan,
Mr. B. G. Davies,	Mr. Nixon,
Mr. J. Davies,	Mr. Orkney,
Mr. Denovan,	Mr. Ramsay,
Mr. Don,	Mr. Sinclair,
Mr. Edwards,	Mr. J. T. Smith,
Mr. Foott,	Mr. L. L. Smith,
Mr. Francis,	Mr. Snodgrass,
Dr. Girdlestone,	Mr. Sullivan,
Mr. Gray,	Mr. Tucker,
Mr. Heales,	Mr. Weeks,
Dr. Hedley,	Mr. Woods,
Mr. Houston,	Mr. Wright.
Mr. Humffray,	
Mr. Jones,	
Mr. Kyte,	<i>Tellers.</i>
Mr. Lambert,	
Mr. Levi,	Mr. Grant,
Dr. Macadam,	Dr. Owens.

Noes, 21.

Mr. Bennett,	Mr. O'Connor,
Mr. Cathie,	Mr. O'Grady,
Mr. Cohen,	Mr. O'Shanassy,
Mr. Cummins,	Mr. Riddell,
Mr. Gavan Duffy,	Mr. Service,
Dr. Evans,	Mr. W. C. Smith,
Mr. Haines,	Mr. Wood.
Mr. Johnston,	
Mr. Levey,	<i>Tellers.</i>
Mr. McCulloch,	
Mr. Mollison,	Mr. Hood,
Mr. Nicholson,	Mr. A. J. Smith.

