

VICTORIA



VOTES

AND

PROCEEDINGS

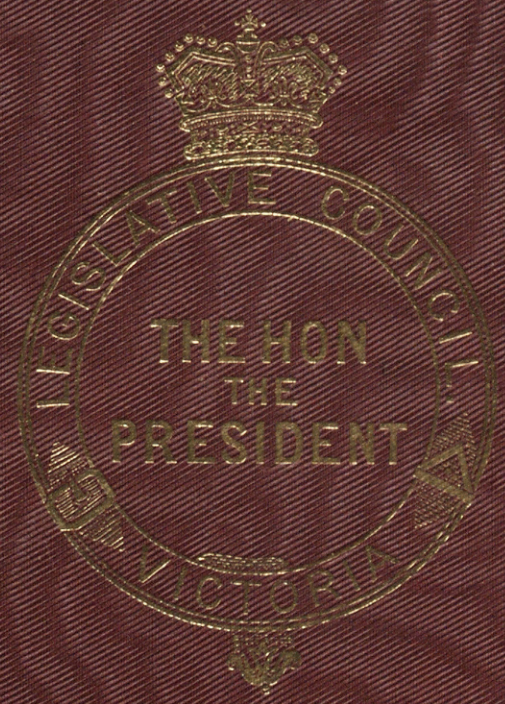
OF THE

LEGISLATIVE

COUNCIL.

SESSION.

1885.



VICTORIA.



VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

DURING THE SESSION

1885,

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

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By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.



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1885.

RETURN OF MEMBERS OF THE LEGISLATIVE COUNCIL AT THE OPENING OF PARLIAMENT, 17TH JUNE, 1885.

Names arranged in Order of Retirement.	Elected at—		Dates of Retirement.	Remarks.
	Nomination.	Polling.		
<b>MELBOURNE PROVINCE :</b>				
The Honorables—				
James Lorimer ... ..	17 Aug. 1880	...	1890	Assigned from original Central Province.
William Edward Hearn ... ..	...	27 Aug. 1878	1888	
Cornelius Job Ham ... ..	...	30 Nov. 1882	1886	
<b>NORTH YARRA PROVINCE :</b>				
The Honorables—				
James George Beaney ... ..	...	11 Sept. 1884	1890	Retired by rotation, and re-elected.
Francis Edis Beaver ... ..	...	30 Nov. 1882	1888	
George Meares, C.M.G. ... ..	...	30 Nov. 1882	1886	
<b>SOUTH YARRA PROVINCE :</b>				
The Honorables—				
Frederick Thomas Sargood ... ..	29 Aug. 1884	...	1890	Retired by rotation, and re-elected.
James Graham ... ..	15 Aug. 1876	...	1886	
James MacBain ... ..	17 Nov. 1882	...	1888	Retired by rotation, and re-elected.
<b>SOUTHERN PROVINCE :</b>				
The Honorables—				
Thomas Henty ... ..	...	11 Sept. 1884	1890	Elected in the room of the Hon. T. F. Hamilton, retired by rotation.
Sir William John Clarke, Bart. ... ..	17 Aug. 1878	...	1888	Assigned from original South Province.
Donald Melville ... ..	...	30 Nov. 1882	1886	
<b>SOUTH-EASTERN PROVINCE :</b>				
The Honorables—				
James Balfour ... ..	17 Aug. 1880	...	1890	Assigned from original South Province.
Frank Stanley Dobson ... ..	17 Nov. 1882	...	1888	
James Buchanan... ..	...	29 Aug. 1876	1886	Assigned from original South Province.
<b>NELSON PROVINCE :</b>				
The Honorables—				
Thomas Bromell ... ..	...	11 Sept. 1884	1890	Retired by rotation, and re-elected.
James Williamson ... ..	...	30 Nov. 1882	1888	
Holford Highlord Wettenhall ... ..	28 Dec. 1882	...	1886	Elected on the resignation and in the place of The Hon. Sir C. Sladen, assigned from original Western Province.
<b>WESTERN PROVINCE :</b>				
The Honorables—				
Thomas Forrest Cumming ... ..	...	2 May 1881	1890	Assigned from original Western Province.
William Ross ... ..	29 Aug. 1878	...	1888	
Nathan Thornley ... ..	17 Nov. 1882	...	1886	
<b>WELLINGTON PROVINCE :</b>				
The Honorables—				
Henry Cuthbert ... ..	...	11 Sept. 1884	1890	Retired by rotation, and re-elected.
James Campbell ... ..	22 April 1884	...	1888	
George Frederick Belcher... ..	...	4 Sept. 1876	1886	Elected in place of Hon. F. Ormond, assigned from original South-Western Province, and who retired by rotation from such Province; accepted an office of profit and re-elected.
<b>SOUTH-WESTERN PROVINCE :</b>				
The Honorables—				
Philip Russell ... ..	...	4 Sept. 1880	1890	Assigned from original South-Western Province.
Caleb Joshua Jenner ... ..	24 Aug. 1878	...	1888	
Francis Ormond ... ..	...	30 Nov. 1882	1886	

RETURN OF MEMBERS—*continued.*

Names arranged in Order of Retirement.	Elected at—		Dates of Retirement.	Remarks.
	Nomination.	Polling.		
<b>NORTH-EASTERN PROVINCE :</b>				
The Honorables—				
John Alston Wallace ... ..	29 Aug. 1884	...	1890	Retired by rotation, and re-elected.
Patrick Hanna ... ..	17 Nov. 1882	...	1888	
Frederick Brown ... ..	...	27 Nov. 1883	1886	
<b>GIPPSLAND PROVINCE :</b>				
The Honorables—				
William McCulloch ... ..	...	16 Sept. 1880	1890	Assigned from original Eastern Province.
John George Dougharty ... ..	...	7 Aug. 1880	1888	
William Pearson... ..	17 Nov. 1882	...	1886	
<b>NORTH-CENTRAL PROVINCE :</b>				
The Honorables—				
Nicholas Fitzgerald ... ..	29 Aug. 1884	...	1890	Retired by rotation, and re-elected.
William Austin Zeal ... ..	17 Nov. 1882	...	1888	
William Edward Stanbridge ... ..	...	15 Dec. 1881	1886	
<b>NORTHERN PROVINCE :</b>				
The Honorables—				
William Irving Winter ... ..	10 Dec. 1884	...	1890	Elected in room of Hon. Sir W. H. F. Mitchell, deceased.
Francis Robertson ... ..	...	16 Sept. 1878	1888	
David Chaplin Sterry ... ..	...	30 Nov. 1882	1886	
<b>NORTH-WESTERN PROVINCE :</b>				
The Honorables—				
George Young ... ..	29 Aug. 1884	...	1890	Retired by rotation, and re-elected.
James Bell ... ..	...	30 Nov. 1882	1888	
David Coutts ... ..	...	30 Nov. 1882	1886	

JOHN BARKER,  
Clerk of the Legislative Council.

Legislative Council,  
Melbourne, 17th June, 1885.







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PROGRESS.

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RECAPITULATION.

Summary table with columns: Bills initiated during the Session, Passed and assented to, Not returned from Legislative Assembly, Second reading negatived, Ordered to be read a second time, Not reported from Committee of the whole, Lapsed, Discharged, and a total count of 57.

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

WEDNESDAY, 17<sup>TH</sup> JUNE, 1885.

1. The Council met, pursuant to the Proclamation of His Excellency the Governor, bearing date the 13th day of May, 1885, which Proclamation was read by the Clerk, and is as follows:—

### PROCLAMATION

By His Excellency Sir HENRY BROUGHAM LOCH, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c, &c., &c.

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

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

(L.S.)

HENRY B. LOCH.

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

GOD SAVE THE QUEEN!

2. APPROACH OF THE GOVERNOR.—The approach of His Excellency the Governor was announced by the Acting Usher.

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

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

I have called you together for the purpose of obtaining your advice and assistance.

During the recess my Advisers have had imposed upon them the onerous duty of so hastening the completion of the defences as to ensure the safety of the Colony in the event of a hostile attack. It is with pleasure I acknowledge the prompt response made by all classes of the community to the proposals of my Government to increase the naval and military forces of the country.

The Enabling Bill, for the constitution of an Australasian Federal Council, has now reached such a stage in the Imperial Parliament as to lead to the expectation that during the present session my Advisers will be able to submit to you a measure for the purpose of giving effect to its provisions.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

The Estimates which will be submitted to you have been framed with the utmost economy which the provisions of the law and the requirements of the public service will permit.

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

A valuable Report, involving a large amount of technical and professional research, has been received from the Royal Commission on Titles, and a measure based upon it will be submitted to you.

The comprehensive investigation undertaken by the Lunacy Commission has delayed its final Report, but enough has already been disclosed to justify the expectation of practical suggestions for the better care and management of the insane.

A Royal Commission to examine exhaustively the question of the conservation and distribution of water throughout the arid districts of the Colony has been appointed, and on receipt of its Report my Advisers will be prepared to deal promptly with its recommendations.

At the invitation of the Government of Tasmania, two members of my Government visited that colony with the view of arranging a treaty for the free interchange of the products and manufactures of the two colonies. This, I am happy to say, was successfully accomplished, and the details of the proposed arrangement will be submitted for your consideration.

An Amending Licensing Bill, to more effectually regulate the sale of liquors and to reduce the number of licensed houses, has been prepared, and will be laid before you at an early period of the session.

Your attention will likewise be invited to a measure for the sanitary and general regulation of Factories and Shops.

A Bill to consolidate and amend the law relating to shipping, whereby the duties hitherto appertaining to the Pilot and Steam Navigation Boards will be combined, has been prepared for your consideration.

It is nearly nine years since the Electoral Act, providing for the present representation of the people in the Legislative Assembly, was passed. Several of the electoral districts then created have since so increased in population as to entitle them to additional representation in Parliament. My Advisers will therefore submit for your consideration a measure on this subject.

You will also be invited to deal with a Bill to consolidate and amend the laws relating to Justices of the Peace and Courts of General and Petty Sessions, whereby it is proposed to make provision for the simplification of the forms of procedure and for the extension of the jurisdiction of justices.

Bills will also be introduced making better provision for the administration of justice in the Supreme Court, and dealing with a variety of other matters of great general importance.

I congratulate you on the flourishing condition of the country, and earnestly trust that your deliberations will, by the blessing of Divine Providence, tend to the further prosperity and happiness of the people.

Which being concluded, a copy of the Speech was delivered to the President, and a copy to Mr. Speaker, and the Legislative Assembly withdrew.

His Excellency the Governor left the Council Chamber.

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

4. DECLARATIONS OF MEMBERS.—The Honorables the President, J. Balfour, F. E. Beaver, James Bell, T. Bromell, F. Brown, J. Buchanan, J. Campbell, Sir W. J. Clarke, Bart., D. Coutts, T. F. Cumming, H. Cuthbert, F. S. Dobson, J. G. Dougharty, N. Fitzgerald, J. Graham, C. J. Ham, P. Hanna, W. E. Hearn, T. Henty, C. J. Jenner, J. Lorimer, W. McCulloch, G. Meares, D. Melville, F. Robertson, P. Russell, F. T. Sargood, W. E. Stanbridge, D. C. Sterry, N. Thornley, J. A. Wallace, H. H. Wettenhall, W. I. Winter, G. Young, and W. A. Zeal severally delivered to the Clerk the declaration required by the thirteenth clause of the Act 45 Victoria, No. 702, as hereunder set forth:—

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

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

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

“JAS. MACBAIN.”

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

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

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

“JAMES BALFOUR.”



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

"About thirty acres of land, situated in High-street, in the borough of Northcote, with house and out-building, in my own occupation.

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

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

"F. E. BEAVER."

"In compliance with the provisions of the Act 45 Victoria, No. 702, I, JAMES BELL, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and twenty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Dunolly, and are known as my private residence, being allotments 4, 5, 6, 7, and 9 of section 26, town of Dunolly.

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

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

"JAMES BELL."

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

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

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

"THOS. BROMELL."

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

"Shrublands—Allotments 2, 3, and 4 of section A, with dwelling-house and out-houses, occupied by me; also allotment 8 of section P 1, 17 of section 4, and part of allotment 3 of section B, all in the town and parish of Beechworth.

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

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

"FRED<sup>K</sup>. BROWN."

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

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

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

"JAMES BUCHANAN."

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

"Tenements in Hopkins-street, Footscray (North Ward).

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

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

"JAMES CAMPBELL."

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

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

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

"W. J. CLARKE."

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

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

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

"DAVID COUTTS."

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

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

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

"THOS. F. CUMMING."

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

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

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

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

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

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

"HENRY CUTHBERT."

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

"House, No. 44 Darling-street, South Yarra, in my own occupation; and land in Denham-street, Hawthorn, unoccupied; also land in Yarra-street, Hawthorn, unoccupied.

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

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

"F. STANLEY DOBSON."

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

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

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

"JOHN G. DOUGHARTY."

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

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

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

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

"N. FITZGERALD."

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

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

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

"JAS. GRAHAM."

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

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

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

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

"C. J. HAM."

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

"121, 123, 125, half acre, corner of William and Latrobe streets; also, the Alliance Engineering Shops; also, the Royal Mint Foundry, Little Lonsdale street; and freehold property in the Shire of Wyndham, Ballerine.

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

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

"PATRICK HANNA."

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

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

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

"W. E. HEARN."

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

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

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

"THOMAS HENTY."

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

"No. 1. Crown allotment 11, section 49, North Melbourne, county of Bourke.

"No. 2. Portion of allotment No. 8, section 33, city and parish of Melbourne, parish of North Melbourne, county of Bourke.

"No. 3. Part of allotment 18, section 31, city and parish of Melbourne, county of Bourke.

"No. 4. Part of Crown allotment 3, section 20, Melbourne East, county of Bourke.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Melbourne are rated in the rate-book of such district upon a yearly value of £412.

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

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

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

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

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

"C. J. JENNER."

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

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

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

“JAMES LORIMER.”

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

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

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

“W. McCULLOCH.”

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

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

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

“GEO. MEARES.”

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

“My residence, with twenty acres land situate in Albion-street, West Brunswick; house situated in Hope-street, Brunswick; two hundred and six acres land situated in the shire of Pyalong.

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

Residence, with twenty acres land, situate in Albion-street, West Brunswick	...	£130
House situate in Hope-street, Brunswick	... ..	35
Two hundred and six acres land, situate in shire of Pyalong	... ..	28
In all One hundred and ninety-three pounds per annum.		

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

“D. MELVILLE.”  
15th June '85.

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

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

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

"FRANCIS ROBERTSON."

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

"Forty-six acres of land with dwelling-house thereon, known as Rippon Lea.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Caulfield are rated in the rate-book of such district as follows :—

No. 832, rate	...	...	...	...	£8 8 9	—	£2,700 0 0
No. 833, „	...	...	...	...	62 10 0	—	20,000 0 0
No. 834, „	...	...	...	...	0 18 9	—	300 0 0

£71 17 6

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

"F. T. SARGOOD."

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

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

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

"PHILIP RUSSELL."

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

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

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

"W. E. STANBRIDGE."

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

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

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

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

"D. C. STERRY."

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

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

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

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

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

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

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

"N. THORNLEY."

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

"No. 1. Lands and tenements situated at Wooragee, in the united shire of Beechworth, county of Bogong, area, 666a.

"No. 2. Lands and tenements situate near Bethanga, parish of Berringa, electoral district of Benambra, shire of Towong, area, 639 acres.

"No. 3. Land and tenement, the Bay View Hotel, situate Beach-street, Port Melbourne.

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

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

"JOHN A. WALLACE."

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

"Karra Karra Freehold Estate.

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

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

"HOLFORD H. WETTENHALL."

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

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Goulburn shire are rated in the rate-book of such district upon a yearly value of over Sixteen hundred pounds.

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

"WM. IRVING WINTER."

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

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

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

"GEO. YOUNG."

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

"Parts of Crown portions 17 and 18, parish of Prahran, county of Bourke; and Crown allotment No. 4, section I, and Crown allotment section L, South Melbourne, county of Bourke.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of such district upon a yearly value of £304; and that such of the said lands or tenements as are situate in the municipal district of South Melbourne are rated in the rate-book of such district upon a yearly value of £354.

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

"W. A. ZEAL."

5. **STANDING ORDERS COMMITTEE.**—The Honorable F. T. Sargood moved, by leave of the Council, That the Honorables the President, Dr. Dobson, W. E. Hearn, C. J. Jenner, J. Lorimer, and the Mover be appointed a Select Committee on the Standing Orders of the House.

Question—put and resolved in the affirmative.

6. **PRINTING COMMITTEE.**—The Honorable J. Campbell moved, by leave of the Council, That the Honorables G. Young, T. F. Cumming, F. E. Beaver, W. McCulloch, and J. Bell be appointed a Printing Committee.

Question—put and resolved in the affirmative.

7. **PARLIAMENT BUILDINGS COMMITTEE (JOINT).**—The Honorable F. T. Sargood moved, by leave of the Council, That the Honorables the President, J. Balfour, W. Ross, N. Thornley, and C. J. Ham be members of the Joint Committee of both Houses to manage and superintend the Parliament Buildings.

Question—put and resolved in the affirmative.

8. **REFRESHMENT ROOMS COMMITTEE (JOINT).**—The Honorable N. Thornley moved, by leave of the Council, That the Honorables W. Pearson, J. Buchanan, W. E. Stanbridge, D. C. Sterry, and W. I. Winter be members of the Joint Committee of both Houses to manage the Refreshment Rooms.

Question—put and resolved in the affirmative.

9. **LIBRARY COMMITTEE (JOINT).**—The Honorable N. Thornley moved, by leave of the Council, That the Honorables the President, D. Melville, J. Graham, H. Cuthbert, and W. E. Hearn be members of the Joint Committee of both Houses to manage the Library.

Question—put and resolved in the affirmative.

10. **DAYS OF BUSINESS.**—The Honorable J. Campbell moved, by leave of the Council, That Tuesday, Wednesday, and Thursday in each week be the days on which the Council shall meet for despatch of business during the present session, and that half-past four o'clock be the hour of meeting on each day; and that on Tuesday and Thursday in each week the transaction of Government Business shall take precedence of all other business.

Question—put and resolved in the affirmative.

11. **PAPERS.**—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—  
Import, Export, &c., Returns.—A General Summary of the Import, Export, Transhipment, and Shipping Returns, with an abstract of the Customs Revenue, for the Year 1884.

Post Office Savings Bank.—Statement of Accounts of the Post Office Savings Bank in Victoria, for the Year ended 31st December, 1884.

Royal Commission on Water Supply—First Progress Report.

Severally ordered to lie on the Table.

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

Public Service Act 1883.—Regulations under Section 77 of the Act made by the Public Service Board and approved by the Governor in Council.

Melbourne Harbour Trust—The Accounts of—

For the Quarter ended 30th June, 1884.

For the Quarter ended 30th September, 1884.

For the Quarter ended 31st December, 1884.

Public Accounts—General Regulations respecting—in substitution of Regulations Nos. 17 and 21 respectively, for No. 26.

Public Accounts—General Regulations respecting—in substitution of Regulation No. 26.

Mining on Private Property Act 1884—Regulations.

Mining on Private Property Act 1884—Regulations.

Explosives—Report of the Inspector of—On the Working of "*The Explosives Act 1877*" during the year 1884.

The Discipline Act 1870.—Victorian Naval Reserve—Rules and Regulations.

Severally ordered to lie on the Table.



12. **ELECTRIC LIGHTING BILL.**—The Honorable F. T. Sargood moved, That he have leave to bring in a Bill to make better provision for Electric Lighting.  
 Question—put and resolved in the affirmative.  
 Ordered—That the Honorable F. T. Sargood do prepare and bring in the Bill.  
 The Honorable F. T. Sargood then brought up a Bill intituled “*A Bill to make better provision for Electric Lighting*”—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, 30th June instant.
13. **SPEECH OF HIS EXCELLENCY THE GOVERNOR.**—The President reported the Speech of His Excellency the Governor.  
 The Honorable W. I. Winter moved, That a Committee be appointed to prepare an Address to His Excellency the Governor in reply to His Excellency’s opening Speech.  
 Question—put and resolved in the affirmative.  
 The Honorable W. I. Winter moved, That the Committee consist of the Honorables J. Lorimer, W. E. Hearn, F. Brown, F. E. Beaver, D. Melville, J. Balfour, J. Campbell, T. Henty, and the Mover; and that His Excellency the Governor’s Speech be referred to the said Committee.  
 Question—put and resolved in the affirmative.  
 The Committee retired to prepare the Address.  
 The Honorable W. I. Winter brought up the Address prepared by the Committee, which was read at the Table by the Clerk, and is as follows:—

*To His Excellency Sir Henry Brougham Loch, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.*

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

We thank Your Excellency for calling us together for the purpose of obtaining our advice and assistance.

We learn with satisfaction that during the recess Your Excellency’s Advisers have undertaken the onerous duty of so hastening the completion of the defences as to ensure the safety of the Colony in the event of a hostile attack. We concur with Your Excellency’s expression of pleasure in acknowledging the prompt response made by all classes of the community to the proposals of Your Government to increase the naval and military forces of the country.

We thank Your Excellency for informing us that the Enabling Bill, for the constitution of an Australasian Federal Council, has now reached such a stage in the Imperial Parliament as to lead to the expectation that, during the present session, Your Excellency’s Advisers will be able to submit, for our consideration, a measure for the purpose of giving effect to its provisions.

It affords us gratification to hear from Your Excellency that a valuable Report, involving a large amount of technical and professional research, has been received from the Royal Commission on Titles, and that a measure based upon it will be submitted to us for consideration.

We are also gratified to learn that although the comprehensive investigation undertaken by the Lunacy Commission has delayed its final report, enough has already been disclosed to justify the expectation of practical suggestions for the better care and management of the insane.

We thank Your Excellency for informing us that a Royal Commission to examine exhaustively the question of the conservation and distribution of water throughout the arid districts of the colony has been appointed, and that on receipt of its Report Your Excellency’s Advisers will be prepared to deal promptly with its recommendations.

It affords us satisfaction to learn that, at the invitation of the Government of Tasmania, two of Your Excellency’s Advisers visited that colony with the view of arranging a treaty for the free interchange of the products and manufactures of the two colonies. We are gratified to hear that the object of the visit was successfully accomplished, and that the details of the proposed arrangement will be submitted for our consideration.

We thank Your Excellency for informing us that an Amending Licensing Bill, to more effectually regulate the sale of liquors and to reduce the number of licensed houses, has been prepared and will be laid before us at an early period of the session.

We are pleased to learn that our attention will likewise be invited to a measure for the sanitary and general regulation of Factories and Shops.

We notice with satisfaction that a Bill to consolidate and amend the law relating to shipping, whereby the duties hitherto appertaining to the Pilot and Steam Navigation Boards will be combined, has been prepared for our consideration.

We are gratified to hear that, having in view that it is nearly nine years since the Electoral Act, providing for the present representation of the people in the Legislative Assembly, was passed, and that several of the electoral districts then created have since so increased in population as to entitle them to additional representation in Parliament, Your Excellency’s Advisers will submit for our consideration a measure on this subject.

We thank Your Excellency for informing us that we shall also be invited to deal with a Bill to consolidate and amend the laws relating to Justices of the Peace and Courts of General and Petty Sessions, whereby it is proposed to make provision for the simplification of the forms of procedure and for the extension of the jurisdiction of justices.

We note with satisfaction that Bills will also be introduced making better provision for the administration of justice in the Supreme Court, and dealing with a variety of other matters of great general importance.

We reciprocate your Excellency’s congratulations on the flourishing condition of the country, and earnestly trust that our deliberations will, by the blessing of Divine Providence, tend to the further prosperity and happiness of the people.

The Honorable W. I. Winter moved, That the Address be now adopted.  
 Debate ensued.

Question—put and resolved in the affirmative.

The Honorable W. I. Winter moved, That the Address be presented to His Excellency the Governor by the President and such Members as may desire to accompany him, at such time as His Excellency may be pleased to receive the Address.

Question—put and resolved in the affirmative.

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

Question—put and resolved in the affirmative.

15. ADJOURNMENT.—The Honorable F. T. Sargood moved, That the Council at its rising adjourn until Tuesday, 30th June instant.

Question—put and resolved in the affirmative.

The Council adjourned at eighteen minutes to five o'clock until Tuesday, 30th inst., at half-past four o'clock.

JOHN BARKER,  
*Clerk of the Legislative Council.*

## VICTORIA.

No. 2.

Minutes of the Proceedings  
OF THE  
LEGISLATIVE COUNCIL.

TUESDAY, 30<sup>TH</sup> JUNE, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. CLERK OF THE COUNCIL—ABSENCE OF.—The Honorable F. T. Sargood, with leave of the Council, moved without notice, That the Clerk-Assistant do perform the duties of the Clerk of the Council during his absence, and do take the Chair at the Table.  
Question—put and resolved in the affirmative.
5. DECLARATIONS OF MEMBERS.—The Honorables W. Pearson, Wm. Ross, and James Williamson, severally delivered to the Clerk the declaration required by the Thirteenth Clause of the Act 45 Victoria, No. 702, as hereunder set forth :—

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

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

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

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

“WM. PEARSON.”

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

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

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

“WM. ROSS.”

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

“‘Tintern,’ Toorak.

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

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

“JAS. WILLIAMSON.”

His × Mark.

NOTE.—The Hon. James Williamson, having met with an accident to his right hand, was compelled to affix his mark.

6. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—  
 Asylums for the Insane and Inebriate—Second Progress Report of Royal Commission.  
 Statistical Register of Victoria for the Year 1884.—Part I.—Blue Book.  
 Lands Titles and Surveys.—Report of the Royal Commission appointed to enquire into the working of the Transfer of Land Statute, &c.  
 Land Acts—Report of proceedings taken under the various—during 1884.  
 Gold Fields of Victoria.—Reports of Mining Registrars for the quarter ending 31st March, 1885.  
 Land Act 1884—Regulations—Order in Council, 17th March, 1885.  
 Land Act 1869—Regulation—Form of Grants.—Order in Council, 13th December, 1884.  
 Land Act 1864—Regulations—Water-right Licenses.—Order in Council, 17th March, 1885.  
 Land Act 1864—Regulations rescinded.—Order in Council, 19th May, 1885.  
 Land Act 1864—Regulations—Form of Lease under section 91.—Order in Council, 28th April, 1885.  
 Water Supply—Royal Commission—First Progress Report—Irrigation in Western America, so far as it has relation to the circumstances of Victoria.—A Memorandum for the Members of the Royal Commission, by the Honorable A. Deakin, M.P.

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

- Gold Mining Leases on Reserved Lands—Regulations.  
 Education Act 1872—Regulations.  
 University of Melbourne.—Report of proceedings from 1st November, 1883, to 3rd November, 1884.  
 Industrial and Reformatory Schools.—Report of the Secretary for the year 1883.  
 Friendly Societies—Sixth Annual Report of the proceedings of the Government Statist in connection with.—Report for the year 1883, &c.  
 The Trade Marks Registration Act 1876—General Rules.  
 The Patents Statute 1865 and The Patents Act 1884—Rules and Regulations.  
 Supreme Court—Regulæ Generales.  
 Loddon United Waterworks Trust.—Detailed Statement and Report.  
 Swan Hill Shire Waterworks Trust.—Detailed Statement *re* application of the Swan Hill Shire Waterworks Trust for an additional Loan of £56,625.  
 Wimmera United Waterworks Trust—Additional Loan of £67,000.—Detailed Statement and Report, as required by section 92, Act No. 778.  
 Maryborough Waterworks Trust.—Detailed Statement required by section 92, Act 778, *re* application of the Maryborough Waterworks Trust for an additional Loan of £12,000.

7. ADJOURNMENT.—The Honorable F. T. Sargood moved, That the Council at its rising adjourn until Tuesday, 7th July next.  
 Question—put and resolved in the affirmative.

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

CHARLES L. COMYNS,  
*Clerk Assistant Legislative Council.*

## VICTORIA.

No. 3.

*Minutes of the Proceedings*  
OF THE  
**LEGISLATIVE COUNCIL.**

TUESDAY, 7<sup>TH</sup> JULY, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. **PRESENTATION OF ADDRESS TO HIS EXCELLENCY THE GOVERNOR.**—The President announced to the Council that the Address of the Council to His Excellency the Governor, adopted on the 17th day of June last, had been presented in accordance with the resolution of the Council, and that His Excellency had been pleased to make thereto the following reply :—  

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL—

I thank you for this Address, and receive with pleasure the renewed expressions of loyalty and attachment to Her Majesty's Throne and Person.

I rely on your desire to promote the general prosperity of the colony, and look forward with confidence to the result of your deliberations.

HENRY B. LOCH.

Government Offices,  
Melbourne, 7th July, 1885.
5. **PETITIONS.**—The following Petitions, praying that the Council would grant a continuation of the grocers' license, were presented by the Honorable N. Thornley, as under—  

From certain ratepayers and residents of Branxholme and district.  
From certain residents and ratepayers of Condah and district.

Severally ordered to lie on the Table.
6. **PAPER.**—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—  

Central Board of Health—Report of the Board.

Ordered to lie on the Table.
7. **LEAVE OF ABSENCE—THE HONORABLE J. G. BEANEY.**—The Honorable F. E. Beaver moved, pursuant to *amended* notice, That leave of absence during the remainder of the Session be granted to the Honorable J. G. Beaney, M.D., on account of ill health.  

Question—put and resolved in the affirmative.
8. **LEAVE OF ABSENCE—THE HONORABLE F. ORMOND.**—The Honorable T. F. Cumming moved, pursuant to *amended* notice, That leave of absence during the remainder of the Session be granted to the Honorable F. Ormond, he having been recommended to travel for the benefit of his health.  

Question—put and resolved in the affirmative.
9. **LEAVE OF ABSENCE—THE HONORABLE G. F. BELCHER.**—The Honorable J. Campbell moved, pursuant to *amended* notice, That leave of absence be granted during the remainder of the Session to the Honorable G. F. Belcher, now travelling for the benefit of his health.  

Question—put and resolved in the affirmative.
10. **EXPLOSIVES BILL.**—The Honorable F. T. Sargood moved, by leave of the Council, That he have leave to bring in a Bill to consolidate and amend the Law with respect to importing, manufacturing, carrying, storing, and selling gunpowder and other explosive substances.  

Question—put and resolved in the affirmative.  
Ordered—That the Honorable F. T. Sargood do prepare and bring in the Bill.  
The Honorable F. T. Sargood then brought up a Bill, intituled "*A Bill to consolidate and amend the Law with respect to importing, manufacturing, carrying, storing, and selling Gunpowder and other explosive substances,*" 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, 14th July instant.
11. **LEAVE OF ABSENCE—THE HONORABLE N. FITZGERALD.**—The Honorable W. A. Zeal moved, by leave of the Council, That leave of absence for the remainder of the Session be granted to the Honorable N. Fitzgerald, on account of urgent private business.  

Question—put and resolved in the affirmative.

12. TRANSFER OF LAND STATUTE AMENDMENT BILL.—The Honorable N. Thornley moved, by leave of the Council, That he have leave to bring in a Bill to alter and amend "*The Transfer of Land Statute.*"  
 Question—put and resolved in the affirmative.  
 Ordered—That the Honorable N. Thornley do prepare and bring in the Bill.  
 The Honorable N. Thornley then brought up a Bill intituled "*A Bill to alter and amend 'The Transfer of Land Statute,'*" 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, 14th July instant.
13. JUSTICES OF THE PEACE LAW CONSOLIDATION BILL.—The Honorable J. Campbell moved, by leave of the Council, That he have leave to bring in a Bill to consolidate and amend the Law relating to Justices of the Peace and Courts of General and Petty Sessions.  
 Question—put and resolved in the affirmative.  
 Ordered—That the Honorable J. Campbell do prepare and bring in the Bill.  
 The Honorable J. Campbell then brought up a Bill intituled "*A Bill to consolidate and amend the Law relating to Justices of the Peace and Courts of General and Petty Sessions,*" 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, 21st July instant.
14. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable F. T. Sargood, the following Order of the Day was read and discharged :—  
*Electric Lighting Bill—To be read a second time.*
15. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council at its rising adjourn until Tuesday, 14th July instant.  
 Question—put and resolved in the affirmative.

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

JOHN BARKER,  
*Clerk of the Legislative Council.*

## VICTORIA.

No. 4.

## Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 14TH JULY, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The President laid upon the Table the following Warrant appointing the Committee of Elections and Qualifications:—  
VICTORIA.  
Pursuant to the provisions of an Act of the Legislative Council of Victoria, passed in the nineteenth year of Her present Majesty's reign, intituled "*An Act to provide for the election of Members to serve in the Legislative Council and Legislative Assembly of Victoria respectively,*"  
I do hereby appoint—  
The Honorable James Balfour,  
The Honorable James Campbell,  
The Honorable Thomas Forrest Cumming,  
The Honorable Cornelius Job Ham,  
The Honorable George Meares, C.M.G.,  
The Honorable James Lorimer,  
and  
The Honorable William Austin Zeal,  
to be Members of a Committee to be called "The Committee of Elections and Qualifications."  
Given under my hand this fourteenth day of July, One thousand eight hundred and eighty-five.  
JAS. MACBAIN,  
President of the Legislative Council.
5. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—  
Royal Commission on Water Supply—Further Progress Report.  
Ordered to lie on the Table.  
The Honorable James Campbell, presented by command of His Excellency the Governor—  
Post Office Savings Bank.—Statement of Accounts of the Post Office Savings Bank in Victoria for the year ended 31st December, 1884.  
Ordered to lie on the Table.
6. BILLS OF LADING LAW AMENDMENT BILL.—The Honorable F. T. Sargood moved, by leave, That he have leave to bring in a Bill to amend the law relating to Bills of Lading.  
Question—put and resolved in the affirmative.  
Ordered—That the Honorable F. T. Sargood do prepare and bring in the Bill.  
The Honorable F. T. Sargood then brought up a Bill intituled "*A Bill to amend the Law relating to Bills of Lading,*" 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, 21st July instant.
7. OATHS OF JUSTICES BILL.—The Honorable F. T. Sargood moved, by leave, That he have leave to bring in a Bill to render it unnecessary for Justices heretofore appointed to again take the Oaths required by Law.  
Question—put and resolved in the affirmative.  
Ordered—That the Honorable F. T. Sargood do prepare and bring in the Bill.  
The Honorable F. T. Sargood then brought up a Bill intituled "*A Bill to render it unnecessary for Justices heretofore appointed to again take the Oaths required by Law,*" and moved, That it be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time this day.

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

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

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

Question—put and resolved in the affirmative.

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

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

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

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

The Honorable F. T. Sargood moved, That the following be the title of the Bill:—“*An Act to render it unnecessary for Justices heretofore appointed to again take the Oaths required by Law.*”

Question—put and resolved in the affirmative.

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

8. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 21st July instant:—

*Explosives Bill.—To be read a second time.*

*Transfer of Land Statute Amendment Bill.—To be read a second time.*

9. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council at its rising adjourn until Tuesday, 21st July instant.

Question—put and resolved in the affirmative.

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

JOHN BARKER,  
*Clerk of the Legislative Council.*



## VICTORIA.

No. 5.

## Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 21ST JULY, 1885.

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

HENRY B. LOCH,  
Governor.

Message .

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

*“An Act to render it unnecessary for Justices heretofore appointed to again take the Oaths required by Law.”*

Government House,  
Melbourne, 15th July, 1885.

Ordered to lie on the Table.

6. PAPER.—The Honorable F. T. Sargood presented, pursuant to Act of Parliament—  
The Railway Loan Act 1876, No. 531.—An Estimate of the Expenditure which the Board of Land and Works proposes to incur during the year ending 30th June, 1886, under Act No. 531, Second Schedule.  
Ordered to lie on the Table.

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

Debate ensued.

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

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

Question—put and resolved in the affirmative.

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

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

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to render it unnecessary for Justices heretofore appointed to again take the Oaths required by Law,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same without amendment.

PETER LALOR,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 14th July, 1885.

9. EXPLOSIVES BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.  
 Debate ensued.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.  
 Question—put and resolved in the affirmative.  
 And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
 The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.  
 Resolved—That the Council will, on Tuesday, 28th July instant, again resolve itself into the said Committee.
10. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 4th August next :—  
*Justices of the Peace Law Consolidation Bill.—To be read a second time.*  
*Transfer of Land Statute Amendment Bill.—To be read a second time.*
11. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council at its rising adjourn until Thursday, 23rd July instant.  
 Question—put and resolved in the affirmative.
- The Council adjourned at fourteen minutes to six o'clock until Thursday next, at half-past four o'clock.

JOHN BARKER,  
*Clerk of the Legislative Council.*

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

THURSDAY, 23RD JULY, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair:
3. The President read the prayer.
4. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The President's Warrant appointing the Committee of Elections and Qualifications was again laid upon the Table by the President.
5. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—  
The Tender Board—Answer of the Board to certain statements contained in Report of Royal Commission on Asylums for the Insane.  
Penal Establishments and Gaols—Report of the Inspector-General for the Year 1884.  
Severally ordered to lie on the Table.  
The Honorable F. T. Sargood presented, pursuant to Act of Parliament—  
Public Library, Museums, and National Gallery of Victoria—Report of the Trustees, with the Reports of the Sectional Committees for 1884, and a Statement of Income and Expenditure for the Financial Year 1883-4.  
Ordered to lie on the Table.
6. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—  
MR. PRESIDENT—  
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to make Provision for the Protection from Fire of Public Buildings in Melbourne,*" with which they desire the concurrence of the Legislative Council.  
PETER LALOR,  
Legislative Assembly Chamber,  
Melbourne, 23rd July, 1885. Speaker.
7. PUBLIC BUILDINGS FIRE PROTECTION BILL.—The Honorable J. Campbell moved, That the Bill transmitted by the above Message, intituled "*An Act to make Provision for the Protection from Fire of Public Buildings in Melbourne,*" be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday, 28th July instant.
8. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—  
MR. PRESIDENT—  
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to make provision for the appointment of an Acting Judge of the Supreme Court and for other purposes,*" with which they desire the concurrence of the Legislative Council.  
PETER LALOR,  
Legislative Assembly Chamber,  
Melbourne, 23rd July, 1885. Speaker.
9. ACTING JUDGE OF SUPREME COURT BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled "*An Act to make provision for the appointment of an Acting Judge of the Supreme Court and for other purposes,*" be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday, 28th July instant.
10. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—  
MR. PRESIDENT—  
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of One million six hundred and twenty-four thousand pounds to the service of the year One thousand eight hundred and eighty-five and six,*" with which they desire the concurrence of the Legislative Council.  
PETER LALOR,  
Legislative Assembly Chamber,  
Melbourne, 23rd July, 1885. Speaker.

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

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

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

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

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

Question—put and resolved in the affirmative.

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

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

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

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

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

Question—put and resolved in the affirmative.

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

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

JOHN BARKER,  
*Clerk of the Legislative Council.*

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 28<sup>TH</sup> JULY, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. **PETITION.**—The Honorable James Lorimer presented a Petition from certain Members of the Bar Committee and Council of the Law Institute of Victoria, praying that this House would reject the third and fourth clauses of the Bill to make provision for the appointment of an Acting Judge of the Supreme Court, and for other purposes.  
Petition read and ordered to lie on the Table.
5. **BILLS OF LADING LAW AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.  
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.  
Resolved—That the Council will, on Tuesday, 4th August next, again resolve itself into the said Committee.
6. **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.**—The following Message from His Excellency the Governor was presented by the Honorable F. T. Sargood, and the same was read and is as follows:—  
**HENRY B. LOCH,**  
*Governor.* *Message.*  
The Governor informs the Legislative Council that he has, this day, at the Government House, given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz. :—  
“*An Act to apply out of the Consolidated Revenue the sum of One million six hundred and twenty-four thousand pounds to the service of the year One thousand eight hundred and eighty-five and six.*”  
Ordered to lie on the Table.
7. **EXPLOSIVES BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.  
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.  
Resolved—That the Council will, on Tuesday, 4th August next, again resolve itself into the said Committee.
8. **PUBLIC BUILDINGS FIRE PROTECTION BILL.**—The Honorable James Campbell moved, That this Bill be now read a second time.  
Question—put and resolved in the affirmative.—Bill read a second time.  
The Honorable James Campbell moved, That this Bill be now committed to a Committee of the whole Council.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable James Campbell, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same with amendments, and with an amended title, the Council ordered the same to be taken into consideration Tuesday, 4th August next; Bill as amended to be printed.

9. **ACTING JUDGE OF SUPREME COURT BILL.**—The Honorable James Campbell moved, That this Bill be now read a second time.  
 Debate ensued.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 The Honorable James Campbell moved, That this Bill be now committed to a Committee of the whole Council.  
 Question—put and resolved in the affirmative.  
 And, on the further motion of the Honorable James Campbell, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
 The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.  
 Resolved—That the Council will, on Tuesday, 4th August next, again resolve itself into the said Committee.
10. **ADJOURNMENT.**—The Honorable F. T. Sargood moved, That the Council at its rising adjourn until Tuesday, 4th August next.  
 Question—put and resolved in the affirmative.
- The Council adjourned at twenty-six minutes to ten o'clock until Tuesday next, at half-past four o'clock.

JOHN BARKER,  
*Clerk of the Legislative Council.*

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 4TH AUGUST, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—  
Statistical Register of the Colony of Victoria, for the year 1884.—Part II.—Population.  
Land Act 1884—Regulation.—Order in Council.—Form of Grant.  
Severally ordered to lie on the Table.  
The Honorable James Campbell presented, by command of His Excellency the Governor—  
Telegraphic Messages.—Order in Council.—Reduced Rates chargeable on Telegraphic  
Messages.  
Ordered to lie on the Table.
5. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable N. Thornley, the following  
Order of the Day was read and discharged :—  
*Transfer of Land Statute Amendment Bill—To be read a second time.*  
Ordered—That the said Bill be withdrawn.
6. TRANSFER OF LAND STATUTE AMENDMENT BILL (2).—The Order of leave for the introduction of a  
Bill to alter and amend the "*Transfer of Land Statute*" having been read—The Honorable N.  
Thornley brought up a Bill intituled a Bill to alter and amend the "*Transfer of Land Statute*," and  
moved, That it be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read  
a second time on Tuesday, 11th August instant.
7. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following  
Orders of the Day be postponed as under :—  
*Justices of the Peace Law Consolidation Bill.—To be read a second time, until Tuesday, 18th  
August instant ;*  
*Bills of Lading Law Amendment Bill.—To be further considered in Committee,*  
*Explosives Bill.—To be further considered in Committee, until after the consideration of the  
6th Order for to-day.*
8. PUBLIC BUILDINGS FIRE PROTECTION BILL.—On the motion of the Honorable J. Campbell, the Council  
adopted the Report from the Committee of the whole on this Bill.  
The President having reported that the Chairman of Committees had certified that the fair print of  
this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable  
J. Campbell, read a third time and *passed*.  
The Honorable J. Campbell moved, That the following be the title of the Bill :—"*An Act to make  
provision for the Protection from Fire of certain Public Buildings in Melbourne.*"  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them  
that the Legislative Council have agreed to the same with amendments and with an amended title,  
and requesting their concurrence therein.
9. ACTING JUDGE OF SUPREME COURT BILL.—The Order of the Day for the further consideration of  
this Bill in Committee of the whole Council having been read, the President left the Chair, and  
the Council resolved itself into a Committee of the whole for the further consideration thereof.  
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had  
gone through the Bill and agreed to the same without amendment.  
On the motion of the Honorable J. Campbell, the Council adopted the Report from the Committee of  
the whole on this Bill.

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

The Honorable J. Campbell moved, That the following be the title of the Bill :—“*An Act to make provision for the appointment of an Acting Judge of the Supreme Court, and for other purposes.*”

Question—put and resolved in the affirmative.

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

10. PETITION.—The Honorable W. E. Hearn presented a Petition from the Honorable J. Balfour, styling himself President, and B. Cowderoy, styling himself Secretary, of the Melbourne Chamber of Commerce, praying that the Bills of Lading Bill might be passed by this House with such amendments as suggested in the Petition.

Petition received and ordered to be referred to the Committee of the whole on the Bills of Lading Law Amendment Bill.

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

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

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

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

The President resumed the Chair ; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same with amendments, the Council ordered the same to be taken into consideration Tuesday, 11th August instant ; Bill as amended to be printed.

13. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 11th August instant.

Question—put and resolved in the affirmative.

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

JOHN BARKER,

*Clerk of the Legislative Council.*



# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 11<sup>TH</sup> AUGUST, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—  
New Guinea—Further Correspondence.  
Mr. John Carnegie's application and declaration relating to land at Fish Creek—Report of the Board appointed to enquire into the circumstances connected with Mr. John Carnegie's application and declaration relating to land at Fish Creek; together with minutes of evidence, &c.  
Severally ordered to lie on the Table.  
The Honorable F. T. Sargood presented, pursuant to Act of Parliament—  
Victorian Military Forces—Regulations under the Discipline Acts.  
Victorian Military Forces—Regulations for Rifle Clubs.  
Victorian Military Forces—Regulations for Mounted Rifles.  
Victorian Military Forces—Regulations.  
The Gold Fields of Victoria—Reports of the Mining Registrars for the quarter ended 30th June, 1885.  
Severally ordered to lie on the Table.
5. TRANSFER OF LAND STATUTE AMENDMENT BILL (2).—The Honorable N. Thornley moved, That this Bill be now read a second time.  
The Honorable W. E. Hearn moved, That the debate be now adjourned.  
Debate ensued.  
Question—That the debate be now adjourned until Tuesday, 18th August instant—put and resolved in the affirmative.
6. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—  
MR. PRESIDENT—  
The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to make provision for the Protection from Fire of certain Public Buildings in Melbourne,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.  
PETER LALOR,  
Speaker.  
Legislative Assembly Chamber,  
Melbourne, 11th August, 1885.
7. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable F. T. Sargood, and the same was read and is as follows :—  
HENRY B. LOCH,  
Governor. *Message.*  
The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz. :—  
"*An Act to make provision for the appointment of an Acting Judge of the Supreme Court and for other purposes.*"  
Government Offices,  
Melbourne, 10 August, 1885.  
Ordered to lie on the Table.

8. **BILLS OF LADING LAW AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof. The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Council ordered the same to be taken into consideration Tuesday, 18th August instant; Bill as amended to be printed.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending amendments in the Bill intituled "*An Act to make provision for the Protection from Fire of certain Public Buildings in Melbourne,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

PETER LALOR,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 11th August, 1885.

And the said Message from His Excellency the Governor was read and is as follows:—

HENRY B. LOCH,  
Governor.

Message No. .

Pursuant to the provisions of section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly for their consideration the following amendment, which he desires to be made in the Bill intituled "*An Act to make provision for the Protection from Fire of certain Public Buildings in Melbourne.*"

In clause 4, omit the words "to nine, both inclusive," and insert in lieu thereof the words "and eight."

In clause 8, omit the words "the Board of Land and Works," and substitute the words "Her Majesty the Queen."

Government Offices,  
August 11th, 1885.

On the motion of the Honorable J. Campbell, the Council agreed to the several amendments recommended by His Excellency the Governor, and ordered that a Message be transmitted to the Legislative Assembly acquainting them therewith.

10. **DISCHARGE OF ORDER OF THE DAY.**—On the motion of the Honorable F. T. Sargood, the following Order of the Day was read and discharged:—  
*Explosives Bill—Adoption of Report.*

11. **EXPLOSIVES BILL.**—The Honorable F. T. Sargood moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration of clauses 9, 12, 14, 21, 36, 42, new clause A, and the first schedule.

Question—put and resolved in the affirmative.

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

The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with further amendments, the Council ordered the same to be taken into consideration Tuesday, 18th August instant—Bill as further amended to be printed.

12. **ADJOURNMENT.**—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 18th August instant.

Question—put and resolved in the affirmative.

The Council adjourned at twenty-three minutes to seven o'clock until Tuesday, 18th August instant, at half-past four o'clock.

JOHN BARKER,  
Clerk of the Legislative Council.

## VICTORIA.

No. 10.

## Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 18TH AUGUST, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—German Interests in the South Sea.—Abstracts of White Books presented to the Reichstag, December, 1884, and February, 1885.  
Statistical Register of the colony of Victoria, for the year 1884.—Part III.—Finance, &c.  
Post Office and Telegraph Department—Report upon the affairs of—for the year 1884.  
Severally ordered to lie on the Table.  
The Honorable F. T. Sargood presented, pursuant to Act of Parliament—Land Act 1884—Regulations as to License Liens.  
Friendly Societies—Report of the Registrar of—for the year ending 31st December, 1884.  
Severally ordered to lie on the Table.
5. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed as under :—  
*Justices of the Peace Law Consolidation Bill.*—To be read a second time, until Tuesday, 25th August instant ;  
*Transfer of Land Statute Amendment Bill (2).*—Adjourned debate on second reading, until after the consideration of the 3rd Order for to-day ;  
*Explosives Bill*—Adoption of Report, until Tuesday, 25th August instant.
6. BILLS OF LADING LAW AMENDMENT BILL.—On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.  
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.  
The Honorable F. T. Sargood moved, That the following be the title of the Bill :—“ *An Act to amend the Law relating to Bills of Lading.*”  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.
7. TRANSFER OF LAND STATUTE AMENDMENT BILL (2).—The Order of the Day for the resumption of the debate on the question—That this Bill be now read a second time, having been read—Debate resumed.  
Question—That this Bill be now read a second time—put and resolved in the affirmative.  
The Honorable N. Thornley moved, That this Bill be now committed to a Committee of the whole Council.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable N. Thornley, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.  
Resolved—That the Council will, on Tuesday, 25th August instant, again resolve itself into the said Committee.
8. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 25th August instant.  
Question—put and resolved in the affirmative.  
The Council adjourned at nineteen minutes to nine o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,  
Clerk of the Legislative Council.



VICTORIA.

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No. 11.

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

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TUESDAY, 25<sup>TH</sup> AUGUST, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed as under :—  
*Justices of the Peace Law Consolidation Bill.—To be read a second time ;*  
*Explosives Bill.—Adoption of Report, until Tuesday, 1st September next.*
5. TRANSFER OF LAND STATUTE AMENDMENT BILL (2).—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.  
 The President resumed the Chair ; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.  
 Resolved—That the Council will, on Tuesday, 1st September next, again resolve itself into the said Committee.
6. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 8th September next.  
 Question—put and resolved in the affirmative.

The Council adjourned at seven minutes to ten o'clock until Tuesday, 8th September next, at half-past four o'clock.

JOHN BARKER,  
*Clerk of the Legislative Council.*



# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 8<sup>TH</sup> SEPTEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—
  - Land Act 1884—Regulations.
  - New Guinea.—Imperial and Colonial contributions to expense of Government.
  - Melbourne Mint.—Despatch dated 30th May, 1885, from the Secretary of State for the Colonies, enclosing Report of the Deputy-Master of the Royal Mint, London, on the weight and fineness of gold coins struck at the Melbourne branch of the Royal Mint.
  - Royal Commission on Water Supply.—Further Progress Report, with appendices thereto, Extracts from Minutes of Committee; together with Minutes of Evidence, &c.—(August 31st, 1885.)

Severally ordered to lie on the Table.

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

  - Lunatic Asylums.—Return of the Inspector of Lunatic Asylums of the number of patients visited and the number of miles travelled by him during the six months ended 30th June, 1885.
  - The Discipline Act 1870.—Additional Regulations—Victorian Military Forces.
  - The Discipline Act 1870.—Additional Regulations—Rifle Clubs.

Severally ordered to lie on the Table.

The Honorable Jas. Campbell presented, by command of His Excellency the Governor—

  - Re-direction of Telegrams within Victoria.

Ordered to lie on the Table.
5. DECLARATION OF MEMBER.—The Honorable G. F. Belcher delivered to the Clerk the declaration required by the thirteenth clause of the Act 45 Victoria, No. 702, as hereunder set forth :—
  - “In compliance with the provisions of the Act 45 Victoria, No. 702, I, GEORGE FREDERICK BELCHER, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of the town of Geelong, and are known as :—
  - “Nos. on roll, 161 to 167 inclusive, amount of rating £680 per annum.—Moorabool and Ryrie streets, Villamanta Ward.
  - “And I further declare that such of the said lands or tenements as are situate in the municipal district of the town of Geelong are rated in the rate-book of such district upon a yearly value of Six hundred and eighty pounds.
  - “And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“G. F. BELCHER.”
6. TOLLS.—The Honorable F. E. Beaver moved, pursuant to notice, That, in the opinion of this House, it is expedient that the necessary steps be taken by the Government to make provision for reimbursing the municipalities of the colony for the loss of revenue in consequence of the abolition of tolls.
 

Debate ensued.

Question—put and resolved in the affirmative.

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

MR. PRESIDENT—

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

Legislative Assembly Chamber,  
Melbourne, 8th September, 1885.

PETER LALOR,  
Speaker.

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

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time, Tuesday, 22nd September instant.

9. TRANSFER OF LAND STATUTE AMENDMENT BILL (2).—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

Resolved—That the Council will, on Tuesday, 22nd September instant, again resolve itself into the said Committee.

10. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 22nd September instant :—

*Explosives Bill.—Adoption of Report.*

*Justices of the Peace Law Consolidation Bill.—To be read a second time.*

11. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 22nd September instant.

Question—put and resolved in the affirmative.

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

JOHN BARKER,  
*Clerk of the Legislative Council.*



# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 22<sup>ND</sup> SEPTEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. CLERK OF THE COUNCIL—ABSENCE OF.—The Honorable F. T. Sargood, with leave of the Council, moved, without notice, That the Clerk Assistant do perform the duties of the Clerk of the Council during his absence, and do take the Chair at the Table.  
Question—put and resolved in the affirmative.
5. PAPER.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—Agriculture—Report of the Secretary of the Department of—for the year 1884.
6. PETITIONS.—The following Petitions, praying that the Council would reject "*The Legal Profession Practice Bill*" now before the Legislative Council, were presented by the Honorable J. Lorimer as under :—  
From certain barristers-at-law practising in the Supreme Court of the Colony of Victoria.  
From certain attorneys and solicitors of the Supreme Court.  
Severally ordered to lie on the Table.
7. SENTENCES IN CRIMINAL TRIALS BILL.—The Honorable W. E. Hearn, with leave of the Council, moved, That he have leave to bring in a Bill to regulate the awarding of Sentences in Criminal Trials.  
Question—put and resolved in the affirmative.  
The Honorable W. E. Hearn then brought up a Bill intituled "*A Bill to regulate the awarding of Sentences in Criminal Trials*," 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 October next.
8. TRANSFER OF LAND STATUTE AMENDMENT BILL (2.)—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read,  
The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.  
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same with amendments and with an amended title.  
The Honorable N. Thornley moved, That the Bill be now re-committed for the re-consideration of clauses 10, 22, 23, 43, 51, and 70.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable N. Thornley, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of the above clauses of this Bill.  
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with further amendments, the Council ordered the same to be taken into consideration Tuesday, 29th September instant; Bill as amended to be printed.
9. STATE FORESTS IN VICTORIA.—The Honorable W. Ross, in accordance with notice, moved, That a Return be laid on the Table of the Council, stating the area in square miles under State Forests in Victoria, the number of men employed in looking after them, the nature of their duties, and whether they have had any special training in the subject of Forestry; further, whether any attempt is being made to introduce and plant in suitable localities in our forests the useful trees of other countries.  
Question—put and resolved in the affirmative.
10. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed as under :—  
*Explosives Bill.*—Adoption of Report, until Tuesday, 29th September instant;  
*Justices of the Peace Law Consolidation Bill.*—To be read a second time, until Tuesday, 29th September instant;  
*Legal Profession Practice Bill.*—To be read a second time, until Tuesday, 6th October next.

11. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 29th September instant.

Question—put and resolved in the affirmative.

The Council adjourned at thirteen minutes to seven o'clock until Tuesday, 29th September instant, at half-past four o'clock.

CHARLES L. COMYNS,  
*Clerk Assistant of the Legislative Council.*

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 29TH SEPTEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, pursuant to Act of Parliament—  
Education Act 1872.—Regulations.  
Yan Yean Water Supply.—Cash Statement from 1st July, 1884, to 30th June, 1885, and Balance-sheet.
5. PETITION.—A Petition, praying the Council would reject "*The Legal Profession Practice Bill*" now before the Legislative Council, was presented by the Honorable W. E. Hearn—  
From the Chancellor of the University of Melbourne.  
Petition read, and ordered to lie on the Table.
6. VISITOR.—The Honorable F. T. Sargood moved, by leave, That a chair be provided on the floor of the Chamber for Mr. Peddie, a Member of the British House of Commons.  
Question—put and resolved in the affirmative.
7. TRANSFER OF LAND STATUTE AMENDMENT BILL (2).—On the motion of the Honorable N. Thornley, the Council adopted the Report from the Committee of the whole on this Bill, and ordered the Bill to be read a third time on Tuesday, 6th October.
8. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable F. T. Sargood, the following Order of the Day was read and discharged :—  
*Explosives Bill—Adoption of Report.*
9. EXPLOSIVES BILL.—The Honorable F. T. Sargood moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration of sub-section (b) of clause 3 and new clause C.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of the above clauses of this Bill.  
The President resumed the Chair ; and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with further amendments.  
The Honorable F. T. Sargood moved, That the Bill be again re-committed to a Committee of the whole Council, for the purpose of leaving out sub-section (2) of clause 5, clause 17, and the Second Schedule.  
Debate ensued.  
The Honorable C. J. Ham moved, That the debate be now adjourned.  
Question—That the debate be now adjourned until Tuesday, 6th October next—put and resolved in the affirmative.
10. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—  
MR. PRESIDENT—  
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to legalise the Eight Hours System,*" with which they desire the concurrence of the Legislative Council.  
PETER LALOR,  
Speaker.  
Legislative Assembly Chamber,  
Melbourne, 29th September, 1885.
11. EIGHT HOURS LEGALISATION BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message intituled "*An Act to legalise the Eight Hours System,*" be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday, 13th October next.

12. JUSTICES OF THE PEACE LAW CONSOLIDATION BILL.—The Honorable J. Campbell moved, That this Bill be now read a second time.  
 Debate ensued.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 The Honorable J. Campbell moved, That this Bill be now committed to a Committee of the whole Council.  
 Question—put and resolved in the affirmative.  
 And, on the further motion of the Honorable J. Campbell, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
 The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.  
 Resolved—That the Council will, on Tuesday, 6th October next, again resolve itself into the said Committee.
13. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 6th October next.  
 Question—put and resolved in the affirmative.
- The Council adjourned at five minutes past six o'clock until Tuesday, 6th October next, at half-past four o'clock.

CHARLES L. COMYNS,  
*Clerk Assistant of the Legislative Council.*

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 6TH OCTOBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—
 

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

  - Land Act 1884—Regulations—Grazing Licenses, Ballarat and Creswick.—Order in Council.
  - Land Act 1884—Regulations—Fee to be paid for License.—Order in Council.
  - Land Act 1884—Regulations—Mode of applying for License.—Order in Council.

Severally ordered to lie on the Table.

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

  - The Discipline Act 1870—Regulations for Rifle Clubs.
  - The Discipline Act 1870—Regulations for Victorian Naval Brigade.
  - Echuca (Borough) Water Trust—Detailed Statement *re* Application of Borough Echuca Water Trust for a further additional Loan of £3000.

Severally ordered to lie on the Table.
5. DISCIPLINE ACT AMENDMENT BILL.—The Honorable F. T. Sargood moved, by leave of the Council, That he have leave to bring in a Bill to provide for the Enrolment, Organization, Regulation, and Discipline of the Naval and Military Forces in the service of Her Majesty's Government in Victoria, and to make better provision for the Defence of the Colony of Victoria.
 

Question—put and resolved in the affirmative.

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

The Honorable F. T. Sargood then brought up a Bill intituled "*A Bill to provide for the Enrolment, Organization, Regulation, and Discipline of the Naval and Military Forces in the Service of Her Majesty's Government in Victoria, and to make better provision for the Defence 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 Tuesday, 20th October instant.
6. TRANSFER OF LAND STATUTE AMENDMENT BILL (2).—The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable N. Thornley, read a third time, and *passed*.
 

The Honorable N. Thornley moved, That the following be the title of the Bill:—" *An Act to alter and amend the Transfer of Land Statute and for other purposes.*"

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Assembly, with a Message desiring their concurrence therewith.
7. EXPLOSIVES BILL.—The Order of the Day for the resumption of the debate on the question, That the Bill be re-committed for the purpose of leaving out sub-section (2) of clause 5, clause 17, and the Second Schedule, having been read,
 

Debate resumed.

The Honorable the President read to the Council the following Ruling on the question of the propriety of striking out the above parts of the Bill :—

The subject raised by the honorable and learned Dr. Hearn in opposing the striking out of the Explosives Act the clauses which impose a rent is of so much importance that I have no hesitation in recommending that the whole matter should be remitted to the Standing Orders Committee for their consideration and report.

If afterwards Honorable Members are of opinion that the practice hitherto adopted in regard to such Bills should be altered, or that the practice is an infringement of the rights and privileges of the Legislative Council, immediate steps should be taken in the usual way with the view of bringing about a conference of both Houses for the consideration of the whole subject, and at such a time when both branches of the Legislature are working in harmony with each other.

I admit at once that it appears somewhat absurd that the Legislative Council, composed as it is of 42 elective Members, having for its constituency a very large majority of the ratepayers, and also possessing large and important legislative powers, should be debarred from inserting in an ordinary Bill a clause or clauses imposing a rent or charges, the same only being incidental to the object of the Bill.

The question, however, on which I am asked to give my ruling, is not the desirableness of changing the existing practice, but whether the course proposed by the Government, and objected to by the Honorable Dr. Hearn, is an infringement of the rights and privileges of the Legislative Council, or is the proposal in accordance with the practice hitherto adopted and consistent with the law of Parliament.

With the aids at my disposal, and after giving the subject my most careful attention, I am compelled to the conclusion that the proposal made by the Honorable the Minister in charge of the Bill to strike out the rent clauses, or parts of same referred to, before the Bill is sent to the Legislative Assembly, is the right course to pursue, being in accordance not only with our previous practice, but also with that of the Imperial Parliament, and consistent with the 56th and 57th clauses of the Constitution Act.

I deem it unnecessary to occupy the time of honorable Members by furnishing the examples of our previous practice, but would here direct attention to the circumstance that the Assembly cannot insert in a Bill any clause for imposing a charge upon the people until it has been considered in a Committee of the whole, and agreed to by the House. This is when the imposition is merely one incidental to the general object of the Bill. When, however, the Bill is for the purpose of imposing taxation, resolutions on which to found the Bill must precede its introduction.

Up to the present time no rules of procedure have been provided by the Council similar to those I have just mentioned as govern the procedure of the Assembly.

Again, under the Constitution Act, it was intended to confer upon Victoria a Constitution as closely identical with that of the mother country, as could be defined by Legislative enactment. Clause 34, of the Act, declares that until Standing Orders be adopted by the two Houses, the rules and practice of the Imperial Parliament should be followed. Now, although the Lords have never formally surrendered their right to alter money bills, in practice they abstain from doing it. And at a Conference of Members, of both branches of our Legislature, in 1867, an agreement was arrived at, and subsequently adopted by both Houses, though not adopted as a Standing Order, that the practice of the Lords and Commons respectively be observed as to Bills required by the 56th clause of the Constitution Act to originate in the Assembly, and as to all subjects of aid and supply, and that each House should be guided in all matters and forms relating thereto by the precedents established by the House of Lords and by the House of Commons respectively.

Clauses 56 and 57 of the Constitution Act may, for the purpose of this case, and in my opinion ought to be considered as one enactment, clause 57 being regarded in the light of a proviso to 56. Then it will be seen that, under clause 57, so far as appropriation of the Consolidated Revenue is concerned, the Assembly has, after being duly authorized by Message from His Excellency the Governor, power not only to originate Bills for that purpose, but also to originate resolutions or votes. This latter power can only apply to cases where clauses of appropriation are necessary for carrying out provisions in Bills not originated for the sole purpose of appropriation.

The reference in clause 56 to Bills of appropriation, and those for imposing a rate, rent, return, &c., forming one sentence, a similar construction must be placed on the meaning of Bills for imposing, &c., viz., that a Bill by which a rent is incidentally imposed is included in the expression, Bills for imposing, &c.

If this view be not correct, it is not difficult to conceive the possibility of a Bill being introduced into the Council which would, in some of its clauses not specifically referred to in its title, materially alter some of our existing laws, and impose heavy burdens of taxation upon the people.

My ruling is, therefore, in favor of the course proposed by the Minister in charge of the Bill. Honorable Members are, however, aware that my ruling can be disagreed with; and, if the subject is considered of such importance, the same can be remitted to the Standing Orders Committee for consideration and report.

The Honorable W. E. Hearn moved, That the question involved in the President's ruling, and that ruling, be referred to the Standing Orders Committee for their consideration and report, and that the debate be further adjourned.

Question—put and resolved in the affirmative.

8. LEGAL PROFESSION PRACTICE BILL.—The Honorable F. E. Beaver moved, That this Bill be now read a second time.

The Honorable W. E. Hearn moved, as an amendment, That the word "now" be omitted, and that the words "this day six months" be added after the word "time."

Debate ensued.

Question—That the word “now” proposed to be omitted stand part of the question—put.  
Council divided.

Ayes, 14.  
The Hon. J. Balfour  
J. Bell  
T. Bromell  
J. Buchanan  
J. Campbell  
D. Coutts  
C. J. Ham  
C. J. Jenner  
W. McCulloch  
F. Robertson  
W. Ross  
F. T. Sargood  
D. C. Sterry  
F. E. Beaver (*Teller*).

Noes, 16.  
The Hon. G. F. Belcher  
F. Brown  
Sir W. J. Clarke, Bart.  
J. G. Dougharty  
J. Graham  
P. Hanna  
W. E. Hearn, LL.D.  
T. Henty  
J. Lorimer  
G. Meares, C.M.G.  
D. Melville  
P. Russell  
J. Williamson  
W. I. Winter  
W. A. Zeal  
H. Cuthbert (*Teller*).

And so it passed in the negative.

Question—That the words “this day six months” be added after the word “time”—put and resolved in the affirmative.

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

9. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 20th October instant:—

*Justices of the Peace Law Consolidation Bill.—To be further considered in Committee.*  
*Sentences in Criminal Trials Bill.—To be read a second time.*

10. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 13th October instant.

Question—put and resolved in the affirmative.

The Council adjourned at half-past six o'clock until Tuesday, 13th October instant, at half-past four o'clock.

CHARLES L. COMYNS,  
*Clerk Assistant of the Legislative Council.*





## VICTORIA.

No. 16.

## Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 13TH OCTOBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—Federal Council of Australasia Act 1885.—Despatch from the Right Honorable the Secretary of State for the Colonies, to His Excellency the Governor, with reference to the Federal Council of Australasia Act 1885.  
Statistical Register of the Colony of Victoria for the year 1884.—Part IV.—Vital Statistics, &c. Severally ordered to lie on the Table.
5. CHARITABLE INSTITUTIONS ACT FURTHER AMENDMENT BILL.—The Honorable F. T. Sargood moved, by leave, That he have leave to bring in a Bill to further amend "*An Act intituled 'An Act for 'Hospitals and Charitable Institutions.'*"  
Question—put and resolved in the affirmative.  
Ordered—That the Honorable F. T. Sargood do prepare and bring in the Bill.  
The Honorable F. T. Sargood then brought up a Bill intituled "*A Bill to further amend An Act 'intituled 'An Act for Hospitals and Charitable Institutions,'*" and moved, That it be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 20th October instant.
6. PREFERENTIAL PAYMENT OF WAGES BILL.—The Honorable J. Campbell moved, by leave, That he have leave to bring in a Bill to make provision for the Preferential Payment on the Winding-up of any Company of One Month's Wages to persons employed by it.  
Question—put and resolved in the affirmative.  
Ordered—That the Honorable J. Campbell do prepare and bring in the Bill.  
The Honorable J. Campbell then brought up a Bill intituled "*A Bill to make provision for the 'Preferential Payment on the Winding-up of any Company of One Month's Wages to persons 'employed by it,'*" 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, 20th October instant.
7. STANDING ORDERS COMMITTEE.—The Honorable F. T. Sargood moved, by leave, That for the consideration of the ruling of the Honorable the President, on the question raised by the Honorable W. E. Hearn respecting the Explosives Bill, permission be granted to the Standing Orders Committee to meet on days on which the Council does not sit.  
Question—put and resolved in the affirmative.
8. EIGHT HOURS LEGALISATION BILL.—The Honorable D. Melville moved, That this Bill be now read a second time.  
Debate ensued.  
Question—put and negatived.
9. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Thursday next.  
Debate ensued.  
Question—put and resolved in the affirmative.

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

JOHN BARKER,  
Clerk of the Legislative Council.



# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

THURSDAY, 15<sup>TH</sup> OCTOBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—  
Land Act 1884—Regulation.—Order in Council.  
Ordered to lie on the Table.  
The Honorable F. T. Sargood presented, pursuant to Act of Parliament—  
Victorian Railways.—Report of the Victorian Railways Commissioners for the six months ending 30th June, 1884, and the year ending 30th, June, 1885.  
Ordered to lie on the Table.
5. PETITION.—The Honorable W. A. Zeal presented a Petition from certain members and adherents of the Presbyterian Church at Daylesford, praying the Council to pass the Licensing Act Amendment Bill with such amendments in favor of local option as to the Council might seem fit.  
Ordered to lie on the Table.
6. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—  
MR. PRESIDENT—  
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the Laws relating to the Licensing of Public Houses and the Sale of Fermented and Spirituous Liquors,*" with which they desire the concurrence of the Legislative Council.  
PETER LALOR,  
Legislative Assembly Chamber, Speaker.  
Melbourne, 15th October, 1885.
7. LICENSING OF PUBLIC HOUSES BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled "*An Act to amend the Laws relating to the Licensing of Public Houses and the Sale of Fermented and Spirituous Liquors,*" be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time, and ordered to be printed.  
The Honorable F. T. Sargood moved, That the Bill be read a second time on Tuesday, 20th October instant.  
Debate ensued.  
Question—put and resolved in the affirmative.
8. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—  
MR. PRESIDENT—  
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to confer powers upon the Union Trustees, Executors, and Administrators Company Limited,*" with which they desire the concurrence of the Legislative Council.  
PETER LALOR,  
Legislative Assembly Chamber, Speaker.  
Melbourne, 15th October, 1885.
9. UNION TRUSTEES, EXECUTORS, AND ADMINISTRATORS BILL.—The Honorable F. E. Beaver moved, by leave, That a Message be sent to the Legislative Assembly asking them to communicate the report and proceedings of the Select Committee of that House to which the Union Trustees, Executors, and Administrators Bill was referred.  
Question—put and resolved in the affirmative.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to confer powers upon the Australian Executors and Trustees Association Limited*," with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 15th October, 1885.

PETER LALOR,  
Speaker.

11. AUSTRALIAN EXECUTORS AND TRUSTEES ASSOCIATION BILL.—The Honorable W. A. Zeal moved, by leave, That a Message be sent to the Legislative Assembly requesting them to forward the Report and Proceedings of the Committee of that House, to which the Australian Executors and Trustees Association Bill was referred.

Question—put and resolved in the affirmative.

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

MR. PRESIDENT—

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

Legislative Assembly Chamber,  
Melbourne, 15th October, 1885.

PETER LALOR,  
Speaker.

13. MELBOURNE TRAMWAYS TRUST AMENDMENT BILL.—The Honorable W. E. Hearn moved, That the Bill transmitted by the above Message, intituled "*An Act to further facilitate the Borrowing of Money by the Melbourne Tramways Trust for the Construction of Tramways*," be now read a first time.

Question—put and resolved in the affirmative—Bill read a first time, ordered to be read a second time Tuesday, 20th October instant.

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

JOHN BARKER,  
Clerk of the Legislative Council.

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 20<sup>TH</sup> OCTOBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, pursuant to Act of Parliament—  
 Exhibition Trustees—Report of the Proceedings of the—for the year ending 30th June, 1885 ;  
 together with a Statement of Income and Expenditure.  
 The Discipline Act 1870—Regulations for Victorian Naval Brigade.  
 Severally ordered to lie on the Table.
5. STANDING ORDERS COMMITTEE.—The Honorable W. E. Hearn, on behalf of the Honorable the President, Chairman, brought up a Report from this Committee.  
 Report read, ordered to lie on the Table, and to be printed.  
 The Honorable F. T. Sargood moved, by leave, That the first recommendation contained in the Report be taken into consideration on the reading of the 3rd Order for to-day.  
 Question—put and resolved in the affirmative.
6. PETITIONS.—The Honorable J. Balfour presented a Petition from certain members and adherents of the Presbyterian Church, Oakleigh, praying the House to pass the Licensing Bill with such amendments in favor of local option as to this House might seem fit.  
 Ordered to lie on the Table.  
 The Honorable J. Balfour presented a similar Petition from certain members and adherents of the Presbyterian Church of Bellarine and Portarlington.  
 Ordered to lie on the Table.  
 The Honorable Dr. Dobson presented a Petition from certain members of the Church of England, praying that the amending Licensing Bill now before the Council might be passed into law.  
 Ordered to lie on the Table.  
 The Honorable N. Thornley presented a Petition from Harrow and district praying the Council would take certain resolutions set forth in the Petition into favorable consideration.  
 Ordered to lie on the Table.
7. POSTPONEMENT OF ORDERS OF THE DAY.—The Honorable F. T. Sargood moved, That the consideration of the following Orders of the Day be postponed until after the consideration of the 6th Order for to-day :—  
*Discipline Act Amendment Bill.—To be read a second time.*  
*Justices of the Peace Law Consolidation Bill.—To be further considered in Committee.*  
 Debate ensued.  
 Question—put and resolved in the affirmative.
8. EXPLOSIVES BILL.—The Order of the Day for the resumption of the debate on the question, “That this Bill be re-committed for the purpose of leaving out part of sub-section (2) of clause 5, part of clause 17, and the Second Schedule,” having been read,  
 Debate ensued.  
 Question—put and resolved in the affirmative.  
 And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole, for the purpose of leaving out part of sub-section (2), clause 5, part of clause 17, and the Second Schedule.  
 The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with further amendments, the Council ordered the same to be taken into consideration to-morrow.

9. **THE STANDING ORDERS COMMITTEE REPORT.**—The Honorable H. Cuthbert moved, by leave, That a Committee of this House be appointed for the purpose of taking into consideration the second recommendation of the Standing Orders Committee on the Explosives Bill.  
Question—put and resolved in the affirmative.  
The Honorable H. Cuthbert then moved, by leave, That the Honorables The President, J. Lorimer, F. T. Sargood, W. E. Hearn, C. J. Jenner, J. Bell, F. E. Beaver, F. Brown, D. Melville, J. Williamson, W. A. Zeal, J. Balfour, and the Mover, do form the Committee, five to form a quorum; and that the Committee have power to meet on days on which the Council does not sit.  
Question—put and resolved in the affirmative.
10. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—  
MR. PRESIDENT—  
The Legislative Assembly transmit to the Legislative Council copies of the Report and Evidence of the Select Committee of the Legislative Assembly on the Bill intituled “*An Act to confer powers upon the Union Trustees, Executors, and Administrators Company Limited,*” in accordance with the request of the Legislative Council.  
PETER LALOR,  
Speaker.  
Legislative Assembly Chamber,  
Melbourne, 20th October, 1885.
11. **UNION TRUSTEES, EXECUTORS, AND ADMINISTRATORS BILL.**—The Honorable F. E. Beaver having produced a certificate showing that the sum of £20 had been paid into the hands of the Treasurer for the public uses of the colony by the promoters of this Bill, moved, That the Bill intituled “*An Act to confer powers upon the Union Trustees, Executors, and Administrators Company Limited,*” be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time.  
The Honorable F. E. Beaver moved, That the second reading of the Bill be made an Order of the Day for Tuesday, 27th October instant.  
Question—put and resolved in the affirmative.
12. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—  
MR. PRESIDENT—  
The Legislative Assembly transmit to the Legislative Council copies of the Report and Evidence of the Select Committee of the Legislative Assembly on the Bill intituled “*An Act to confer powers upon the Australian Executors and Trustees Association Limited,*” in accordance with the request of the Legislative Council.  
PETER LALOR,  
Speaker.  
Legislative Assembly Chamber,  
Melbourne, 20th October, 1885.
13. **AUSTRALIAN EXECUTORS AND TRUSTEES ASSOCIATION BILL.**—The Honorable W. A. Zeal having produced a certificate showing that the sum of £20 had been paid into the hands of the Treasurer for the public uses of the colony by the promoters of this Bill, moved, That the Bill intituled “*An Act to confer powers upon the Australian Executors and Trustees Association Limited,*” be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time.  
The Honorable W. A. Zeal moved, That the second reading of the Bill be made an Order of the Day for Tuesday, 27th October instant.  
Question—put and resolved in the affirmative.
14. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Council ordered that the consideration of the 4th and 5th Orders be postponed until after the consideration of the 2nd Order for to-day.
15. **LICENSING OF PUBLIC HOUSES BILL.**—The Honorable F. T. Sargood moved, That this Bill be now read a second time.  
Debate ensued.  
The Honorable D. Melville moved, That the debate be now adjourned until to-morrow.  
Debate continued.  
Question—That the debate be now adjourned until to-morrow—put and resolved in the affirmative.
16. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Council ordered that the consideration of the following Orders of the Day be postponed as under :—  
*Discipline Act Amendment Bill.*—To be read a second time,  
*Justices of the Peace Law Consolidation Bill.*—To be further considered in Committee, until Tuesday, 27th October inst. ;  
*Charitable Institutions Act further Amendment Bill.*—To be read a second time,  
*Preferential Payment of Wages Bill.*—To be read a second time, until to-morrow ;  
*Sentences in Criminal Trials Bill.*—To be read a second time, until Tuesday, 3rd November next.
17. **MELBOURNE TRAMWAYS TRUST AMENDMENT BILL.**—The Honorable W. E. Hearn moved, That this Bill be now read a second time.  
Debate ensued.  
The Honorable W. E. Hearn moved, That the debate be now adjourned.  
Question—That the debate be now adjourned until to-morrow—put and resolved in the affirmative.
- The Council adjourned at ten o'clock until to-morrow at half-past four o'clock.

JOHN BARKER,  
Clerk of the Legislative Council.

No. 19.

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

WEDNESDAY, 21<sup>ST</sup> OCTOBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITIONS.—The following Petitions, praying the Council to pass the Licensing Act Amendment Bill with such amendments in favor of Local Option as to this House might seem fit, were presented, as under—
  - By the Honorable D. Melville—
    - From certain members and adherents of the Presbyterian Church, Bacchus Marsh.
    - From certain members and adherents of the Presbyterian Church at Coburg.
  - By the Honorable J. Balfour—
    - From certain members and adherents of the Presbyterian congregation, Mornington.
    - From certain members and adherents of the Presbyterian congregation at Cheltenham.
    - From certain members and adherents of the Presbyterian Church of Mortlake, Hexham, and Woorndoo.

Severally ordered to lie on the Table.
5. EXPLOSIVES BILL.—On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
 

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

The Honorable F. T. Sargood moved, That the following be the title of the Bill:—“*An Act to consolidate and amend the Law with respect to manufacturing, carrying, storing, and selling Gunpowder and other explosive substances.*”

Question—put and resolved in the affirmative.

Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.
6. LICENSING OF PUBLIC HOUSES BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read,
 

Debate resumed.

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

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

Question—put and resolved in the affirmative.

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

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

Resolved—That the Council will, on Tuesday, 27<sup>th</sup> October instant, again resolve itself into the said Committee.

7. CHARITABLE INSTITUTIONS ACT FURTHER AMENDMENT BILL.—The Honorable N. Thornley moved, That this Bill be now read a second time.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 The Honorable N. Thornley moved, That this Bill be now committed to a Committee of the whole Council.  
 Question—put and resolved in the affirmative.  
 And, on the further motion of the Honorable N. Thornley, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
 The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same with amendments, the Council ordered the same to be taken into consideration, Tuesday, 27th October instant.—Bill as amended to be printed.
8. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the 4th Order be postponed until after the consideration of the 5th Order for to-day.
9. MELBOURNE TRAMWAYS TRUST AMENDMENT BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read,  
 Debate resumed.  
 Question—That this Bill be now read a second time—put and resolved in the affirmative.—Bill read a second time.  
 The Honorable W. E. Hearn moved, That this Bill be now committed to a Committee of the whole Council.  
 Question—put and resolved in the affirmative.  
 And, on the further motion of the Honorable W. E. Hearn, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
 The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same with amendments.  
 On the motion of the Honorable W. E. Hearn, by leave, the Council adopted the Report from the Committee of the whole on this Bill.  
 The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable W. E. Hearn read a third time and *passed*.  
 The Honorable W. E. Hearn moved, That the following be the title of the Bill:—“*An Act to further facilitate the borrowing of Money by the Melbourne Tramways Trust for the construction of Tramways.*”  
 Question—put and resolved in the affirmative.  
 Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.
10. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, 27th October instant:—  
*Preferential Payment of Wages Bill.—To be read a second time.*
11. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 27th October instant.  
 Question—put and resolved in the affirmative.
- The Council adjourned at twenty-five minutes to nine o'clock until Tuesday next at half-past four o'clock.

JOHN BARKER,  
 Clerk of the Legislative Council.



No. 20.

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 27<sup>TH</sup> OCTOBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITIONS.—The Honorable W. E. Hearn presented a Petition from Henry Byron Moore, Charles Godde Lush, Thomas Jaques Martin, George Withers, and William Langlands Jack, directors of the Perpetual Trustee, Executor, and Agency Company Limited, praying that inasmuch as The Australian Executors and Trustees Association Limited have not applied for a change of the name of their association in the manner provided by the *Amending Companies Statute* 1884, and inasmuch as the petitioners' company has been duly incorporated under the provisions of the said *Companies Statute* 1864, that this House would make such amendments in the said Bill so as to prevent the said Association assuming a name so similar to the petitioners' company as must prejudice the interests of the petitioners' company, and lead to great confusion in the minds of the public.  
Ordered to lie on the Table.  
The Honorable J. A. Wallace presented a Petition from certain electors, ratepayers, and inhabitants of Melbourne and suburbs, praying the House to make such amendments in the Licensing Bill as will preserve all rights acquired and existing at the time of its becoming law; that when any "local option" vote is taken the decision shall be that of at least one-third of the electors on the roll.  
Petition read by the Clerk, and ordered to lie on the Table.  
Similar Petitions were presented by—  
The Honorable T. F. Cumming, from certain electors, ratepayers, and inhabitants of Melbourne and suburbs.  
The Honorable H. Cuthbert, from certain electors, ratepayers, and inhabitants of Melbourne and suburbs.  
Severally ordered to lie on the Table.  
The Honorable F. E. Beaver presented a Petition from the Revd. R. C. Flockhart, styling himself president of the conference of members and adherents of the Wesleyan Methodist Church of Victoria, praying the Council to amend, as far as practicable, the Licensing of Public Houses Bill now under consideration, in the directions indicated in the Petition, especially the clauses relating to lodger and compensation.  
Petition read, and ordered to lie on the Table.  
The Honorable D. Melville presented a Petition from Joshua Chapman, styling himself chairman of a meeting of the electors and other inhabitants of Brunswick, praying the Council to pass "local option" clauses defined in the Petition as part of the amended Licensing Act.  
Ordered to lie on the Table.  
The Honorable J. Lorimer presented a Petition from W. H. Hunt, styling himself chairman of a meeting of the Political Council of the Temperance Organizations of Victoria, praying the Council to pass the Licensing Bill, with such amendments as are indicated in the Petition.  
Petition read, and ordered to lie on the Table.  
The Honorable W. E. Hearn presented a similar Petition from W. H. Hunt, styling himself chairman of a meeting of the Executive Committee of the Victorian Alliance.  
Petition read, and ordered to lie on the Table.  
The Honorable W. A. Zeal presented a Memorial from the inhabitants of Heathcote, praying the Council to expunge the compensation clause from the Licensing Bill.  
Ordered to lie on the Table.
5. SURVEYS AND TITLES ADJUSTMENT BILL.—The Honorable N. Thornley moved, by leave, That he have leave to bring in a Bill to adjust discrepancies between Surveys and Titles, and for other matters.  
Question—put and resolved in the affirmative.  
Ordered—That the Honorable N. Thornley do prepare and bring in the Bill.  
The Honorable N. Thornley then brought up a Bill intituled "*A Bill to adjust discrepancies between Surveys and Titles, and for other matters,*" 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 November next.

6. PAPERS.—The Honorable F. T. Sargood presented, pursuant to Act of Parliament—  
Benalla Waterworks Trust—Detailed Statement and Report.

Ordered to lie on the Table.

The Honorable F. T. Sargood presented—

State Forests in Victoria.—Return to an Order of the Legislative Council on the 22nd September last, for a Return showing the area in square miles under State Forests in Victoria, the number of men employed in looking after them, the nature of their duties, and whether they have had any special training in the subject of Forestry; further, whether any attempt is being made to introduce and plant in suitable localities in our forests the useful trees of other countries.

Ordered to lie on the Table.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to further facilitate the Borrowing of Money by the Melbourne Tramways Trust for the Construction of Tramways,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

PETER LALOR,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 27th October, 1885.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to enable the Mayor, Councillors, and Burgesses of the Town of Hotham to demise for terms of years certain Land vested in them, and to validate a lease to the Crown heretofore made by the said Mayor, Councillors, and Burgesses,*” with which they desire the concurrence of the Legislative Council.

PETER LALOR,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 27th October, 1885.

9. HOTHAM TOWN LANDS SITE BILL.—The Honorable F. E. Beaver moved, That the Bill transmitted by the above Message, intituled “*An Act to enable the Mayor, Councillors, and Burgesses of the Town of Hotham to demise for terms of years certain Land vested in them, and to validate a lease to the Crown heretofore made by the said Mayor, Councillors, and Burgesses,*” 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 November next.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to protect the Interests of Lodgers,*” with which they desire the concurrence of the Legislative Council.

PETER LALOR,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 27th October, 1885.

11. LODGERS INTERESTS PROTECTION BILL.—The Honorable J. Lorimer moved, That the Bill transmitted by the above Message, intituled “*An Act to protect the Interests of Lodgers,*” 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 November next.

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

MR. PRESIDENT—

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

PETER LALOR,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 27th October, 1885.

13. CONSOLIDATED REVENUE BILL (2).—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “*An Act to apply out of the Consolidated Revenue the sum of Eight hundred and four thousand pounds to the service of the year One thousand eight hundred and eighty-five and six,*” be now read a first time.

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

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

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

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

Question—put and resolved in the affirmative.

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

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

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

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

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

Question—put and resolved in the affirmative.

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

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

*Discipline Act Amendment Bill.—To be read a second time,*

*Justices of the Peace Law Consolidation Bill.—To be further considered in Committee, until Tuesday, 10th November next;*

*Licensing of Public Houses Bill.—To be further considered in Committee, until after the consideration of the 4th Order for to-day.*

15. CHARITABLE INSTITUTIONS ACT FURTHER AMENDMENT BILL.—On the motion of the Honorable N. Thornley, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable N. Thornley moved, That the following be the title of the Bill:—“*An Act to further amend an Act intituled ‘An Act for Hospitals and Charitable Institutions.’*”

Question—put and resolved in the affirmative.

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

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

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

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

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

*Preferential Payment of Wages Bill.—To be read a second time.*

*Union Trustees, Executors, and Administrators Bill.—To be read a second time.*

*Australian Executors and Trustees Association Bill.—To be read a second time.*

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

JOHN BARKER,  
Clerk of the Legislative Council.



# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

WEDNESDAY, 28<sup>TH</sup> OCTOBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITIONS.—The Honorable C. J. Ham presented a Petition from certain electors, ratepayers, and inhabitants of Melbourne and suburbs, praying the House to make such amendments in the Licensing Act further Amendment Bill as will preserve all rights acquired and existing at the time of its becoming law; and that, when any “local option” vote is taken, the decision shall be that of at least one-third of the electors on the roll.  
Petition received, and ordered to lie on the Table.  
The Honorable C. J. Ham presented a Petition from certain members and adherents of Erskine Church, Carlton (Presbyterian), praying the Council to pass the Licensing Act further Amendment Bill with such amendments in favor of local option as to the Council might seem fit.  
Petition received, and ordered to lie on the Table.  
The Honorable W. I. Winter presented a Petition from John Green, Mayor, styling himself chairman of public meeting of ratepayers and other electors and inhabitants of Eaglehawk, praying the Council to pass “local option” clauses as defined in the Petition as a part of the amended Licensing Act.  
Petition read, and ordered to lie on the Table.  
The Honorable Jas. Buchanan presented a Petition from George Coates, of Brighton, farmer, in reference to the Licensing Act further Amendment Bill.  
Petition received, and ordered to lie on the Table.
5. SUBSTANTIVE GENERAL LAW DECLARATION BILL.—The Honorable W. E. Hearn moved, pursuant to notice, That he have leave to bring in a Bill to declare, consolidate, and amend the Substantive General Law.  
Question—put and resolved in the affirmative.  
Ordered—That The Honorable W. E. Hearn do prepare and bring in the Bill.  
The Honorable W. E. Hearn then brought up a Bill intituled “*A Bill to declare, consolidate, and amend the Substantive General Law,*” and moved, That it be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time, and ordered to be printed.
6. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of Orders of the Day Nos. 1 and 2 be postponed until after the consideration of No. 4.
7. UNION TRUSTEES, EXECUTORS, AND ADMINISTRATORS BILL.—The Honorable F. E. Beaver moved, That this Bill be now read a second time.  
Question—put and resolved in the affirmative.—Bill read a second time.  
The Honorable F. E. Beaver moved, That this Bill be committed to a Committee of the whole Council, Tuesday, 10th November next.  
Question—put and resolved in the affirmative.
8. AUSTRALIAN EXECUTORS AND TRUSTEES ASSOCIATION BILL.—The Honorable D. Melville moved, That this Bill be now read a second time.  
Debate ensued.  
Question—put and resolved in the affirmative.—Bill read a second time.  
The Honorable D. Melville moved, That this Bill be committed to a Committee of the whole Council, Tuesday, 10th November next.  
Question—put and resolved in the affirmative.

9. LICENSING OF PUBLIC HOUSES BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.  
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.  
Resolved—That the Council will, on Tuesday, 10th November next, again resolve itself into the said Committee.
10. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, 10th November next:—  
*Preferential Payment of Wages Bill.—To be read a second time.*
11. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 10th November next.  
Question—put and resolved in the affirmative.

The Council adjourned at nine minutes to eleven o'clock until Tuesday, 10th November next, at half-past four o'clock.

JOHN BARKER,  
*Clerk of the Legislative Council.*

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 10TH NOVEMBER, 1885.

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

HENRY B. LOCH,  
Governor.

*Message.*

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

“An Act to further facilitate the Borrowing of Money by the Melbourne Tramways Trust for the Construction of Tramways.”

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

Government House,  
Melbourne, 28 October, 1885.

Ordered to lie on the Table.

5. PETITIONS.—The Honorable H. Cuthbert presented a Petition from Hy. Gore, styling himself president, and Thomas Richards, styling himself secretary of the Mine Owners' Association of Victoria, praying the Council to disapprove of the Preferential Payment of Wages Bill. Petition received, and ordered to lie on the Table.

The following Petitions, praying the Council to pass the Licensing of Public Houses Bill with such amendments in favor of Local Option as to the Council might seem fit, were presented by the Honorable D. Melville, as under :—

From certain members and adherents of the Presbyterian Church, Gisborne.

From certain members and adherents of the Presbyterian Church of Bulla and Sunbury.

Petitions severally received, and ordered to lie on the Table.

6. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—  
Education.—Report of the Minister of Public Instruction for the year 1884–5.  
Victoria and Tasmania.—Treaty for Intercolonial Free Trade.  
European Mail Service.—Memorandum of Agreement made between the colonies of New South Wales, Victoria, South Australia, Tasmania, Queensland, Western Australia, and New Zealand.

Severally ordered to lie on the Table.

The Honorable F. T. Sargood presented, pursuant to Act of Parliament—  
Savings Banks—Statements and Returns for the year ending 30th June 1885.  
Council of Defence—Report of.  
The Discipline Act 1870—Victorian Military Regulations.  
Department of Industrial and Reformatory Schools—Report of the Secretary for the year 1884.

Severally ordered to lie on the Table.

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

*Surveys and Titles Adjustment Bill.—To be read a second time.*

*Discipline Act Amendment Bill.—To be read a second time.*

*Justices of the Peace Law Consolidation Bill.—To be further considered in Committee.*

8. LICENSING OF PUBLIC HOUSES BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof. The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend 'The Executors Company's Act,' and to confer additional powers upon the Trustees, Executors, and Agency Company Limited,*" with which they desire the concurrence of the Legislative Council.

PETER LALOR,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 10th November, 1885.

10. TRUSTEES, EXECUTORS, AND AGENCY COMPANY'S ACT AMENDMENT BILL.—The Honorable N. Thornley moved, That the Bill transmitted by the above Message intituled "*An Act to amend 'The Executors Company's Act,' and to confer additional powers upon the Trustees, Executors, and Agency Company Limited,*" be now read a first time.

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

11. HOTHAM TOWN LANDS BILL.—The Honorable F. E. Beaver moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

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

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

The Honorable F. E. Beaver moved, That the following be the title of the Bill :—"*An Act to enable the Mayor, Councillors, and Burgesses of the Town of Hotham to demise for terms of years certain Lands vested in them, and to validate a lease to the Crown heretofore made by the said Mayor, Councillors, and Burgesses.*"

Question—put and resolved in the affirmative.

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

12. LODGERS' INTERESTS PROTECTION BILL.—The Honorable J. Lorimer moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

13. UNION TRUSTEES, EXECUTORS, AND ADMINISTRATORS BILL.—The Honorable F. E. Beaver moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

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

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

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

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

*Preferential Payment of Wages Bill.—To be read a second time.*

*Australian Executors and Trustees Association Bill.—To be committed.*

*Sentences in Criminal Trials Bill.—To be read a second time.*

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

JOHN BARKER,  
Clerk of the Legislative Council.



# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

WEDNESDAY, 11<sup>TH</sup> NOVEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITIONS.—The Honorable F. E. Beaver presented a Petition from J. H. Maddock, styling himself chairman of the committee of the society for the promotion of morality, praying the Council to pass the Licensing Bill, with such amendments as are indicated in the Petition.  
Petition read, and ordered to lie on the Table.  
The Honorable D. Coutts, on behalf of the Honorable D. C. Sterry, presented a Petition from certain electors and other male inhabitants of Echuca, praying the Council to pass the Public Houses Licensing Bill, and to pass local option clauses as defined in the Petition, as a part of the amended Licensing Act.  
Petition received, and ordered to lie on the Table.  
The Honorable F. T. Sargood presented a Petition from the Rev. Wm. Allen, styling himself chairman of the council of the Congregational Union and Mission of Victoria, praying the Council to introduce a measure based on the lines of the Criminal Law Amendment Act recently passed by the Imperial Legislature.  
Petition read, and ordered to lie on the Table.
5. PAPER.—The Honorable F. T. Sargood presented, pursuant to Act of Parliament—  
Mining Statute 1865.—Regulations relating to Mining Leases of Reserved Lands.  
Ordered to lie on the Table.
6. REFRESHMENT—ADJOURNMENT FOR.—The Honorable F. E. Beaver moved, pursuant to notice, That the hour of adjournment for refreshment, during the remainder of the session shall be from 6.30 to 7.30.  
Question—put and negatived.
7. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed as under:—  
*Surveys and Titles Adjustment Bill.*—To be read a second time,  
*Discipline Act Amendment Bill.*—To be read a second time, until after the consideration of the 9th Order for to-day;  
*Licensing of Public Houses Bill.*—To be further considered in Committee, until after the consideration of the 8th Order for to-day.
8. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable J. Campbell, the following Order of the Day was read and discharged:—  
*Justices of the Peace Law Consolidation Bill.*—To be further considered in Committee.  
Ordered—That the Bill be withdrawn.
9. JUSTICES OF THE PEACE LAW CONSOLIDATION BILL (2).—The Honorable James Campbell moved, That he have leave to bring in a Bill to consolidate and amend the law relating to Justices of the Peace and Courts of General and Petty Sessions.  
Question—put and resolved in the affirmative.  
Ordered—That the Honorable J. Campbell do prepare and bring in the Bill.  
The Honorable J. Campbell then brought up a Bill intituled "*A Bill to consolidate and amend the law relating to Justices of the Peace and Courts of General and Petty Sessions,*" and moved, That it be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time, Tuesday, 17th November instant.
10. PREFERENTIAL PAYMENT OF WAGES BILL.—The Honorable J. Campbell moved, That this Bill be now read a second time.  
Question—put and resolved in the affirmative.—Bill read a second time.  
The Honorable J. Campbell moved, That this Bill be now committed to a Committee of the whole Council.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable J. Campbell, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Council ordered the same to be taken into consideration Tuesday, 17th November instant; Bill, as amended, to be printed.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to bring into operation in respect of the Colony of Victoria an Act of the Imperial Parliament intituled 'An Act to constitute a Federal Council of Australasia,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 11th November, 1885.

PETER LALOR,  
Speaker.

12. FEDERAL COUNCIL BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message intituled "*An Act to bring into operation in respect of the Colony of Victoria an Act of the Imperial Parliament intituled 'An Act to constitute a Federal Council of Australasia,'*" be now read a first time.

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

13. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable J. Lorimer, the following Order of the Day was read and discharged :—

*Lodgers' Interests Protection Bill—Adoption of Report.*

14. LODGERS' INTERESTS PROTECTION BILL.—The Honorable J. Lorimer moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration.

Question—put and resolved in the affirmative.

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

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

15. UNION TRUSTEES, EXECUTORS, AND ADMINISTRATORS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

16. AUSTRALIAN EXECUTORS AND TRUSTEES ASSOCIATION BILL.—The Honorable D. Melville moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

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

The President resumed the Chair; and the Honorable J. Lorimer having reported that the Committee had gone through the Bill, and agreed to the same without amendment, the Council ordered the Report to be taken into consideration to-morrow.

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

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

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

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

*Surveys and Titles Adjustment Bill.—To be read a second time.*

*Discipline Act Amendment Bill.—To be read a second time.*

*Sentences in Criminal Trials Bill.—To be read a second time.*

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

JOHN BARKER,  
Clerk of the Legislative Council.

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

THURSDAY, 12<sup>TH</sup> NOVEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—  
Codlin Moth.—Report of the Secretary for Agriculture.  
Ordered to lie on the Table.  
• The Honorable F. T. Sargood presented, pursuant to Act of Parliament—  
Shire of Yarrowonga Waterworks Trust.—Detailed Statement and Report.  
St. Arnaud Shire Waterworks Trust.—Detailed Statement and Report.  
Severally ordered to lie on the Table.
5. ESTATES OF DECEASED PERSONS ADMINISTRATION LAW AMENDMENT BILL.—The Honorable N. Thornley moved, That he have leave to bring in a Bill for further amending the Law relating to the administration of the estates of deceased persons.  
Question—put and resolved in the affirmative.  
Ordered—That the Honorable N. Thornley do prepare and bring in the Bill.  
The Honorable N. Thornley then brought up a Bill intituled "*A Bill for further amending the Law relating to the Administration of the Estates of Deceased Persons,*" and moved, That it be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time, Tuesday, 17th November instant.
6. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the several Orders of the Day, Government Business, be postponed until after the consideration of the 3rd Order General Business, on the Paper for to-day.
7. LODGERS' INTERESTS PROTECTION BILL.—On the motion of the Honorable J. Lorimer, the Council adopted the Report from the Committee of the whole on this Bill.  
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. Lorimer, read a third time and *passed*.  
The Honorable J. Lorimer moved, That the following be the title of the Bill :—"*An Act to protect the Interests of Lodgers.*"  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.
8. UNION TRUSTEES, EXECUTORS, AND ADMINISTRATORS BILL.—On the motion of the Honorable F. E. Beaver, the Council adopted the Report from the Committee of the whole on this Bill.  
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. E. Beaver, by leave, read a third time and *passed*.  
The Honorable F. E. Beaver moved, That the following be the title of the Bill :—"*An Act to confer powers upon the Union Trustees, Executors, and Administrators Company Limited.*"  
Question—put and resolved in the affirmative.  
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.

9. AUSTRALIAN EXECUTORS AND TRUSTEES ASSOCIATION BILL.—On the motion of the Honorable D. Melville, the Council adopted the Report from the Committee of the whole on this Bill. The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable D. Melville, by leave, read a third time and *passed*. The Honorable D. Melville moved, That the following be the title of the Bill :—“ *An Act to confer powers upon the Australian Executors and Trustees Association Limited.*” Question—put and resolved in the affirmative. Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.
10. LICENSING OF PUBLIC HOUSES BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof. The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same with amendments. The Honorable F. T. Sargood moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration of Clauses 36, 64, 65, 67, 76, 108, 130 and 146. Question—put and resolved in the affirmative. And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of the above clauses of this Bill. The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with further amendments, the Council ordered the same to be taken into consideration Tuesday, 17th November instant; Bill, as amended, to be printed.
11. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 17th November instant.
- Surveys and Titles Adjustment Bill.—To be read a second time.*  
*Discipline Act Amendment Bill.—To be read a second time.*  
*Sentences in Criminal Trials Bill.—To be read a second time.*

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

JOHN BARKER,  
*Clerk of the Legislative Council.*

Minutes of the Proceedings  
OF THE  
LEGISLATIVE COUNCIL.

TUESDAY, 17<sup>TH</sup> NOVEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPER.—The Honorable F. T. Sargood presented, pursuant to Act of Parliament—  
Defence Department.—Statement of Expenditure—Special Appropriation, Act No. 777, section  
7, Financial Year 1884-5; and Appropriation Bill 1884-5.  
Ordered to lie on the Table.
5. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the Orders  
1 to 4 be postponed until after the consideration of the 5th Order for to-day.
6. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable F. T. Sargood, the following Order  
of the Day was read and discharged :—  
*Licensing of Public Houses Bill.—Adoption of Report.*
7. LICENSING OF PUBLIC HOUSES BILL.—The Honorable F. T. Sargood moved, That this Bill be re-com-  
mitted to a Committee of the whole Council for the re-consideration of Clauses 3, 18, 20, 53, 70,  
80, 91, 95, 108, 146, new Clause B, and new clauses proposed by the Honorables F. E. Beaver  
and T. Bromell.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the  
Council resolved itself into a Committee of the whole for the re-consideration of the above clauses  
of this Bill.  
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had  
agreed to the Bill with further amendments.  
The Honorable F. T. Sargood moved, That this Bill be re-committed to a Committee of the whole  
Council for the further re-consideration of clauses 3 and 143.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the  
Council resolved itself into a Committee of the whole for the further re-consideration of the above  
clauses of this Bill.  
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee  
had agreed to the Bill with further amendments, the Council ordered the same to be taken into  
consideration to-morrow; Bill, as further amended, to be printed.
8. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt  
of the following Message from the Legislative Assembly :—  
MR. PRESIDENT—  
The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to  
protect the Interests of Lodgers,*” and acquaint the Legislative Council that the Legislative  
Assembly have agreed to the amendments made in such Bill by the Legislative Council.  
PETER LALOR,  
Speaker.  
Legislative Assembly Chamber,  
Melbourne, 17th November, 1885.
9. JUSTICES OF THE PEACE LAW CONSOLIDATION BILL (2).—The Honorable J. Campbell moved, That this  
Bill be now read a second time.  
Debate ensued.  
Question—put and resolved in the affirmative.—Bill read a second time.  
The Honorable J. Campbell moved, That this Bill be now committed to a Committee of the whole  
Council.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable J. Campbell, the President left the Chair, and the  
Council resolved itself into a Committee of the whole for the consideration of this Bill.  
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee  
had made progress in the Bill, and that he was directed to move that the Committee may have  
leave to sit again.  
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

10. **PREFERENTIAL PAYMENT OF WAGES BILL.**—On the motion of the Honorable J. Campbell, the Council adopted the Report from the Committee of the whole on this Bill.  
The President having reported that the Chairman of Committees had certified that the print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. Campbell, read a third time and *passed*.  
The Honorable J. Campbell moved, That the following be the title of the Bill :—“ *An Act to make provision for the Preferential Payment on the winding-up of any Company of one month's wages to persons employed by it.*”  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be transmitted to the Legislative Assembly, with a Message desiring their concurrence therein.
11. **INTESTATE ESTATES.**—The Honorable T. F. Cumming moved, pursuant to notice, That a return be laid on the Table of the Council showing—  
(1.) The value of all estates which have come into the hands of the Curator of Intestate Estates during the last five years, distinguishing the annual amount.  
(2.) The cost of collection per annum during the same period.  
(3.) The percentage paid to the General Revenue.  
(4.) The percentage received by the Curator during the same period.  
(5.) The cost of all clerical assistance given to the Curator for the discharge of his duties, and all salaries (if any) connected with his office.  
Question—put and resolved in the affirmative.
12. **PAPER.**—The Honorable N. Thornley presented—  
Intestate Estates.—Return to above Order.  
Ordered to lie on the Table, and to be printed.
13. **TRUSTEES, EXECUTORS, AND AGENCY COMPANY'S ACT AMENDMENT BILL.**—The Honorable N. Thornley moved, That this Bill be now read a second time.  
Question—put and resolved in the affirmative.—Bill read a second time.  
The Honorable N. Thornley moved, That this Bill be committed to a Committee of the whole Council to-morrow.  
Question—put and resolved in the affirmative.
14. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Council ordered that the consideration of the following Orders of the Day be postponed as under :—  
*Federal Council Bill.*—To be read a second time, until Tuesday, 24th November instant ;  
*Estates of Deceased Persons Administration Law Amendment Bill.*—To be read a second time,  
*Surveys and Titles Adjustment Bill.*—To be read a second time, until to-morrow ;  
*Discipline Act Amendment Bill.*—To be read a second time, until Tuesday, 24th November instant ;  
*Sentences in Criminal Trials Bill.*—To be read a second time, until to-morrow.

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

JOHN BARKER,  
*Clerk of the Legislative Council.*

## VICTORIA.

No. 26.

## Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

WEDNESDAY, 18TH NOVEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—  
Australian Statistics for the Year 1884.  
Ordered to lie on the Table.  
The Honorable F. T. Sargood presented, pursuant to Act of Parliament—  
Hospitals for the Insane—Report of the Inspector of Lunatic Asylums for the Year ending 31st  
December, 1884.  
Ordered to lie on the Table.
5. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable F. T. Sargood, the following Order  
of the Day was read and discharged :—  
*Licensing of Public Houses Bill.—Adoption of Report.*
6. LICENSING OF PUBLIC HOUSES BILL.—The Honorable F. T. Sargood moved, That this Bill be re-com-  
mitted to a Committee of the whole Council for the re-consideration of Clauses 3 and 50.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the  
Council resolved itself into a Committee of the whole for the re-consideration of the above clauses  
of this Bill.  
The President resumed the Chair ; and the Honorable Dr. Dobson having reported that the Committee  
had agreed to the Bill with further amendments, the Council ordered the same to be taken into  
consideration this day.
7. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following  
Orders of the Day be postponed as under :—  
*Justices of the Peace Law Consolidation Bill (2).—To be further considered in Committee,*  
until after the consideration of the 5th Order for to-day ;  
*Estates of Deceased Persons Administration Law Amendment Bill.—To be read a second*  
*time, until Tuesday, 24th November inst.*
8. SURVEYS AND TITLES ADJUSTMENT BILL.—The Honorable N. Thornley moved, That this Bill be  
now read a second time.  
Question—put and resolved in the affirmative.—Bill read a second time.  
The Honorable N. Thornley moved, That this Bill be now committed to a Committee of the whole  
Council.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable N. Thornley, the President left the Chair, and the  
Council resolved itself into a Committee of the whole for the consideration of this Bill.  
The President resumed the Chair; and the Honorable J. Lorimer reported that the Committee  
had made progress in the Bill, and that he was directed to move that the Committee may have  
leave to sit again.  
Resolved—That the Council will, on Tuesday, 24th November instant, again resolve itself into the  
said Committee.
9. LICENSING OF PUBLIC HOUSES BILL.—On the motion of the Honorable F. T. Sargood, the Council  
adopted the Report from the Committee of the whole on this Bill.  
The President having reported that the Chairman of Committees had certified that the print of this  
Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood,  
read a third time and *passed*.  
The Honorable F. T. Sargood moved, That the following be the title of the Bill :—“ *An Act to amend*  
*the Laws relating to the Licensing of Public Houses and the Sale of Fermented and Spirituous*  
*Liquors.*”  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them  
that the Legislative Council have agreed to the same with amendments, and requesting their  
concurrence therein.

10. **TRUSTEES, EXECUTORS, AND AGENCY COMPANY'S ACT AMENDMENT BILL.**—The Honorable N. Thornley moved, That this Bill be now committed to a Committee of the whole Council.  
 Question—put and resolved in the affirmative.  
 And, on the further motion of the Honorable N. Thornley, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
 The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same without amendment, the Council ordered the Report to be taken into consideration Tuesday, 24th November instant.
11. **JUSTICES OF THE PEACE LAW CONSOLIDATION BILL (2).**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.  
 The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.  
 Resolved—That the Council will on Tuesday, 24th November instant, again resolve itself into the said Committee.
12. **SENTENCES IN CRIMINAL TRIALS BILL.**—The Honorable W. E. Hearn moved, That this Bill be now read a second time.  
 Debate ensued.  
 The Honorable J. Bell moved, That the debate be now adjourned.  
 Question—That the debate be now adjourned until Tuesday, 24th November instant—put and resolved in the affirmative.
13. **ADJOURNMENT.**—The Honorable F. T. Sargood moved, by leave, that the Council at its rising adjourn until Tuesday, 24th November instant.  
 Question—put and resolved in the affirmative.

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

JOHN BARKER,  
*Clerk of the Legislative Council.*



# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 24<sup>TH</sup> NOVEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—  
Statistical Register of the Colony of Victoria for the Year 1884.—Part V.—Interchange.  
Land Act 1884—Regulation.—Order in Council.  
Severally ordered to lie on the Table.
5. PROTECTION OF WOMEN BILL.—The Honorable J. Campbell moved, That he have leave to bring in a Bill to make further provision for the Protection of Women and Girls, the suppression of brothels, and other purposes.  
Question—put and resolved in the affirmative.  
Ordered—That the Honorable J. Campbell do prepare and bring in the Bill.  
The Honorable J. Campbell then brought up a Bill intituled “*A Bill to make further provision for the Protection of Women and Girls, the suppression of brothels, and other purposes,*” and moved, That it be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time to-morrow.
6. FEDERAL COUNCIL BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.  
Debate ensued.  
Question—put and resolved in the affirmative.—Bill read a second time.  
The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Council ordered the same to be taken into consideration Tuesday, 1st December next.
7. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed as under:—  
*Discipline Act Amendment Bill.*—To be read a second time, until Tuesday, 1st December next;  
*Estates of Deceased Persons Administration Law Amendment Bill.*—To be read a second time, and  
*Surveys and Titles Adjustment Bill.*—To be further considered in Committee, until after the consideration of the 5th Order for to-day.
8. JUSTICES OF THE PEACE LAW CONSOLIDATION BILL (2).—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.  
The President resumed the Chair.
9. JUSTICES OF THE PEACE LAW AMENDMENT BILL.—The Honorable J. Campbell moved, That he have leave to bring in a Bill to amend the Law relating to Justices of the Peace.  
Question—put and resolved in the affirmative.  
Ordered—That the Honorable J. Campbell do prepare and bring in the Bill.  
The Honorable J. Campbell then brought up a Bill intituled “*A Bill to amend the Law relating to Justices of the Peace,*” 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.

10. **ESTATES OF DECEASED PERSONS ADMINISTRATION LAW AMENDMENT BILL.**—The Honorable N. Thornley moved, That this Bill be now read a second time.  
Debate ensued.  
The Honorable H. Cuthbert moved, as an amendment, That the word “now” be omitted, and the words “this day six months” be added to the word “time.”  
Debate continued.  
The Honorable C. J. Ham moved, That the debate be adjourned.  
Debate further continued.  
Question—That the debate be now adjourned until Tuesday, 1st December next—put and resolved in the affirmative.
11. **SURVEYS AND TITLES ADJUSTMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.  
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.  
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
12. **CODIFICATION OF THE LAW.**—The Honorable D. Melville moved, pursuant to notice, That, in the opinion of this House, it is desirable that the Government should, before the next Session of Parliament, take steps to provide for a codification of the law.  
Debate ensued.  
Question—put and resolved in the affirmative.
13. **TRUSTEES, EXECUTORS, AND AGENCY COMPANY'S ACT AMENDMENT BILL.**—On the motion of the Honorable N. Thornley, the Council adopted the Report from the Committee of the whole on this Bill.  
The President having reported that the Chairman of Committees had certified that the print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable N. Thornley, read a third time and *passed*.  
The Honorable N. Thornley moved, That the following be the title of the Bill:—“*An Act to amend ‘The Executors Company's Act’ and to confer additional powers upon the Trustees, Executors, and Agency Company Limited.*”  
Question—put and resolved in the affirmative.  
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.
14. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, 1st December next:—  
*Sentences in Criminal Trials Bill.*—*Adjourned debate on second reading.*

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

JOHN BARKER,  
*Clerk of the Legislative Council.*

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

WEDNESDAY, 25TH NOVEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, 1st December next :—  
*Protection of Women Bill.—To be read a second time.*
5. JUSTICES OF THE PEACE LAW AMENDMENT BILL.—The Honorable J. Campbell moved, That this Bill be now read a second time.  
Debate ensued.  
Question—put and resolved in the affirmative.—Bill read a second time.  
The Honorable J. Campbell moved, That this Bill be now committed to a Committee of the whole Council.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable J. Campbell, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same with amendments, the Council ordered the same to be taken into consideration this day.—Bill, as amended, to be printed.
6. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—  
MR. PRESIDENT—  
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act for the supervision and regulation of Factories and Workrooms and for the limitation of the Hours of Trading in Shops, and for other purposes,*" with which they desire the concurrence of the Legislative Council.  
PETER LALOR,  
Legislative Assembly Chamber, Speaker.  
Melbourne, 25th November, 1885.
7. FACTORIES, WORKROOMS, AND SHOPS BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message intituled "*An Act for the supervision and regulation of Factories and Workrooms and for the limitation of the Hours of Trading in Shops, and for other purposes,*" be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 1st December next.
8. SURVEYS AND TITLES ADJUSTMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.  
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Council ordered the same to be taken into consideration Tuesday, 1st December next.—Bill as amended to be printed.
9. JUSTICES OF THE PEACE LAW AMENDMENT BILL.—On the motion of the Honorable J. Campbell, the Council adopted the Report from the Committee of the whole on this Bill.  
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. Campbell, read a third time and *passed*.  
The Honorable J. Campbell moved, That the following be the title of the Bill :—"*An Act to amend the Law relating to Justices of the Peace.*"  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to make better provision for the Administration of Justice*," with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 25th November, 1885.

PETER LALOR,  
Speaker.

11. ADMINISTRATION OF JUSTICE BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message intituled "*An Act to make better provision for the Administration of Justice*" 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, 1st December next.

12. ADJOURNMENT.—The Honorable F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 1st December next.

Question—put and resolved in the affirmative.

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

JOHN BARKER,  
*Clerk of the Legislative Council.*

No. 29.

# Minutes of the Proceedings

OF THE

# LEGISLATIVE COUNCIL.

TUESDAY, 1ST DECEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPER.—The Honorable F. T. Sargood presented, pursuant to Act of Parliament—  
Melbourne Harbour Trust—The Accounts of the—for the quarter ended 31st March, 1885.  
Ordered to lie on the Table.
5. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Laws relating to the Licensing of Public Houses and the Sale of Fermented and Spirituous Liquors,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to some of the amendments made in such Bill by the Legislative Council, disagreed to one amendment, and have agreed to other amendments with amendments, with which they desire the concurrence of the Legislative Council.

PETER LALOR,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 1st December, 1885.

On the motion of the Honorable F. T. Sargood, the Council ordered the several amendments of the Legislative Council, disagreed to or amended by the Legislative Assembly, be taken into consideration forthwith.

And the said amendments were read and are as follow :—

(21.) After clause 79 insert new clause—

C. Where a licensed victualler holds a licence for a house which does not contain the accommodation required by this Act, if he give to the licensing court of his district one month's notice in writing of his intention so to do, he may make application to such licensing court for permission to transfer his licence from such insufficient house to some other house in the same licensing district which has the required accommodation ; and the licensing court if it be satisfied that the applicant is entitled to use such other house as a licensed house, and that the house is within such licensing district and has the required accommodation, and if there be no reasonable objection to the transfer, may authorize such transfer accordingly.

Disagreed to by the Assembly.

(28.) Clause 98, line 15, after "traveller" insert "or lodger."—Agreed to with following amendment :—Insert "boarder" before "or."

(29.) Clause 98, line 16, after "victualler" insert "but if the court is satisfied that the defendant truly believed that the purchaser was a *bonâ fide* traveller or lodger, and further that the defendant took all reasonable precautions to ascertain whether or not the purchaser was such traveller or lodger, it shall dismiss the case as against the defendant."—Agreed to with following amendment :—Insert "boarder" after "*bonâ fide* traveller;" insert "boarder" after "was such traveller;" add after "defendant" in last line, "and in all cases under this Act the defendant and his wife shall be competent to give evidence."

(41.) Insert new clause—

B. In section one of the Act No. 803 after the words "One thousand eight hundred and eighty-four" the words "or the year One thousand eight hundred and eighty-five" shall be inserted, and after the words "One thousand eight hundred and eighty-five" the words "for the year One thousand eight hundred and eighty-six" shall be inserted.—Agreed to with following amendment :—Add after "inserted," in the last line, "and this section shall come into operation on the passing of this Act."

The Honorable F. T. Sargood moved, That the Legislative Council do not insist on the said amendment (No. 21).

Debate ensued.

Question—put.

Council divided.

Ayes, 10.

The Hon. J. Balfour  
F. E. Beaver  
G. F. Belcher  
J. Campbell  
Sir W. J. Clarke, Bart.  
P. Hanna  
D. Melville  
P. Russell  
F. T. Sargood  
N. Thornley (*Teller*).

Noes, 20.

The Hon. J. Bell  
T. Bromell  
T. F. Cumming  
H. Cuthbert  
Dr. Dobson  
J. G. Dougharty  
C. J. Ham  
W. E. Hearn, LL.D.  
T. Henty  
J. Lorimer  
W. McCulloch  
G. Meares, C.M.G.  
W. Pearson  
W. Ross  
D. C. Sterry  
J. A. Wallace  
J. Williamson  
W. I. Winter  
W. A. Zeal  
F. Brown (*Teller*).

And so it passed in the negative.

The Honorable W. A. Zeal moved, That the Legislative Council do insist on the said amendment (No. 21).

Question—put and resolved in the affirmative.

On the motion of the Honorable F. T. Sargood, the Council agreed to the several amendments of the Assembly on the amendments of the Legislative Council in this Bill.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Council insist on the amendment disagreed to by the Legislative Assembly, and that they have agreed to the several amendments made by the Legislative Assembly on the amendments of the Legislative Council in this Bill.

6. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable F. T. Sargood, the following Order of the Day was read and discharged :—

*Federal Council Bill.—Adoption of Report.*

7. FEDERAL COUNCIL BILL.—The Honorable F. T. Sargood moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration.

Question—put and resolved in the affirmative.

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

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

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

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

The Honorable F. T. Sargood moved, That the following be the title of the Bill :—“ *An Act to bring into operation in respect of the Colony of Victoria an Act of the Imperial Parliament intituled “An Act to constitute a Federal Council of Australasia.”*”

Question—put and resolved in the affirmative.

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

8. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of Orders 2 to 5 be postponed until after the consideration of the 6th Order for to-day.

9. SURVEYS AND TITLES ADJUSTMENT BILL.—On the motion of the Honorable N. Thornley, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable N. Thornley moved, That the following be the title of the Bill :—“ *An Act to adjust Discrepancies between Surveys and Titles, and for other matters.*”

Question—put and resolved in the affirmative.

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

10. DISCIPLINE ACT AMENDMENT BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.

Debate ensued.

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

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

Question—put and resolved in the affirmative.

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

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

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

11. ESTATES OF DECEASED PERSONS ADMINISTRATION LAW AMENDMENT BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, and on the amendment, that the word "now" be omitted, and the words "this day six months" be added after the word "time" having been read.

Debate resumed.

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

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

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

*Protection of Women Bill.—To be read a second time.*

*Factories, Workrooms, and Shops Bill.—To be read a second time.*

*Administration of Justice Bill.—To be read a second time.*

*Sentences in Criminal Trials Bill.—Adjourned debate on second reading.*

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

JOHN BARKER,  
Clerk of the Legislative Council.





## VICTORIA.

No. 30.

## Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

WEDNESDAY, 2ND DECEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITION.—The Honorable H. Cuthbert presented a Petition from the Council of the Law Institute of Victoria, praying the House to pass the Bill now before the Council for the appointment of a permanent additional Judge to the Supreme Court Bench.  
Petition received, and ordered to lie on the Table.
5. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the Orders 1, 2, and 4 be postponed until after the consideration of the 5th Order for to-day.
6. PROTECTION OF WOMEN BILL.—The Honorable J. Campbell moved, That this Bill be now read a second time.  
The Honorable J. G. Dougharty moved, as an amendment, That the word "now" be omitted, and the words "this day six months" be added to the "time."  
Debate ensued.  
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.  
The Honorable J. Campbell moved, That this Bill be now committed to a Committee of the whole Council.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable J. Campbell, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.  
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
7. ADMINISTRATION OF JUSTICE BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.  
Debate ensued.  
Question—put.  
Council divided.

Ayes, 22.  
The Hon. J. Balfour  
J. Bell  
F. Brown  
J. Campbell  
Sir W. J. Clarke, Bart.  
T. F. Cumming  
H. Cuthbert  
Dr. Dobson  
J. G. Dougharty  
C. J. Ham  
P. Hanna  
J. Lorimer  
D. Melville  
W. Pearson  
F. T. Sargood  
W. E. Stanbridge  
N. Thornley  
J. A. Wallace  
J. Williamson  
W. I. Winter  
G. Young  
D. C. Sterry (*Teller*).

Noes, 6.  
The Hon. W. E. Hearn, LL.D.  
W. McCulloch  
G. Meares, C.M.G.  
W. Ross  
P. Russell  
W. A. Zeal (*Teller*).

And so it was resolved in the affirmative.

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

Question—put and resolved in the affirmative.

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

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

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to amend the law relating to Bakers and Millers,*” with which they desire the concurrence of the Legislative Council.

PETER LALOR,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 2nd December, 1885.

9. BAKERS AND MILLERS STATUTE AMENDMENT BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “ *An Act to amend the law relating to Bakers and Millers,*” be now read a first time.

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

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

*Discipline Act Amendment Bill.—To be further considered in Committee.*

*Estates of Deceased Persons Administration Law Amendment Bill.—Adjourned debate on second reading, and upon the amendment to postpone the second reading for six months.*

*Factories, Workrooms, and Shops Bill.—To be read a second time.*

*Sentences in Criminal Trials Bill.—Adjourned debate on second reading.*

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

JOHN BARKER,  
Clerk of the Legislative Council.

## VICTORIA.

No. 31.

## Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

THURSDAY, 3RD DECEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, pursuant to Act of Parliament—  
The Discipline Act 1870.—Victorian Military Regulations.—Rifle Clubs.  
The Discipline Act 1870.—Victorian Military Regulations.  
The Discipline Act 1870.—Militia Reserve Regulations.  
Severally ordered to lie on the Table.
5. LOCAL GOVERNMENT ACT FURTHER AMENDMENT BILL.—The Honorable F. T. Sargood moved, by leave, That he have leave to bring in a Bill to further amend the "*Local Government Act 1874.*"  
Question—put and resolved in the affirmative.  
Ordered—That the Honorable F. T. Sargood do prepare and bring in the Bill.  
The Honorable F. T. Sargood then brought up a Bill intituled "*A Bill to further amend the 'Local Government Act 1874,'*" 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 December instant.
6. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—  
MR. PRESIDENT—  
The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to bring into operation in respect of the Colony of Victoria an Act of the Imperial Parliament intituled 'An Act to constitute a Federal Council of Australasia,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.  
PETER LALOR,  
Speaker.  
Legislative Assembly Chamber,  
Melbourne, 2nd December, 1885.
7. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the 1st Order be postponed until after the consideration of the 2nd Order for to-day.
8. ADMINISTRATION OF JUSTICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.  
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same without amendment.  
On the motion of the Honorable F. T. Sargood, the Council adopted the report from the Committee of the whole on this Bill.  
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.  
The Honorable F. T. Sargood moved, That the following be the title of the Bill :—"*An Act to make better provision for the Administration of Justice.*"  
Question—put and resolved in the affirmative.  
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.

9. **PROTECTION OF WOMEN BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.  
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.  
Resolved—That the Council will, on Tuesday, 8th December instant, again resolve itself into the said Committee.
10. **DISCIPLINE ACT AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.  
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Council ordered the same to be taken into consideration Tuesday, 8th December instant—Bill as amended to be printed.
11. **FACTORIES, WORKROOMS, AND SHOPS BILL.**—The Honorable F. T. Sargood moved, That this Bill be now read a second time.  
Debate ensued.  
Question—put and resolved in the affirmative.—Bill read a second time.  
The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.  
Resolved—That the Council will, on Tuesday, 8th December instant, again resolve itself into the said Committee.
12. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Council ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 8th December instant :—  
*Estates of Deceased Persons Administration Law Amendment Bill.*—*Adjourned debate on second reading, and upon the amendment to postpone the second reading for six months.*  
*Bakers and Millers Statute Amendment Bill.*—*To be read a second time.*  
*Sentences in Criminal Trials Bill.*—*Adjourned debate on second reading.*

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

JOHN BARKER,  
*Clerk of the Legislative Council.*

No. 32.

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 8TH DECEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—Constitution Act, Schedule D.—Statement of Expenditure under—during the year 1884-5. Land Act 1884.—Order in Council.  
Severally ordered to lie on the Table.
5. STANDING ORDERS COMMITTEE REPORT.—The Honorable H. Cuthbert, on behalf of the President, Chairman, brought up the Report from this Committee.  
Ordered to lie on the Table, and, together with the proceedings of the Committee, to be printed.
6. SLUDGE DISPOSAL BILL.—The Honorable J. Campbell moved, That he have leave to bring in a Bill to provide for the disposal of Sludge from Mines.  
Question—put and resolved in the affirmative.  
Ordered—That the Honorable J. Campbell do prepare and bring in the Bill.  
The Honorable J. Campbell then brought up a Bill intituled "*A Bill to provide for the disposal of Sludge from Mines,*" 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. DAYS OF BUSINESS.—The Honorable F. T. Sargood moved, pursuant to *amended* notice, That the Sessional Order appointing the days of Business of the Legislative Council be read, and that leave be given to any Member of the Government in the Council to move from time to time, without notice, that the House adjourn until 3 p.m. on any subsequent day.  
Debate ensued.  
Question—put and resolved in the affirmative.
8. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of Orders 1, 2, and 4 be postponed until after the consideration of the 5th Order for to-day.
9. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable F. T. Sargood, the following Order of the Day was read and discharged :—  
*Discipline Act Amendment Bill.—Adoption of Report.*
10. DISCIPLINE ACT AMENDMENT BILL.—The Honorable F. T. Sargood moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.  
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with further amendments, the Council ordered the same to be taken into consideration this day.—Bill, as further amended, to be printed.
11. FACTORIES, WORKROOMS, AND SHOPS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.  
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.  
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

12. **DISCIPLINE ACT AMENDMENT BILL.**—On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.  
 The President having reported that the Chairman of Committees had certified that the print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.  
 The Honorable F. T. Sargood moved, That the following be the title of the Bill :—“ *An Act to amend ‘ ‘ The Discipline Act 1870, and the Acts amending the same, and for other purposes.*”  
 Question—put and resolved in the affirmative.  
 Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.
13. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Council ordered that the consideration of the following Orders of the Day be postponed until to-morrow :—  
*Local Government Act further Amendment Bill.—To be read a second time.*  
*Protection of Women Bill.—To be further considered in Committee.*  
*Estates of Deceased Persons Administration Law Amendment Bill.—Adjourned debate on second reading, and upon the amendment to postpone the second reading for six months.*  
*Bakers and Millers Statute Amendment Bill.—To be read a second time.*  
*Sentences in Criminal Trials Bill.—Adjourned debate on second reading.*
14. **ADJOURNMENT.**—The Honorable F. T. Sargood moved, That the Council, at its rising, adjourn until to-morrow, at three o'clock.  
 Question—put and resolved in the affirmative.

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

JOHN BARKER,  
 Clerk of the Legislative Council.

*Minutes of the Proceedings*  
OF THE  
**LEGISLATIVE COUNCIL.**

WEDNESDAY, 9TH DECEMBER, 1885.

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

HENRY B. LOCH,  
*Governor.*

*Message.*

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

“An Act to enable the Mayor, Councillors, and Burgesses of the Town of Hotham to demise for terms of years certain Lands vested in them, and to validate a lease to the Crown heretofore made by the said Mayor, Councillors, and Burgesses.”

“An Act to confer powers upon the Union Trustees, Executors, and Administrators’ Company Limited.”

“An Act to confer powers upon the Australian Executors and Trustees Association Limited.”

“An Act to protect the Interests of Lodgers.”

“An Act to amend The Executors’ Company’s Act, and to confer additional powers upon the Trustees, Executors, and Agency Company Limited.”

Government House,  
Melbourne, 8th December, 1885.

HENRY B. LOCH,  
*Governor.*

*Message.*

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

“An Act to bring into operation in respect of the Colony of Victoria an Act of the Imperial Parliament intituled ‘An Act to constitute a Federal Council of Australasia.’”

Government Offices,  
Melbourne, 9th December, 1885.

Severally ordered to lie on the Table.

5. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—  
Statistical Register of the Colony of Victoria for the year 1884—  
Part VI.—Production.  
Part VII.—Law, Crime, &c.  
Part VIII.—Accumulation.  
Railway Statistics of Australasia, in substitution of Table X, page 16, of the Australasian Statistics 1884.  
Severally ordered to lie on the Table.
6. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the 1st Order of the Day be postponed until after the consideration of the 4th Order for to-day.
7. FACTORIES, WORKROOMS, AND SHOPS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.  
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same with amendments.  
The Honorable F. T. Sargood moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration of Clauses 1, 3, 20, 30, and Schedule 3.  
Question—put and resolved in the affirmative.

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

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to further amend an Act intituled ‘An Act for Hospitals and Charitable Institutions,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same without amendment.

Legislative Assembly Chamber,  
Melbourne, 9th December, 1885.

PETER LALOR,  
Speaker.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending amendments in the Bill intituled “*An Act to make better provision for the Administration of Justice,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 9th December, 1885.

PETER LALOR,  
Speaker.

And the said Message from His Excellency the Governor was read and is as follows :—

HENRY B. LOCH,  
Governor.

Message No.

Pursuant to the provisions of section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly, for their consideration, the following amendments which he desires to be made in the Bill intituled “*An Act to make better provision for the Administration of Justice*” :—

In clause 2 omit the words “several Acts” and substitute the word “Act.”

And omit the word “are” wherever it occurs in the said section and substitute the word “is.”  
Government Offices,  
Melbourne, 7th December, 1885.

9. ADMINISTRATION OF JUSTICE BILL.—On the motion of the Honorable F. T. Sargood, the Council agreed to the several amendments recommended to be made in this Bill by His Excellency the Governor.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the said several amendments.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to authorize the raising of Money for Railways and Irrigation Works, and for other purposes,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 9th December, 1885.

PETER LALOR,  
Speaker.

11. RAILWAYS AND IRRIGATION WORKS LOAN BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message intituled “*An Act to authorize the raising of Money for Railways and Irrigation Works, and for other purposes,*” be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to enable Trustees and Committees of Management of Free Libraries, Reading Rooms, Mechanics’ Institutes, and Trades Halls to demise certain Lands for terms of years, and to raise Loans on the Rents of such Lands and Buildings, and for other purposes,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 9th December, 1885.

PETER LALOR,  
Speaker.

13. FREE LIBRARIES LOANS BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the above Message intituled “*An Act to enable Trustees and Committees of Management of Free Libraries, Reading Rooms, Mechanics’ Institutes, and Trades Halls to demise certain Lands for terms of years, and to raise Loans on the Rents of such Lands and Buildings, and for other purposes,*” be now read a first time.

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



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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to apply certain Moneys raised under Acts numbers DCVIII. and DCCCV. but not required for the purposes for which the Moneys were appropriated,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 9th December, 1885.

PETER LALOR,  
Speaker.

15. RAILWAY LOAN AND DEBENTURE ACCOUNTS APPLICATION BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled "*An Act to apply certain Moneys raised under Acts numbers DCVIII. and DCCCV. but not required for the purposes for which the Moneys were appropriated,*" 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.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Laws relating to the Licensing of Public Houses, and the sale of Fermented and Spirituous Liquors,*" and acquaint the Legislative Council that the Legislative Assembly do not now insist on disagreeing with the amendment insisted on by the Legislative Council, but have agreed to the same with amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 9th December, 1885.

PETER LALOR,  
Speaker.

On the motion of the Honorable F. T. Sargood, the Council ordered the above Message to be taken into consideration to-morrow.

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

*Sludge Disposal Bill.—To be read a second time,*

*Local Government Act further Amendment Bill.—To be read a second time,*

*Protection of Women Bill.—To be further considered in Committee, until to-morrow ;*

*Estates of Deceased Persons Administration Law Amendment Bill.—Adjourned debate on second reading, and upon the amendment to postpone the second reading for six months,*

*Sentences in Criminal Trials Bill.—Adjourned debate on second reading, until Tuesday, 15th December instant.*

18. BAKERS AND MILLERS STATUTE AMENDMENT BILL.—The Honorable F. E. Beaver moved, That this Bill be now read a second time.

Debate ensued.

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

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

Question—put and resolved in the affirmative.

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

The President resumed the Chair ; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Council ordered the same to be taken into consideration this day.

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

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

The Honorable F. E. Beaver moved, That the following be the title of the Bill :—"*An Act to amend the law relating to Bakers and Millers.*"

Question—put and resolved in the affirmative.

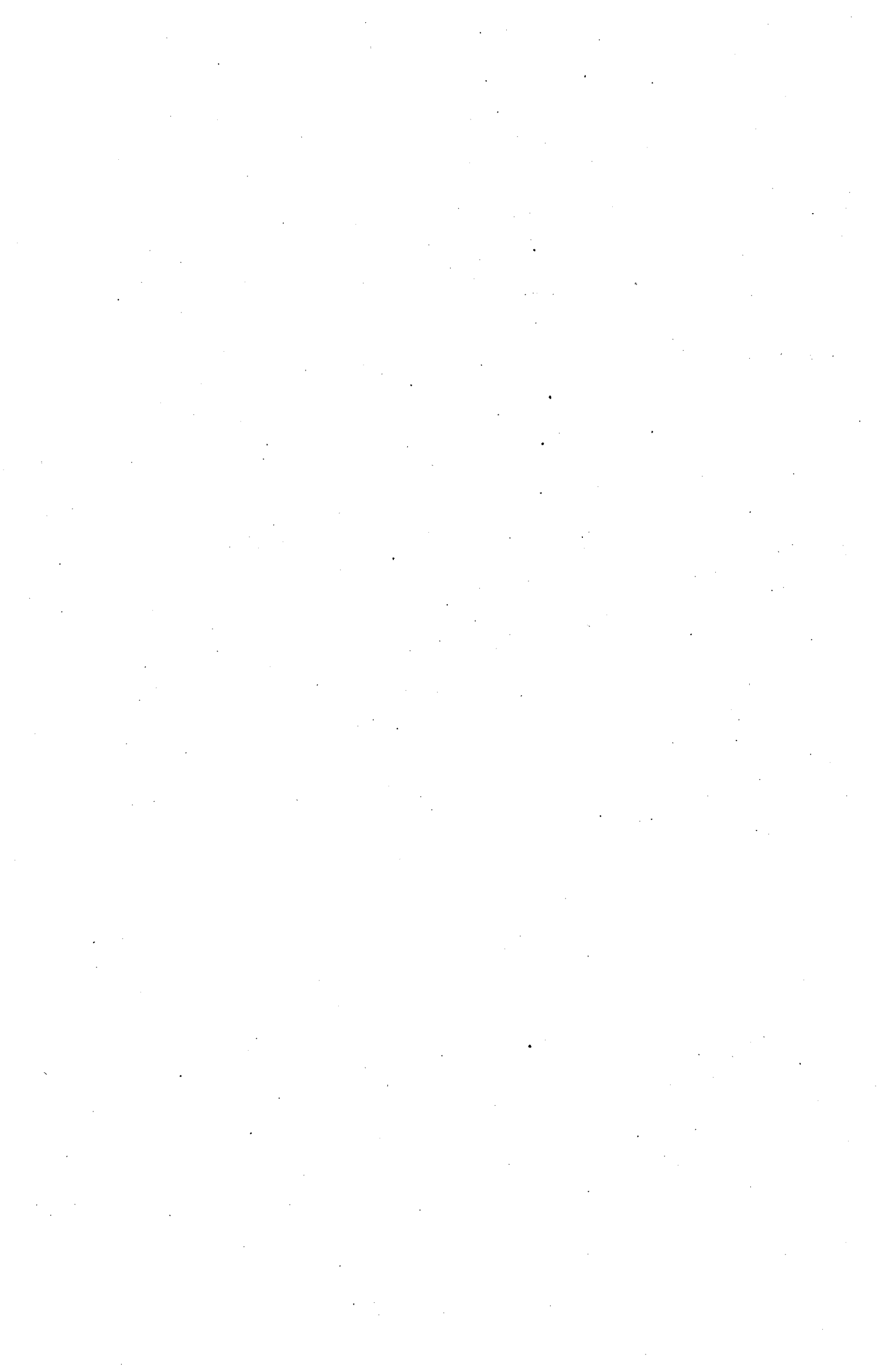
Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.

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

Question—put and resolved in the affirmative.

The Council adjourned at four minutes to eleven o'clock until to-morrow at three o'clock.

JOHN BARKER,  
Clerk of the Legislative Council.



# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

THURSDAY, 10<sup>TH</sup> DECEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PETITIONS.—The Honorable F. E. Beaver presented a Petition from the Very Rev. H. B. Macartney, D.D., styling himself chairman of the committee of the Society for the Promotion of Morality, praying the Council to pass the Criminal Law Amendment Bill now before the Council.  
Petition received, and ordered to lie on the Table.  
The Honorable F. E. Beaver, on behalf of the Honorable C. J. Ham, presented a Petition from certain members of the furniture trade, praying the Council to favorably consider their Petition, so that they might not be, by unfair competition, driven from the trade of their adoption.  
Petition read, and ordered to lie on the Table.
5. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of Orders 1 and 2 be postponed until after the consideration of the 3rd Order for to-day.
6. RAILWAY LOAN AND DEBENTURE ACCOUNTS APPLICATION BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.  
Debate ensued.  
Question—put and resolved in the affirmative.—Bill read a second time.  
The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same without amendment, the Council ordered the same to be taken into consideration this day.  
On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.  
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.  
The Honorable F. T. Sargood moved, That the following be the title of the Bill :—“ *An Act to apply certain Moneys raised under Acts numbers DCVIII and DCCCV but not required for the purposes for which the Moneys were appropriated.*”  
Question—put and resolved in the affirmative.  
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.
7. FACTORIES, WORKROOMS, AND SHOPS BILL.—On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.  
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time.  
On the motion of the Honorable F. T. Sargood, the Council ordered—  
That the following words be omitted from clause 1, line 6, viz.:—“ With the exception of the provisions relating to the closing of shops which shall come into operation on the first day of March One thousand eight hundred and eighty-six.”  
That in clause 9, line 9, after the word “ shall,” the following words be inserted, viz.:—“ In the year One thousand eight hundred and eighty-six be paid on or before the thirtieth day of April, and shall in other years ”  
That in clause 10, line 36, the following words be omitted, viz. :—“ Proprietor or his representative,” and the words “ occupier his agent or servant ” be inserted instead thereof.  
And that in clause 53, line 20, the word “ record ” be inserted after the word “ list.”  
Question—That the Bill do pass—put and resolved in the affirmative.  
The Honorable F. T. Sargood moved, That the following be the title of the Bill :—“ *An Act for the supervision and regulation of Factories and Workrooms and for the limitation of the Hours of Trading in Shops, and for other purposes.*”  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.

8. LICENSING OF PUBLIC HOUSES BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Assembly in the amendment of the Legislative Council to insert new Clause C in this Bill having been read,  
On the motion of the Honorable F. T. Sargood, the said several amendments were read, and are as follow:—

- Line 4, omit "if"; after "he" insert "may if he be the owner or if not with the written consent of the owner within six months from the commencement of this Act."  
Line 5, omit "so," and omit "do"  
Line 6, omit "he may"  
5 Line 7, omit "transfer," and insert "remove"  
Line 7, omit "insufficient"  
Line 9, omit "required," and after "accommodation" insert "required by this Act."  
Line 10, omit "the applicant," and insert "such licensed victualler"  
Line 11, omit "use," and insert "occupy"  
10 Line 12, omit "the house," and insert "it"  
Line 13, omit "required, and after "accommodation" insert "required by this Act."  
Lines 13 and 14, omit "and if there be no reasonable objection to the transfer"  
Line 15, omit "transfer" and insert "removal"  
At end of clause add—"Such licensed victualler so applying shall produce the written consent  
15 duly authenticated of a majority of the ratepayers resident in the neighbourhood of the house to which it is proposed to remove such licence. The licensing court shall in each case at their discretion determine what is to be deemed 'the neighbourhood' for the purpose of this section. And in the event of a house to which a licence has been removed being afterwards closed by the operation of this Act no compensation shall be given in  
20 respect thereof to either owner or tenant.  
"If the licensing court grant any such application they shall make an endorsement upon the licence in the form of the Sixth Schedule hereto, and thereupon the licence shall have the same effect as if it had been originally granted in respect of the premises to which it is so removed, and the premises from which it is so removed shall cease to be licensed  
25 premises."

"SIXTH SCHEDULE.

- "The licensing court for the licensing district of \_\_\_\_\_ at a meeting holden  
at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ (the written  
30 consent of the owner of the house in the within licence mentioned being now produced and filed in court and) the requisite notice for removal and a written consent duly authenticated by a majority of the ratepayers resident in the neighbourhood of the house hereinafter mentioned having been proved, doth hereby declare that the within licence shall henceforth cease to apply to the house and premises in the within licence mentioned and shall apply to the house known as \_\_\_\_\_ situated at  
35 \_\_\_\_\_ "Given under the seal of the said court the \_\_\_\_\_ day of \_\_\_\_\_  
One thousand eight hundred and eighty-\_\_\_\_\_."

And the said several amendments having been read, the Honorable F. T. Sargood moved, That the Council agree to the said amendments of the Legislative Assembly.

The Honorable H. Cuthbert moved, as an amendment, That the words "duly authenticated" be omitted from line 15.

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

The Honorable H. Cuthbert moved, as a further amendment, That the word "greater" be inserted in line 19 before the word "compensation."

Debate ensued.

Question—That the word proposed to be inserted be so inserted—put.  
Council divided.

Ayes, 12.  
The Hon. F. Brown  
H. Cuthbert  
T. Henty  
J. Lorimer  
W. McCulloch  
G. Meares, C.M.G.  
W. Pearson  
D. C. Sterry  
J. A. Wallace  
J. Williamson  
W. I. Winter  
T. F. Cumming (*Teller*).

Noes, 19.  
The Hon. J. Balfour  
J. Bell  
J. Buchanan  
J. Campbell  
Sir W. J. Clarke, Bart.  
D. Coutts  
Dr. Dobson  
C. J. Ham  
P. Hanna  
C. J. Jenner  
D. Melville  
W. Ross  
P. Russell  
F. T. Sargood  
W. E. Stanbridge  
N. Thornley  
H. H. Wettenhall  
G. Young  
F. E. Beaver (*Teller*).

And so it passed in the negative.

Question—That the Council agree with the Assembly in the said several amendments—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the said several amendments.

9. RAILWAYS AND IRRIGATION WORKS LOAN BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 The Honorable F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.  
 Question—put and resolved in the affirmative.  
 And, on the further motion of the Honorable F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
 The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same without amendment, the Council ordered the same to be taken into consideration this day.  
 On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.  
 The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.  
 The Honorable F. T. Sargood moved, That the following be the title of the Bill :—“ *An Act to authorize the raising of Money for Railways and Irrigation Works, and for other purposes.*”  
 Question—put and resolved in the affirmative.  
 Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.
10. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable J. Campbell, the Council ordered that the following Order of the Day be read and discharged :—  
*Sludge Disposal Bill.—To be read a second time.*  
 Ordered—That the said Bill be withdrawn.
11. LOCAL GOVERNMENT ACT FURTHER AMENDMENT BILL.—The Honorable N. Thornley moved, That this Bill be now read a second time.  
 Debate ensued.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 The Honorable N. Thornley moved, That this Bill be now committed to a Committee of the whole Council.  
 Question—put and resolved in the affirmative.  
 And, on the further motion of the Honorable N. Thornley, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
 The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.  
 Resolved—That the Council will, on Tuesday, 15th December instant, again resolve itself into the said Committee.
12. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, 15th December instant :—  
*Protection of Women Bill.—To be further considered in Committee.*
13. FREE LIBRARIES LOAN BILL.—The Honorable H. Cuthbert moved, That this Bill be now read a second time.  
 Debate ensued.  
 Question—put and resolved in the affirmative.—Bill read a second time.  
 The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole Council.  
 Question—put and resolved in the affirmative.  
 And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
 The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same without amendment, the Council ordered the same to be taken into consideration this day.  
 On the motion of the Honorable H. Cuthbert, the Council adopted the Report from the Committee of the whole on this Bill.  
 The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable H. Cuthbert, read a third time and *passed*.  
 The Honorable H. Cuthbert moved, That the following be the title of the Bill :—“ *An act to enable Trustees and Committees of Management of Free Libraries, Reading Rooms, Mechanics' Institutes, and Trades' Halls, to demise certain lands for terms of years, and to raise Loans on the Rents of such lands and buildings, and for other purposes.*”  
 Question—put and resolved in the affirmative.  
 Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.
14. MESSAGES FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Messages from the Legislative Assembly :—  
 MR. PRESIDENT—  
 The Legislative Assembly return to the Legislative Council the Bill intituled “ *An Act to amend the law relating to Justices of the Peace,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same without amendment.

PETER LALOR,  
 Speaker.

Legislative Assembly Chamber,  
 Melbourne, 10th December, 1885.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to make provision for the preferential payment on the winding-up of any company of one month's wages to persons employed by it,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the same without amendment.

Legislative Assembly Chamber,  
Melbourne, 10th December, 1885.

PETER LALOR,  
Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Law relating to Bakers and Millers,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 10th December, 1885.

PETER LALOR,  
Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to consolidate and amend the Law with respect to manufacturing, carrying, storing, and selling Gun-powder and other Explosive Substances,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 10th December, 1885.

PETER LALOR,  
Speaker.

And the said several amendments were read and are as follow :—

Clause 5, line 21, after "issued" insert "and the fees payable thereon."

Clause 18, line 3, after "certificate" insert "and payment of the rent and storage charges due, which rent and charges shall be calculated according to the table contained in the Second Schedule hereto."

Insert New Second Schedule.

	Receipt and Delivery each.			Rent per Week.		
	£	s.	d.	£	s.	d.
For every barrel or package containing 100 lbs. of explosives or upwards ... ..	0	0	3	0	0	1
For every barrel or package containing 50 lbs. of explosives and under 100 lbs. ... ..	0	0	2	0	0	0½
For every barrel or package containing 25 lbs. of explosives and under 50 lbs. ... ..	0	0	1	0	0	0¼

On the motion of the Honorable F. T. Sargood, the Council agreed to the said several amendments. Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the said several amendments.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the Pharmacy Act 1876,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 10th December, 1885.

PETER LALOR,  
Speaker.

16. PHARMACY ACT AMENDMENT BILL.—The Honorable J. Lorimer moved, That the Bill transmitted by the above Message, intituled "*An Act to amend the Pharmacy Act 1876,*" be now read a first time. Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 15th December, inst.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorize the construction of a Bridge across the River Yarra Yarra in line with Swanston street, in the City of Melbourne, and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 10th December, 1885.

PETER LALOR,  
Speaker.

18. SWANSTON-STREET BRIDGE BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled "*An Act to authorize the construction of a Bridge across the River Yarra Yarra in line with Swanston street, in the City of Melbourne, and for other purposes,*" be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 15th December instant.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to continue various Expiring Laws,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 10th December, 1885.

PETER LALOR,  
Speaker.

20. EXPIRING LAWS CONTINUATION BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled "*An Act to continue various Expiring Laws,*" be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 15th December instant.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for a Grant to the Widow and Family of the late James Macpherson Grant,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 10th December, 1885.

PETER LALOR,  
Speaker.

22. GRANT GRATUITY BILL.—The Honorable J. Bell moved, That the Bill transmitted by the above Message, intituled "*An Act to provide for a Grant to the Widow and Family of the late James Macpherson Grant,*" 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, 15th December instant.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend 'The Victorian Water Conservation Acts 1881-1884,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 10th December, 1885.

PETER LALOR,  
Speaker.

24. WATER CONSERVATION ACTS AMENDMENT BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled "*An Act to amend 'The Victorian Water Conservation Acts 1881-1884,'*" 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, 15th December instant.

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

JOHN BARKER,  
Clerk of the Legislative Council.





No. 35.

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 15<sup>TH</sup> DECEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.

4. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—  
Tuberculosis in Cattle.—Report of the Board appointed to enquire relative to the existence and extent in Victoria of the disease in cattle known as “Tuberculosis,” whether its existence is likely to be detrimental to the public health, and what preventive means should be adopted; together with Minutes of Evidence.

Ordered to lie on the Table.

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

Victorian Railways—Estimate of Expenditure under Loan Act No. 760, Land Act No. 812, and the Railway Loan Account 1885.

Pilot Board—Accounts of the Pilot Board of Victoria for the Year ended 31st August, 1885; together with the Audit Commissioners’ Report thereon.

Severally ordered to lie on the Table.

5. MESSAGES FROM HIS EXCELLENCY THE GOVERNOR.—The following Messages from His Excellency the Governor were presented by the Honorable F. T. Sargood, and the same were read, and are as follow :—

HENRY B. LOCH,  
*Governor.*

*Message.*

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

“An Act to make better provision for the Administration of Justice.”

“An Act to authorize the raising of Money for Railways and Irrigation Works, and for other purposes.”

Government Offices,  
Melbourne, 14th December, 1885.

HENRY B. LOCH,  
*Governor.*

*Message.*

Pursuant to the provisions of section 36 of the Constitution Act, the Governor transmits to the Legislative Council, for their consideration, the following amendments which he desires to be made in the Bill intituled “An Act to amend the Law relating to Justices of the Peace” :—

In clause 1, after the word “Acts” insert the figures “CCCXIX.”

In clause 2 strike out the words “with such costs as the court may think fit.”

At the end of clause 3 add the words “section 8 of the Act No. XXII is hereby repealed.”

Clause 6, after the words “enforced by distress and” insert the words “in default of distress by”

Government Offices,  
Melbourne, December, 1885.

6. JUSTICES OF THE PEACE LAW AMENDMENT BILL.—The Honorable J. Campbell moved, That the Council agree to the said several amendments recommended by His Excellency the Governor in this Bill.

Question—put and resolved in the affirmative.

Ordered—That the Message from His Excellency the Governor be transmitted to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the said several amendments, and desiring their concurrence therewith.

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

*Estates of Deceased Persons Administration Law Amendment Bill.*—*Adjourned debate on second reading, and upon the amendment to postpone the second reading for six months.*

Ordered—That the Bill be withdrawn.

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

The President resumed the Chair; and the Honorable J. Lorimer reported that the Committee had gone through the Bill, and had agreed to the same with amendments, and with an amended title.

The Honorable H. Cuthbert moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration of clause 4 of this Bill.

Question—put and resolved in the affirmative.

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

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

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

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

The President resumed the Chair; and the Honorable J. Lorimer having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Council ordered the same to be taken into consideration this day.

10. SWANSTON-STREET BRIDGE BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

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

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

The Honorable F. T. Sargood moved, That the following be the title of the Bill:—“*An Act to authorize the construction of a Bridge across the River Yarra Yarra in line with Swanston street, in the City of Melbourne, and for other purposes.*”

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to adjust discrepancies between Surveys and Titles, and for other matters,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same without amendment.

PETER LALOR,

Legislative Assembly Chamber,

Speaker.

Melbourne, 15th December, 1885.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend ‘The Electoral Act 1865’ and ‘The Electoral Act Amendment Act 1876,’*” with which they desire the concurrence of the Legislative Council.

PETER LALOR,

Legislative Assembly Chamber,

Speaker.

Melbourne, 15th December, 1885.

13. ELECTORAL ACTS AMENDMENT BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message intituled “*An Act to amend ‘The Electoral Act 1865,’ and ‘The Electoral Act Amendment Act 1876’*” be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to further amend the Mining Statute 1865, and to amend the Act No. CCCCXLVI, and also to amend the Mining on Private Property Act 1884,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 15th December, 1885.

PETER LALOR,  
Speaker.

15. MINING LAWS AMENDMENT BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled "*An Act to further amend the Mining Statute 1865, and to amend the Act No. CCCCXLVI, and also to amend the Mining on Private Property Act 1884,*" 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.

16. EXPIRING LAWS CONTINUATION BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

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

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

The Honorable F. T. Sargood moved, That the following be the title of the Bill:—" *An Act to continue various expiring Laws.*"

Question—put and resolved in the affirmative.

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

17. WATER CONSERVATION ACTS AMENDMENT BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.

Debate ensued.

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

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

Question—put and resolved in the affirmative.

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

The President resumed the Chair; and the Honorable J. Lorimer having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Council ordered the same to be taken into consideration this day.

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

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

The Honorable F. T. Sargood moved, That the following be the title of the Bill:—" *An Act to amend the Victorian Water Conservation Acts 1881-1884.*"

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to apply a sum out of the Consolidated Revenue to the service of the year ending on the thirtieth day of June, One thousand eight hundred and eighty-six, and to appropriate the Supplies granted in this Session of Parliament,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 15th December, 1885.

PETER LALOR,  
Speaker.

19. APPROPRIATION BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled "*An Act to apply a sum out of the Consolidated Revenue to the service of the year ending on the thirtieth day of June, One thousand eight hundred and eighty-six, and to appropriate the Supplies granted in this Session of Parliament,*" be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending amendments in the Bill intituled "*An Act to amend the Laws relating to the Licensing of Public Houses and the Sale of Fermented and Spirituous Liquors,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

PETER LALOR,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 15th December, 1885.

And the said Message from His Excellency the Governor was read, and is as follows:—

HENRY B. LOCH,  
Governor.

Pursuant to the provisions of section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly for their consideration the following amendments which he desires to be made in the Bill intituled "*An Act to amend the Laws relating to the Licensing of Public Houses and the Sale of Fermented and Spirituous Liquors*" :—

In clause 3, in the definition of the term "licensed grocer," after the words "time of the commencement of this Act a" insert the word "grocer's"

In clause 4, after the words "licensing court for the licensing district," strike out the word "have," and substitute "has"

In clause 5, strike out the words "has been," and substitute "are"

In clause 14, after the words "For a billiard table licence Five pounds per table per annum" insert the words "for any number of tables not greater than four on any licensed premises, and for any number of tables greater than four, twenty pounds per annum for the whole of such tables"

In clause 18, strike out the words "dimension and," and substitute "dimensions hereinafter specified and shall be otherwise"

In clause 25, after the words "above the statutory number then" insert the words "the Licensing Court shall, before the tenth day of the month of June, next ensuing, determine as hereinafter provided which of such licensed premises shall be deprived of a licence and"

After the words "determination arrived at," strike out the word "and"

In clause 38, after the words "some other" insert the words "person or"

In clause 107, after the word "admission," strike out the word "be," and substitute the word "is"

In clause 130, strike out the word "attempt," and substitute the word "attempting"

In clause 149, strike out the words "and fines, penalties, and forfeitures," and after the words "since that year" insert the words "and on account of fines, penalties, and forfeitures, under the provisions of the said Act."

First Schedule—Colonial Wine Licence, after the words "both days inclusive" insert the words "if not forfeited in the meantime"

Government Offices,  
Melbourne, 15th December, 1885.

On the motion of the Honorable F. T. Sargood, the Council agreed to the several amendments recommended by His Excellency the Governor.

Ordered—That a Message be transmitted to the Legislative Assembly, acquainting them that the Legislative Council had agreed to the several amendments recommended to be made in this Bill by His Excellency the Governor.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor, recommending an amendment in the Bill intituled "*An Act to apply certain Moneys raised under Acts numbers DCVIII and DCCCV, but not required for the purposes for which the Moneys were appropriated,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the said amendment recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

PETER LALOR,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 15th December, 1885.

And the said Message from His Excellency the Governor was read and is as follows :—

HENRY B. LOCH,  
Governor.

Pursuant to the provisions of section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly for their consideration the following amendments which he desires to be made in the Bill intituled "*An Act to apply certain Moneys raised under Acts numbers DCVIII and DCCCV, but not required for the purposes for which the Moneys were appropriated.*"

In the preamble after the words "Schedules to the said Acts" strike out the words "and whereas"

Government Offices,  
Melbourne, December, 1885.

On the motion of the Honorable F. T. Sargood, the Council agreed to the said amendment recommended by His Excellency the Governor.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the said amendment.

22. **WOMEN'S PROTECTION BILL.**—On the motion of the Honorable J. Campbell, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable J. Campbell moved, That the following be the title of the Bill :—*An Act to make further Provision for the Protection of Women and Girls the Suppression of Brothels and other purposes.*

Question—put and resolved in the affirmative.

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

23. **PHARMACY BILL.**—The Honorable J. Lorimer moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

On the motion of the Honorable H. Cuthbert the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable H. Cuthbert moved, That the following be the title of the Bill :—*An Act to amend the Pharmacy Act 1876.*

Question—put and resolved in the affirmative.

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

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

*Sentences in Criminal Trials Bill.*—*Adjourned debate on second reading,*  
*Grant Gratuity Bill.*—*To be read a second time.*

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Message from His Excellency the Governor, recommending amendments in the Bill intituled "*An Act to amend the Law relating to Justices of the Peace,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill.

Legislative Assembly Chamber,  
Melbourne, 15th December, 1885.

PETER LALOR,  
Speaker.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend 'The Thistle Prevention Statute 1865,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 15th December, 1885.

PETER LALOR,  
Speaker.

27. **THISTLE PREVENTION STATUTE AMENDMENT BILL.**—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled "*An Act to amend 'The Thistle Prevention Statute 1865,'*" 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.

28. **ADJOURNMENT.**—The Honorable F. T. Sargood moved, That the Council, at its rising, adjourn until to-morrow at three o'clock.

Question—put and resolved in the affirmative.

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

JOHN BARKER,  
Clerk of the Legislative Council.



# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

WEDNESDAY, 16TH DECEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.
4. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—  
Land Act 1884—Order under.  
Ordered to lie on the Table.  
The Honorable F. T. Sargood presented, pursuant to Act of Parliament—  
Supreme Court.—Regula Generalis.  
Ordered to lie on the Table.
5. PETITION.—The Honorable C. J. Ham presented a Petition from certain employers and manufacturers in the furniture trade, praying the Council to favourably consider the statements set forth in the Petition.  
Petition received and ordered to lie on the Table.
6. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—  
MR. PRESIDENT—  
The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend the Victorian Water Conservation Acts 1881–1884,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.  

PETER LALOR,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 16th December, 1885.
7. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—  
MR. PRESIDENT—  
The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to further amend ‘The Mallee Pastoral Leases Act 1883,’ and for other purposes,*” with which they desire the concurrence of the Legislative Council.  

PETER LALOR,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 16th December, 1885.
8. MALLEE PASTORAL LEASES ACT AMENDMENT BILL.—The Honorable N. Thornley moved, That the Bill transmitted by the above Message, intituled “*An Act to further amend ‘The Mallee Pastoral Leases Act 1883,’ and for other purposes,*” be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time to-morrow.
9. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—  
MR. PRESIDENT—  
The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to apply out of the Railway Loan Account 1885, or temporarily out of the Consolidated Revenue, certain sums of Money for Railway Works, and other purposes,*” with which they desire the concurrence of the Legislative Council.  

PETER LALOR,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 16th December, 1885.
10. RAILWAY LOAN ACCOUNT 1885 APPLICATION BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “*An Act to apply out of the Railway Loan Account 1885, or temporarily out of the Consolidated Revenue, certain sums of Money for Railway Works, and other purposes,*” be now read a first time.  
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time this day.

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

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

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

Question—put and resolved in the affirmative.

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

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

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

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

The Honorable F. T. Sargood moved, That the following be the title of the Bill:—“*An Act to apply out of the ‘Railway Loan Account 1885’ or temporarily out of the Consolidated Revenue certain sums of Money for Railway Works and other purposes.*”

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to declare the meaning of certain words in the Real Property Statute 1864,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 16th December, 1885.

PETER LALOR,  
Speaker.

12. REAL PROPERTY STATUTE 1864 EXPLANATION BILL.—The Honorable N. Thornley moved, That the Bill transmitted by the above Message, intituled “*An Act to declare the meaning of certain words in the Real Property Statute 1864,*” be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to further amend ‘The Real Property Statute 1864,’*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 16th December, 1885.

PETER LALOR,  
Speaker.

14. REAL PROPERTY STATUTE AMENDMENT BILL.—The Honorable N. Thornley moved, That the Bill transmitted by the above Message, intituled “*An Act to further amend ‘The Real Property Statute 1864,’*” be now read a first time.

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

15. LOCAL GOVERNMENT ACT FURTHER AMENDMENT BILL.—The Order of the Day for the further re-consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further re-consideration thereof.

The President resumed the Chair; and the Honorable J. Lorimer having reported that the Committee had gone through the Bill, and agreed to the same with a further amendment, the Council ordered the Report to be taken into consideration this day.

On the motion of the Honorable N. Thornley, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable N. Thornley moved, That the following be the title of the Bill:—“*An Act to further amend the ‘Local Government Act 1874,’ and for other purposes.*”

Question—put and resolved in the affirmative.

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

16. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the second and third Orders be postponed until after the consideration of the fourth Order for to-day.

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

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

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



Question—put and resolved in the affirmative.

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

The President resumed the Chair; and the Honorable J. Lorimer having reported that the Committee had gone through the Bill, and agreed to the same without amendment, the Council ordered the same to be taken into consideration to-morrow.

18. MINING LAWS AMENDMENT BILL.—The Honorable J. Campbell moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

On the motion of the Honorable J. Campbell, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable J. Campbell moved, That the following be the title of the Bill:—“*An Act to further amend the ‘Mining Statute 1865,’ and to amend the Act No. CCCCXLVI, and also to amend ‘The Mining on Private Property Act 1884.’*”

Question—put and resolved in the affirmative.

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

19. ELECTORAL ACTS AMENDMENT BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.

Debate ensued.

The Honorable H. Cuthbert moved as an amendment, That the word “now” be omitted, and that the words “this day six months” be added to the word “time.”

Debate continued.

Question—That the word “now,” proposed to be omitted, stand part of the question—put.

Council divided.

Ayes, 10.

The Hon. J. Bell  
F. Brown  
J. Campbell  
D. Coutts  
C. J. Ham  
P. Hanna  
F. T. Sargood  
J. A. Wallace  
G. Young  
N. Thornley (*Teller*).

Noes, 20.

The Hon. J. Balfour  
G. F. Belcher  
T. Bromell  
J. Buchanan  
Sir W. J. Clarke, Bart.  
J. G. Dougharty  
T. Henty  
C. J. Jenner  
J. Lorimer  
W. McCulloch  
G. Meares, C.M.G.  
D. Melville  
W. Ross  
P. Russell  
W. E. Stanbridge  
D. C. Sterry  
H. H. Wettenthal  
W. I. Winter  
W. A. Zeal  
T. F. Cumming (*Teller*).

And so it passed in the negative.

Question—That the words “this day six months” be added after the word “time”—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.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend the Law relating to Bills of Lading*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with an amendment, with which they desire the concurrence of the Legislative Council.

PETER LALOR,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 16th December, 1885.

The said amendment was read and is as follows:—

Clause 6, line 8, after “Melbourne” insert “Port Melbourne and Williamstown.”

The Honorable F. T. Sargood moved, That the Council agree with the Legislative Assembly in the said amendment.

The Honorable D. Melville moved, That the debate be now adjourned.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act for the supervision and regulation of Factories and Workrooms, and for the limitation of the hours of trading in Shops, and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to some of the amendments made in such Bill by the Legislative Council, and have disagreed to others of the said amendments, and have agreed to one of the said amendments with an amendment, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 16th December, 1885.

PETER LALOR,  
Speaker.

And the several amendments disagreed to by the Legislative Assembly were read, and are as follow :—

- (1.) Clause 3, line 34, omit "four" and insert "six." Disagreed to by the Legislative Assembly.
- (2.) Clause 15, omit this clause. Agreed to by the Legislative Assembly, with the following amendment :—To retain the first part of the clause, and to omit all the words after "Minister may require," in line 10.
- (3.) Clause 59, line 12, after "manufactured" omit all words to end of Clause, and insert "or sent out of any factory or workroom shall be legibly and permanently stamped, such stamp shall specify the manufacturer's name and address. Every occupier of a factory or workroom omitting to cause his goods to be stamped as aforesaid, and every person who stamps any goods falsely or with a statement that is untrue in any respect or who sells any goods so falsely stamped by any person shall be guilty of an offence, and on conviction thereof before any two justices be liable to a fine not exceeding Ten pounds for each such offence." Disagreed to by the Legislative Assembly.
- (4.) Third Schedule (last line), omit "Booksellers' and News Agents' Shops."

The Honorable F. T. Sargood moved, That the Council do not insist on amendment 1.

Debate ensued.

Question—put.

Council divided.

Ayes, 10.

The Hon. J. Balfour  
J. Buchanan  
J. Campbell  
C. J. Ham  
G. Meares, C.M.G.  
W. Ross  
P. Russell  
F. T. Sargood  
N. Thornley  
C. J. Jenner (*Teller*).

Noes, 20.

The Hon. G. F. Belcher  
J. Bell  
Sir W. J. Clarke, Bart.  
D. Coutts  
T. F. Cumming  
H. Cuthbert  
J. G. Dougharty  
P. Hanna  
T. Henty  
J. Lorimer  
W. McCulloch  
D. Melville  
W. E. Stanbridge  
D. C. Sterry  
J. A. Wallace  
H. H. Wettenthal  
W. I. Winter  
G. Young  
W. A. Zeal  
F. Brown (*Teller*).

And so it passed in the negative.

Question—That the Council insist on amendment 1—put and resolved in the affirmative.

On the motion of the Honorable F. T. Sargood, the Council agreed to the amendment made by the Legislative Assembly on amendment 2.

The Honorable F. T. Sargood moved, That the Council do not insist on amendment 3.

Debate ensued.

Question—put and negatived.

Question—That the Council insist on amendment 3—put and resolved in the affirmative.

The Honorable F. T. Sargood moved, That the Council do not insist on amendment 4.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Council do not insist on one of their amendments, that they do insist on two of their amendments, and have agreed to the amendment made by the Legislative Assembly on their amendment to omit clause 15.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to alter and amend 'The Transfer of Land Statute,' and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 16th December, 1885.

PETER LALOR,  
Speaker.

On the motion of the Honorable N. Thornley, the Council ordered the amendments to be printed, and taken into consideration to-morrow.

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

*Sentences in Criminal Trials Bill.*—Adjourned debate on second reading.

24. **THISTLE PREVENTION BILL.**—The Honorable N. Thornley moved, That this Bill be now read a second time.

Debate ensued.

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

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

Question—put and resolved in the affirmative.

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

The President resumed the Chair; and the Honorable J. Lorimer having reported that the Committee had gone through the Bill, and agreed to the same with amendments, the Council ordered the same to be taken into consideration this day.

On the motion of the Honorable N. Thornley, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable N. Thornley moved, That the following be the title of the Bill :—“ *An Act to amend ‘The Thistle Prevention Statute 1865.’*”

Question—put and resolved in the affirmative.

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

25. **GRANT GRATUITY BILL.**—The Honorable J. Bell moved, That this Bill be now read a second time.

Debate ensued.

Question—put.

Council divided.

Ayes, 12.  
The Hon. J. Bell  
T. Bromell  
J. Buchanan  
Sir W. J. Clarke, Bart.  
D. Coutts  
C. J. Ham  
F. T. Sargood  
W. E. Stanbridge  
H. H. Wettenhall  
G. Young  
W. A. Zeal  
J. Balfour (*Teller*).

Noes, 11.  
The Hon. G. F. Belcher  
F. Brown  
J. G. Dougharty  
J. Lorimer  
W. McCulloch  
G. Meares, C.M.G.  
D. Melville  
W. Ross  
P. Russell  
N. Thornley  
C. J. Jenner (*Teller*).

And so it was resolved in the affirmative.

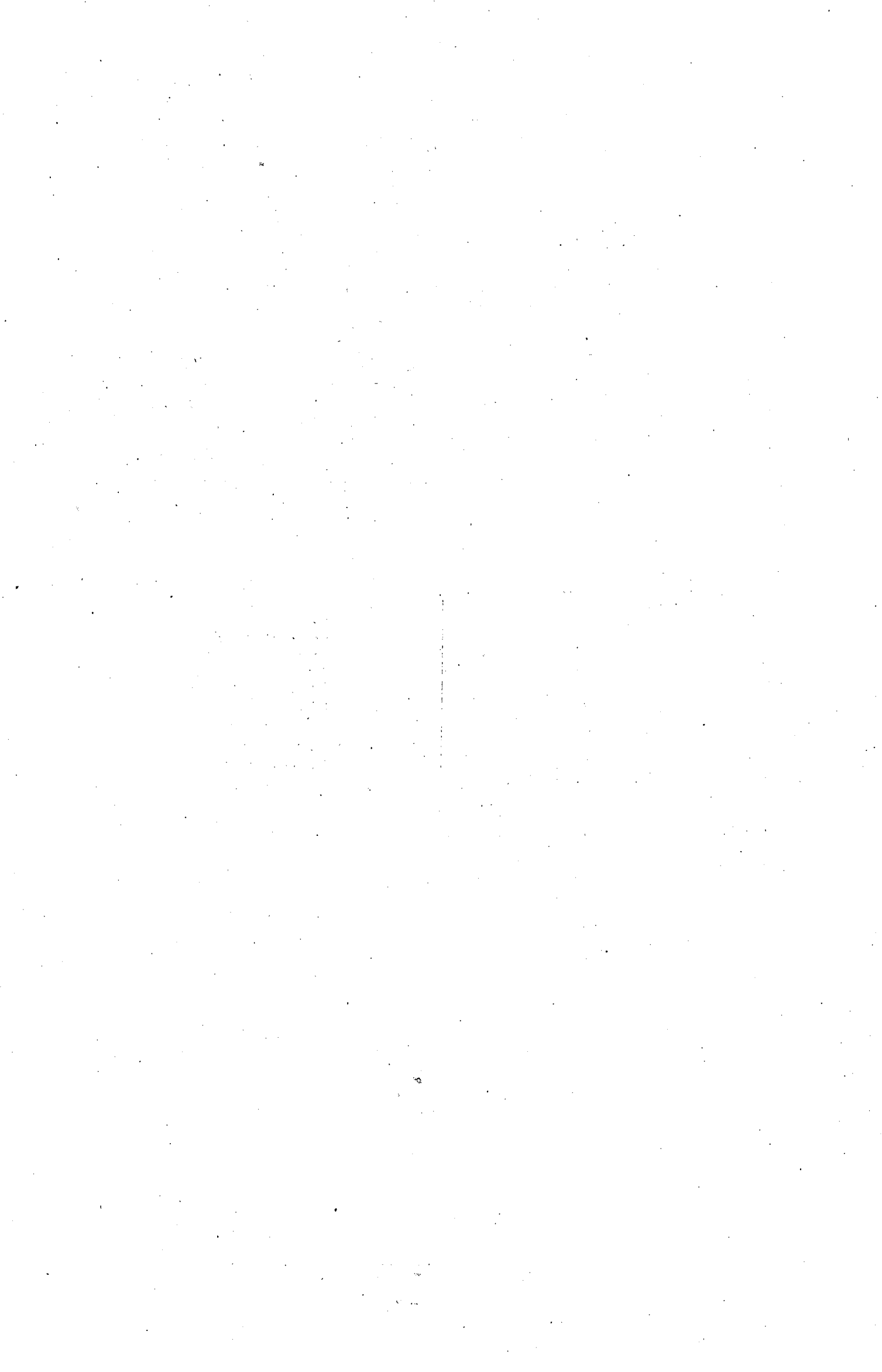
Bill read a second time.

The Honorable J. Bell moved, That this Bill be committed to a Committee of the whole Council to-morrow.

Question—put and resolved in the affirmative.

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

JOHN BARKER,  
*Clerk of the Legislative Council.*



# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

THURSDAY, 17<sup>TH</sup> DECEMBER, 1885.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the prayer.

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

HENRY B. LOCH,  
Governor.

Pursuant to the provisions of section 36 of the Constitution Act, the Governor transmits to the Legislative Council, for their consideration, the following amendment, which he desires to be made in the Bill intituled "*An Act to adjust discrepancies between Surveys and Titles, and for other matters*":—

At the end of clause 1, add the words "Nothing in this Act contained shall apply to any acts or things done, made, or commenced, rights, privileges, or protection acquired, or liabilities incurred, in respect of which any action or proceeding has been commenced before the passing of this Act."

Government Offices,  
Melbourne, 17th December, 1885.

On the motion of the Honorable N. Thornley, the Council agreed to the above amendment recommended by His Excellency the Governor.

Ordered—That the Message of His Excellency the Governor be transmitted to the Legislative Assembly, with a Message acquainting them that the Legislative Council have agreed to the said amendment, and requesting their concurrence therewith.

5. PAPERS.—The Honorable F. T. Sargood presented, by command of His Excellency the Governor—  
Noxious Fumes Board—Report of the.  
The Observatory—Twentieth Report of the Board of Visitors to—  
Aborigines—Twenty-first Report of the Board for the Protection of the—  
Statistical Register of the colony of Victoria, for the year 1884—Part IX.—Religious, Moral, and Intellectual Progress.

Severally ordered to lie on the Table.

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

Lowan Shire Waterworks Trust.—Detailed Statement required by Sec. 92 of "The Victorian Water Conservation Act 1883," *re* application of the Lowan Shire Trust for an additional loan of £3,500, for Works to be constructed for an Urban Waterworks District which it desires to have constituted for the Town of Nhill.

The Land Act 1884, Sec. 69.—Schedule of Country Lands proposed to be offered for sale by public auction during the year 1886.

Severally ordered to lie on the Table.

6. MALLEE PASTORAL LEASES ACT AMENDMENT BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

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

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

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

Question—put and resolved in the affirmative.

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

7. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Council ordered that the consideration of Orders 2 and 3 be postponed until after the consideration of the 5th Order for to-day.
8. **APPROPRIATION BILL.**—On the motion of the Honorable F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.  
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable F. T. Sargood, read a third time and *passed*.  
The Honorable F. T. Sargood moved, That the following be the title of the Bill:—“*An Act to apply a sum out of the Consolidated Revenue to the service of the year ending on the thirtieth day of June, One thousand eight hundred and eighty-six, and to appropriate the Supplies granted in this Session of Parliament.*”  
Question—put and resolved in the affirmative.  
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.
9. **BILLS OF LADING BILL.**—The Order of the Day for the resumption of the debate on the question—That the Council agree with the amendment made by the Legislative Assembly in this Bill—having been read,  
Question—put and resolved in the affirmative.  
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the said amendment.
10. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Council ordered that the consideration of Order 6, Government Business, and 1, General Business, on the paper for to-day, be postponed until after the consideration of Order of the Day 2, General Business.
11. **GRANT GRATUITY BILL.**—The Honorable J. Bell moved, That this Bill be now committed to a Committee of the whole Council.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable J. Bell, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same without amendment, the Council ordered the same to be taken into consideration this day.  
On the motion of the Honorable J. Bell, the Council adopted the Report from the Committee of the whole on this Bill.  
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. Bell, read a third time and *passed*.  
The Honorable J. Bell moved, That the following be the title of the Bill:—“*An Act to provide for a Grant to the Widow and Family of the late James Macpherson Grant.*”  
Question—put and resolved in the affirmative.  
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.
12. **REAL PROPERTY STATUTE 1864 EXPLANATION BILL.**—The Honorable N. Thornley moved, That this Bill be now read a second time.  
Debate ensued.  
Question—put and resolved in the affirmative.—Bill read a second time.  
The Honorable N. Thornley moved, That this Bill be now committed to a Committee of the whole Council.  
Question—put and resolved in the affirmative.  
And, on the further motion of the Honorable N. Thornley, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.  
Resolved—That the Council will, this day, again resolve itself into the said Committee.
13. **MESSAGES FROM THE LEGISLATIVE ASSEMBLY.**—The President announced to the Council the receipt of the following Messages from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend ‘The Thistle Prevention Statute 1865,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 17th December, 1885.

PETER LALOR,  
Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act for the supervision and regulation of Factories and Workrooms, and for the Limitation of the Hours of Trading in Shops, and for other purposes,*” and acquaint the Legislative Council that the Legislative Assembly do not now insist on disagreeing with one of the amendments insisted on by the Legislative Council, and have agreed to the other amendment insisted on by the Legislative Council with an amendment, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 17th December, 1885.

PETER LALOR,  
Speaker.

The amendment of the Legislative Assembly on Amendment 3 of the Legislative Council was read, and is as follows:—Disagreement of the Legislative Assembly not now insisted on, but amendment of the Legislative Council agreed to with the following amendment, viz., to omit all the words after “stamped.”

On the motion of the Honorable F. T. Sargood, the Council agreed to the above amendment made by the Legislative Assembly on the amendment of the Legislative Council.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the said amendment.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to vest certain land, being portion of suburban section 68, in the parish of Jika Jika and county of Bourke, in Her Majesty,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 17th December, 1885.

PETER LALOR,  
Speaker.

15. JIKA JIKA LAND VESTING BILL.—The Honorable J. Campbell moved, That the Bill transmitted by the above Message, intituled, “*An Act to vest certain land, being portion of suburban section 68, in the parish of Jika Jika and county of Bourke, in Her Majesty,*” 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. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to further amend the Act No. LXXXVI, intituled ‘An Act to amend the law for the collection and payment of the Public Moneys, the Audit of Public Accounts, and the protection and recovery of the Public Property,’*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 17th December, 1885.

PETER LALOR,  
Speaker.

17. AUDIT ACT AMENDMENT BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled “*An Act to further amend the Act No. LXXXVI, intituled ‘An Act to amend the law for the collection and payment of the Public Moneys, the Audit of Public Accounts, and the protection and recovery of the Public Property,’*” be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to enable the President, Councillors, and Ratepayers of the Shire of Avon to sell and convey certain Lands at Stratford, and to expend the proceeds of such sale, together with other Moneys, in the erection of a Court House and other Buildings,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 17th December, 1885.

PETER LALOR,  
Speaker.

19. STRATFORD LANDS SALE BILL.—The Honorable W. McCulloch moved, That the Bill transmitted by the above Message, intituled “*An Act to enable the President, Councillors, and Ratepayers of the Shire of Avon to sell and convey certain Lands at Stratford, and to expend the proceeds of such sale, together with other Moneys, in the erection of a Court House and other Buildings,*” be now read a first time.

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

The Honorable W. McCulloch moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

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

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

The Honorable W. McCulloch moved, That the following be the title of the Bill:—“*An Act to enable the President, Councillors, and Ratepayers of the Shire of Avon to sell and convey certain*”

*"Lands at Stratford, and to expend the proceeds of such sale, together with other moneys, in the erection of a Court House and other buildings."*

Question—put and resolved in the affirmative.

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

20. REAL PROPERTY STATUTE 1864 EXPLANATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair, and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same with amendments, the Council ordered that the same be taken into consideration this day.

On the motion of the Honorable N. Thornley the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable N. Thornley moved, That the following be the title of the Bill:—*"An Act to declare the meaning of certain words in the Real Property Statute 1864."*

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Message from His Excellency the Governor, recommending an amendment in the Bill intituled *"An Act to adjust discrepancies between Surveys and Titles and for other matters"* and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment recommended by His Excellency the Governor in this Bill.

PETER LALOR,  
Speaker.

Legislative Assembly Chambers,  
Melbourne, 17th December, 1885.

22. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the 3rd Order be postponed until after the consideration of the 6th Order for to-day.

22. TRANSFER OF LAND STATUTE AMENDMENT BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Assembly in this Bill having been read, the said amendments were read, and are as follow:—

- (1) Clause 1, at the end of the clause insert "This Amending Act shall commence and come into operation on the first day of January, One thousand eight hundred and eighty-six, but nothing herein contained shall apply to any acts or things done, made, or commenced, rights, privileges, or protection acquired, or liabilities incurred in respect of which any action or proceeding has been commenced before the passing of this Act."
- (2) Clause 4, omit this clause.
- (3) Clause 8, line 1, after "his" insert "Crown grant or."
- (4) " line 4, after "him" insert "and purporting to be so occupied."
- (5) Clause 23, omit this clause.
- (6) Clause 31, line 30, after "and" insert "on payment of the fee in that behalf provided."
- (7) Clause 33, line 2 (page 9), after "shall" insert "on payment of the fee in that behalf provided."
- (8) Clause 39, place after Clause 42.
- (9) Clause 42, at end of the clause insert "on payment of a fee for one hour's search therein of One shilling, or such other fee as may hereafter be prescribed."
- (10) Clause 43, line 7, omit "as to any land brought under the Act."
- (11) " line 8, omit "the," and insert "any future."
- (12) " line 12, omit "and shall refer to the deed or writing creating the encumbrance."
- (13) " line 23, after "condition" insert "contained in grant to [A.B.]"
- (14) Clause 44, line 32, omit "on," and insert "through."
- (15) Clause 45, line 43, omit "and," and insert "but."
- (16) " line 43, omit "such proprietor or."
- (17) " line 44, omit "entitled to the benefit of such instrument or either of them," and insert "making such request."
- (18) Clause 50, line 32, omit "Registrar," and insert "Commissioner."
- (19) Clause 56, omit this clause.
- (20) Clause 57, at the end of the clause insert "and thereupon half the fees paid for registration and certificate on the lodging of the instrument shall be forfeited and dealt with as a penalty under section one hundred and forty-two of the Act, and the other half may be returned to the person lodging the instrument on his withdrawing the same."
- (21) Clause 59, line 34, before "Every" insert "A memorandum of."
- (22) " line 35, omit "or a copy thereof."
- (23) " lines 35 and 36, omit "while such caveat remains in force."
- (24) " line 36, omit "affixed to," and insert "endorsed on the grant or."



- (25) Clause 63, line 29, after "Act" insert "or for the purpose of registering any instrument."  
 (26) " line 32, omit "may" and insert "shall."  
 (27) " line 33, after "mortgagor" insert "or mortgagee."  
 (28) " line 37, after "be" insert "endorsed."  
 (29) " lines 38 and 39, omit "on a sale by the sheriff or by a mortgagee or to be inspected."  
 (30) Clause 64, line 41 (page 15), omit "may" and insert "shall."  
 (31) " at the end of the clause insert "and the court or judge may if it or he think fit direct the Registrar to dispense with the production of the original grant or certificate, but in every such case upon registration of the dealing the Registrar shall notify on the memorial of the register book that no entry of such memorial has been made on the duplicate of such grant or certificate."  
 (32) Clause 66, omit this clause.  
 (33) Clause 69, line 6, after "municipality" insert "under Part XVI of the 'Local Government Act 1874.'"  
 (34) " line 11, omit "may confirm," and insert "shall have confirmed."  
 (35) " line 15, after "road" insert "if not already under the Act."  
 (36) Clause 70, place after Clause 72.  
 (37) At the beginning of the clause 70 insert "Subject to the provisions of the two last preceding sections."  
 (38) Clause 72, line 41, omit "no such grandchild be in existence."  
 (39) Clause 74, line 13, after "or" insert "clerk to a."  
 (40) Insert new Clause A—  
 "A. In addition to the persons mentioned in section one hundred and seventeen of the Act any person claiming under any transfer or other instrument signed by the proprietor the registration of which is obstructed by a caveat may apply to have such caveat removed and the same may be removed in the manner by such section provided, and the said section shall be read as though the words 'or any person claiming under any transfer or other instrument signed by the proprietor' were inserted in the section immediately after the words 'such applicant or proprietor' which occur in the said section." Person claiming under transfer signed by proprietor may apply for removal of caveat.  
 (41) Insert new clause B—  
 "B. Section one hundred and forty of the Act is hereby repealed, and from the coming into operation of this amending Act it shall be lawful for the Registrar to demand the fees specified in the Sixth Schedule hereto or such other fees as shall hereafter from time to time be appointed by the Governor in Council in lieu thereof or in addition thereto." Fees to be paid under Act. Sixth Schedule.  
 (42) *Fourth Schedule*, page 21, in *Order for Stay of Registration*—  
 (43) Omit "twenty-four" in first line, and insert "forty-eight."  
 (44) Omit "twenty-four" in last line, and insert "forty-eight."  
 (45) Insert new Sixth Schedule—

SIXTH SCHEDULE.				£	s.	d.	Section B.
On making application to bring land under the operation of the Act, exclusive of advertisements:—							
When the applicant is the original grantee and no transaction affecting the land has been registered	...	...	...	0	5	0	
When the title is of any other description or when the application is to be registered in respect of an estate of freehold on a transmission and the value does not exceed £150	...	...	...	0	10	0	
When the value does not exceed £300	...	...	...	1	0	0	
" " 450	...	...	...	1	10	0	
" " 600	...	...	...	2	0	0	
" " 750	...	...	...	2	10	0	
" " 1,000	...	...	...	3	0	0	
And for every additional £1,000 or fractional part of £1,000 up to £10,000	...	...	...	0	5	0	
And for every additional £1,000 or fractional part of £1,000 after £10,000	...	...	...	0	10	0	
Contribution to assurance fund upon first bringing land under this Act:—							
In the pound sterling...	...	...	...	0	0	0½	
On an application for a certificate of title where the title has been gained by continuous possession, whether the land is under the Act or not, the same fees shall be paid as upon an ordinary application to bring land under the Act.	...	...	...	1	0	0	
On every application to amend proprietor's certificate of title	...	...	...	1	0	0	
On every application to rectify other certificates, for each certificate as to which rectification is sought	...	...	...	1	0	0	
1. For every certificate of title	...	...	...	1	0	0	
2. For registering a transfer or a lease, mortgage, or charge, or transfer thereof, or a discharge of a mortgage, or charge wholly or partially, or a satisfaction of an annuity, or a surrender of a lease	...	...	...	0	10	0	
3. When any instrument or other document purports to deal with or affect land included in more than one grant or certificate, for each memorial or entry after the first	...	...	...	0	2	0	
4. For registering proprietor of any freehold estate or interest on a transmission	...	...	...	1	0	0	
5. For every registration abstract	...	...	...	1	0	0	
6. For cancelling registration abstract	...	...	...	0	5	0	

	£	s.	d.
7. For every caveat ... ..	0	10	0
8. For withdrawal of caveat ... ..	0	5	0
9. For entry of foreclosure ... ..	1	0	0
10. For every search for first title ... ..	0	2	0
11. For every ten or fraction of ten titles after the first ... ..	0	1	0
12. For every general search ... ..	0	5	0
13. For searching and issuing search certificate ... ..	0	5	0
14. For every order staying registration ... ..	0	10	0
15. For every map deposited ... ..	0	5	0
16. For depositing document declaratory of trusts ... ..	0	10	0
17. For registering recovery of possession by legal proceedings or registering the lessor as surrenderee ... ..	0	10	0
18. For registering vesting of lease in mortgagee on refusal of assignees to accept the same ... ..	0	10	0
19. For entering notice of marriage or death ... ..	0	10	0
20. For entering notice of writ of <i>fi. fa.</i> or any order of the Supreme Court or of the Commissioner ... ..	0	10	0
21. For entering satisfaction of any such writ (for each entry) ... ..	0	1	0
22. For taking an acknowledgment by a married woman ... ..	0	5	0
23. For order dispensing with production of any duplicate grant certificate or instrument ... ..	0	10	0
24. For returning documents of title deposited in support of application on withdrawal of application or rejection of title ... ..	0	1	0
25. For order for and inspection of any documents permanently retained... ..	0	2	0
26. For copy of or extract from any document deposited in support of an application to bring land under the Act and retained or from any caveat, at per folio of seventy-two words... ..	0	0	6
27. For every certified copy, first folio of seventy-two words ... ..	0	5	0
28. For every folio or part of a folio after the first ... ..	0	0	8
29. For every map thereon ... ..	0	2	0
30. For taking affidavit or statutory declaration ... ..	0	1	0
31. For commission to a perpetual commissioner to take acknowledgments ... ..	1	0	0
32. For a special commission ... ..	0	10	0
33. For every summons ... ..	0	2	0
34. For examination thereunder ... ..	0	10	0
35. For statement of grounds under section 135 ... ..	0	5	0
36. For entry of an executor or administrator or the curator or the assignee of an insolvent as a transferee or proprietor ... ..	0	10	0
37. For each memorial thereof or entry after the first ... ..	0	2	0
38. For entry of husband as joint proprietor ... ..	0	10	0
39. For each memorial thereof or entry after the first ... ..	0	2	0
40. For entry of survivors or other persons as proprietors in cases of joint proprietorship ... ..	0	10	0
41. For each memorial thereof or entry after the first ... ..	0	2	0
42. For recording removal of any encumbrance not hereinbefore specified ... ..	0	5	0
43. For registering a triplicate instrument of lease or mortgage ... ..	0	2	0
44. For searching record book of deeds produced (per hour) ... ..	0	1	0
45. For furnishing diagrams, fee to be fixed by Registrar.			
46. For registering a transfer to persons being trustees of any society registered under any Act relating to Friendly Societies ... ..	0	5	0
47. For certificate of title thereon ... ..	0	10	0
48. For registering a transfer by such persons ... ..	0	5	0
49. For certificate of title thereon ... ..	0	10	0

The Honorable N. Thornley moved, That the Council agree with the Assembly in amendments 1 to 18 and 20 to 41.

Question—put and resolved in the affirmative.

The Honorable N. Thornley moved, That the Council agree with the Assembly in amendment 19.

Debate ensued.

Question—put and negatived.

Question—That the Council disagree with the amendment of the Legislative Assembly—put and resolved in the affirmative.

On the motion of the Honorable N. Thornley, the Council agreed to amendments 43 and 44, and agreed to the following amendment consequent thereon in application for stay of Registration, viz., line 4, omit “24” and insert “48,” and agreed to the amendment made by the Legislative Assembly to insert new Sixth Schedule in this Bill.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Council have agreed to several of the amendments made in this Bill, have disagreed to one, and agreed to an amendment consequent on an amendment made by the Legislative Assembly.

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

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to further amend the ‘Local Government Act 1874,’ and for other purposes,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with amendments, with which they desire the concurrence of the Legislative Council.

PETER LALOR,  
Speaker.

Legislative Assembly Chambers,  
Melbourne, 17th December, 1885.

And the several amendments were read and are as follow :—

Clause 4, line 8, after "buildings" omit "and" and insert "covering".

Same clause, line 9, omit "as are".

Clause 5, line 17, after "Geelong" insert "or any other municipality".

Clause 6, line 37, after "Melbourne" insert "and the Town of Geelong".

Same clause, line 40, after "Melbourne" insert "and the Town of Geelong".

Clause 7, line 44, after "Melbourne" insert "Town of Geelong or any other municipality".

Insert new clause :—A. From and after the passing of this Act no action suit or other proceedings shall be brought or laid against any municipality by any person for moneys paid by him as rates to such municipality in respect of any buildings or machinery erected on any lands held by or claimed under a miner's right for mining purposes or included in any lease granted by the Crown for mining purposes under the belief that the same was liable to be rated by such municipality.

The Honorable F. T. Sargood moved, That the Council do agree with the said several amendments.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly, acquainting them that the Legislative Council have agreed to the said several amendments.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council the accompanying communication from the Clerk of Parliaments, calling attention to clerical errors in the Bill intituled "*An Act to apply a sum out of the Consolidated Revenue to the service of the year ending on the thirtieth day of June One thousand eight hundred and eighty-six and to appropriate the Supplies granted in this Session of Parliament,*" and acquaint the Legislative Council that the Legislative Assembly have agreed that such errors be corrected by the insertion of the word "minimum" in the first column of rates of salaries instead of the word "maximum," and the word "maximum" instead of the word "minimum" in the third column in page 93, Division No. 79, with which they desire the concurrence of the Legislative Council.

PETER LALOR,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 17th December, 1885.

SIR,

Parliament Houses, Melbourne, 17th December, 1885.

I do myself the honor to report, in conformity with the Joint Standing Order No. 21, that the following clerical error has been discovered in the Appropriation Bill :—

In page 93, Division No. 79, the word "Maximum" has been inserted in the 1st column of rates of salaries instead of the word "Minimum," and that the word "Minimum" has been inserted in the 3rd column instead of the word "Maximum."

I have the honor to be, Sir,

Your most obedient servant,

JOHN BARKER,  
Clerk of the Parliaments.

The Hon. the Speaker of the Legislative Assembly.

25. APPROPRIATION BILL.—The Honorable F. T. Sargood moved, That the Council concur with the Legislative Assembly in the correction in the clerical error discovered in this Bill.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly to acquaint them that the Council have concurred in the correction of the above error.

26. REAL PROPERTY STATUTE FURTHER AMENDMENT BILL.—The Honorable N. Thornley moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same with amendments, the Council ordered the same to be taken into consideration this day.

On the motion of the Honorable N. Thornley, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable N. Thornley moved, That the following be the title of the Bill :—"*An Act to further amend the 'Real Property Statute 1864.'*"

Question—put and resolved in the affirmative.

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

27. JIKA JIKA LAND VESTING BILL.—The Honorable J. Campbell moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

On the motion of the Honorable J. Campbell, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable J. Campbell moved, That the following be the title of the Bill :—“ *An Act to vest certain Land being Portion of Suburban section 68 in the Parish of Jika-Jika and County of Bourke in Her Majesty.*”

Question—put and resolved in the affirmative.

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

28. **AUDIT ACT AMENDMENT BILL.**—The Honorable F. T. Sargood moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

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

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

The Honorable F. T. Sargood moved, That the following be the title of the Bill :—“ *An Act to further amend the Act No. LXXXVI, intituled ‘ An Act to amend the Law for the Collection and Payment of the Public Moneys the Audit of the Public Accounts and the Protection and Recovery of the Public Property.’*”

Question—put and resolved in the affirmative.

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

29. **MESSAGES FROM THE LEGISLATIVE ASSEMBLY.**—The President announced to the Council the receipt of the following Messages from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council a Bill intituled “ *An Act to further amend the Real Property Statute 1864,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

PETER LALOR,

Legislative Assembly Chambers,  
Melbourne, 17 December, 1885.

Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “ *An Act to declare the meaning of certain words in ‘ The Real Property Statute 1864,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to one of the amendments made in such Bill by the Legislative Council, and have disagreed to others of the said amendments.

PETER LALOR,

Legislative Assembly Chambers,  
Melbourne, 17 December, 1885.

Speaker.

30. **REAL PROPERTY STATUTE 1864 EXPLANATION BILL.**—The Honorable F. T. Sargood moved, That the Council do not insist in disagreeing with the amendment of the Assembly.

Debate ensued.

Question—put and negatived.

Question—That the Council do insist on their disagreement—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Council still insist on disagreeing to the said amendment.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “ *An Act to alter and amend the ‘ Transfer of Land Statute’ and for other purposes,*” and acquaint the Legislative Council that the Legislative Assembly do not now insist on omitting clause 56, but have agreed to the said clause with an amendment, and have agreed to the consequential amendment made by the Legislative Council on an amendment of the Legislative Assembly.

PETER LALOR,

Legislative Assembly Chamber,  
Melbourne, 17th December, 1885.

Speaker.

32. TRANSFER OF LAND STATUTE AMENDMENT BILL.—The said amendment by the Legislative Assembly was read, and is as follows :—

Omit all the words after "If at any time when any" and insert the following words, "conveyance or transfer on sale of any real property or any application or consent under the 'Transfer of Land Statute' which is liable to duty under 'The Stamp Duties Act 1879' is left at the Titles Office there is affixed thereto an adhesive stamp uncanceled or only partially cancelled it shall be competent for any officer authorized by the Commissioner of Titles or Registrar of Titles to cancel such stamp as if it were the person by whom it was affixed, and upon his so doing such conveyance transfer application or consent shall be deemed to be duly stamped and as valid in all respects as if the stamp had been duly cancelled by the person by whom it was affixed. Provided that if the amount or value of the consideration of such conveyance or transfer or sale be Fifty pounds or under such conveyance or transfer of sale shall be so cancelled subject to the provisions as to penalties and within the time limited by section sixty-one of "The Stamp Duties Act 1879," but if the amount or consideration thereof be above Fifty pounds then such conveyance or transfer of sale shall be deemed to be an unstamped instrument within the meaning of section thirty-six of the said last mentioned Act."

The Honorable N. Thornley moved, That the Council agree to the amendment made by the Legislative Assembly in clause 56.

Debate ensued.

Ordered—That the debate be adjourned.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the disposal of Sludge from Alluvial Mines in Creswick,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 17th December, 1885.

PETER LALOR,  
Speaker.

34. DRAINAGE OF SLUDGE BILL.—The Honorable J. Campbell moved, That the Bill transmitted by the above Message, intituled "*An Act to provide for the disposal of Sludge from Alluvial Mines in Creswick,*" be now read a first time.

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

The Honorable J. Campbell moved, That this Bill be now read a second time.

Debate ensued.

Ordered—That the debate be adjourned until a later period this day.

35. TRANSFER OF LAND STATUTE AMENDMENT BILL.—The Order of the Day for the resumption of the debate on the question That the Council agree to the amendment made by the Legislative Assembly in clause 56, having been read,

On the motion of the Honorable N. Thornley, the Council agreed to the said amendment with the following amendments, viz. :—

That the word "mortgage" be inserted before the word "conveyance," in three places; and that the words "from Provided that," in line 11, to "such," in line 12, be omitted.

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

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

Question—put and resolved in the affirmative.

37. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until a later period this day :—

*Drainage of Sludge Bill.—Adjourned debate on second reading.*

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend 'The Agricultural Colleges Act 1884,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 17th December, 1885.

PETER LALOR,  
Speaker.

39. AGRICULTURAL COLLEGES BILL.—The Honorable F. T. Sargood moved, That the Bill transmitted by the above Message, intituled "*An Act to amend 'The Agricultural Colleges Act 1884,'*" be now read a first time.

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

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

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

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

Question—put and resolved in the affirmative.

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

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

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

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

The Honorable F. T. Sargood moved, That the following be the title of the Bill:—“*An Act to amend ‘The Agricultural Colleges Act 1884.’*”

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to alter and amend the ‘Transfer of Land Statute’ and for other purposes,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made by the Legislative Council on the amendment of the Legislative Assembly in clause 56.

Legislative Assembly Chamber,  
Melbourne, 17th December, 1885.

PETER LALOR,  
Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to declare the meaning of certain words in the ‘Real Property Statute 1864,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to one of the amendments made in such Bill by the Legislative Council and have disagreed to others of the said amendments.

Legislative Assembly Chamber,  
Melbourne, 17th December, 1885.

PETER LALOR,  
Speaker.

41. REAL PROPERTY STATUTE 1874 EXPLANATION BILL.—The amendments made by the Legislative Council in this Bill disagreed with by the Legislative Assembly were read and are as follows:—

Clause 1, line 3, after “actual” insert “and continuous.”

„ line 4, after “possession” insert “for a period of fifteen years.”

The Honorable N. Thornley moved, That the Council do not now insist on the said several amendments.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Legislative Assembly to acquaint them that the Council do not now insist on the several amendments.

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

FRIDAY, 18TH DECEMBER, 1885.

42. DRAINAGE OF SLUDGE 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,

The Honorable H. H. Wettenhall moved, That the debate be now adjourned.

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

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

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

Question—put and resolved in the affirmative.

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

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

On the motion of the Honorable J. Campbell, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable J. Campbell moved, That the following be the title of the Bill:—“*An Act to provide ‘for the disposal of Sludge from Alluvial Mines in Creswick.’*”

Question—put and resolved in the affirmative.

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

The Council adjourned at twenty minutes to one o'clock until half-past eleven a.m. this day.

JOHN BARKER,  
Clerk of the Legislative Council.

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

FRIDAY, 18<sup>TH</sup> DECEMBER, 1885.

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

HENRY B. LOCH,  
*Governor.*

Pursuant to the provisions of section 36 of the Constitution Act, the Governor transmits to the Legislative Council, for their consideration, the following amendment which he desires to be made in the Bill intituled "*An Act to alter and amend the Transfer of Land Statute and for other purposes.*"

In the Fifth Schedule, Table A, in the second line, strike out the word "becoming" and substitute "become"

Government Offices,  
Melbourne, December, 1885.

On the motion of the Honorable N. Thornley, the Council agreed to the said amendment, and ordered a Message to be sent to the Legislative Assembly requesting their concurrence therewith.

HENRY B. LOCH,  
*Governor.*

Pursuant to the provisions of section 36 of the Constitution Act, the Governor transmits to the Legislative Council for their consideration the following amendments which he desires to be made in the Bill intituled "*An Act to further amend the 'Local Government Act 1874' and for other purposes*":—

In clause 3, after the word "claim" strike out "but"

In clause 5, strike out the words "or any other municipality."

In clause 7, before the word "Surveyor" strike out "City" and after the word "City" insert the words "said town or other municipality"

In clause 8, strike out the word "laid" and substitute "had"

Government Offices,  
Melbourne, December, 1885.

On the motion of the Honorable N. Thornley, the Council agreed to the said several amendments, and ordered that the Message of His Excellency the Governor be transmitted to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the several amendments, and requesting their concurrence therewith.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending an amendment in the Bill intituled "*An Act to amend the Victorian 'Water Conservation Acts 1881-4,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the said amendments recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

PETER LALOR,  
Speaker.

Legislative Assembly Chambers,  
Melbourne, 18th December, 1885.

And the said Message from His Excellency the Governor was read, and is as follows :—

HENRY B. LOCH,  
*Governor.*

*Message No.*

Pursuant to the provisions of section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly, for their consideration, the following amendment, which he desires to be made in the Bill intituled "*An Act to amend 'The Victorian Water Conservation Acts 1881-1884'*":—

In the Schedule, strike out the words "and that any money advanced by the Governor in Council to such Irrigation Trust will become a first charge upon the above-mentioned land over which you now hold a mortgage in priority to such mortgage."

Government Offices,  
Melbourne, December, 1885.

On the motion of the Honorable F. T. Sargood, the Council agreed to the amendment recommended by His Excellency the Governor, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor, recommending an amendment in the Bill intituled "*An Act for the supervision and regulation of Factories and Workrooms, and for the limitation of the hours of trading in Shops, and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the said amendment recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 18th December, 1885.

PETER LALOR,  
Speaker.

On the motion of the Honorable J. Campbell, the Council agreed to the said amendment, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Message from His Excellency the Governor recommending amendments in the Bill intituled "*An Act to further amend the 'Local Government Act 1874,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill.

Legislative Assembly Chamber,  
Melbourne, 18th December, 1885.

PETER LALOR,  
Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Message from His Excellency the Governor, recommending an amendment in the "*Transfer of Land Statute Amendment Bill,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the said amendment recommended by His Excellency the Governor in this Bill.

Legislative Assembly Chamber,  
Melbourne, 18th December, 1885.

PETER LALOR,  
Speaker.

6. APPROACH OF HIS EXCELLENCY THE GOVERNOR.—The approach of His Excellency the Governor was announced by the Usher.

7. ROYAL ASSENT TO BILLS.—His Excellency the Governor came into the Council Chamber and commanded the Usher to desire the attendance of the Legislative Assembly in the Council Chamber, who being come with their Speaker he, after a speech to His Excellency, delivered the Appropriation Bill to the Clerk of the Parliaments, who brought it to the Table.

His Excellency was then pleased to assent, in Her Majesty's name, to the following Bills, viz. :—

"*An Act to apply a sum out of the Consolidated Revenue to the service of the year ending on the thirtieth day of June One thousand eight hundred and eighty-six and to appropriate the Supplies granted in this Session of Parliament.*"

"*An Act to further amend an Act intituled 'An Act for Hospitals and Charitable Institutions.'*"

"*An Act to apply certain Moneys raised under Acts Numbers DCVIII and DCCCV, but not required for the purposes for which the Moneys were appropriated.*"

"*An Act to enable the Trustees and Committees of Management of Free Libraries, Reading Rooms, Mechanics' Institutes, and Trades' Halls to demise certain lands for terms of years, and to raise Loans on the Rents of such Lands and Buildings and for other purposes.*"

"*An Act to amend the Law relating to Justices of the Peace.*"

"*An Act to make provision for the Preferential Payment on the Winding-up of any Company of One Month's Wages to persons employed by it.*"

"*An Act to amend the Law relating to Bakers and Millers.*"

"*An Act to consolidate and amend the Law with respect to manufacturing carrying storing and selling Gunpowder and other Explosive substances.*"

"*An Act to authorize the construction of a Bridge across the River Yarra Yarra in line with Swanston-street in the City of Melbourne and for other purposes.*"

"*An Act to adjust discrepancies between Surveys and Titles and for other matters.*"

"*An Act to continue various Expiring Laws.*"

"*An Act to amend the Laws relating to the Licensing of Public Houses and the Sale of Fermented and Spirituous Liquors.*"

"*An Act to amend the 'Pharmacy Act 1876.'*"

"*An Act to amend 'The Victorian Water Conservation Acts 1881-1884.'*"

"*An Act to apply out of the Railway Loan Account 1885 or temporarily out of the Consolidated Revenue certain sums of Money for Railway Works and other purposes.*"

"*An Act to further amend the 'Mining Statute 1865' and to amend the Act No. CCCCXLVI, and also to amend 'The Mining on Private Property Act 1884.'*"

"*An Act for the supervision and regulation of Factories and Workrooms and for the limitation of the Hours of Trading in Shops and for other purposes.*"

"*An Act to amend the Law relating to Bills of Lading.*"

"*An Act to provide for a grant to the Widow and Family of the late James Macpherson Grant.*"

"*An Act to amend 'The Thistle Prevention Statute 1865.'*"

"*An Act to enable the President Councillors and Ratepayers of the Shire of Avon to sell and convey certain lands at Stratford and to expend the proceeds of such sale together with other moneys in the erection of a Court House and other buildings.*"

"*An Act to further amend 'The Local Government Act 1874' and for other purposes.*"

"*An Act to further amend 'The Real Property Statute 1864.'*"



- "An Act to Vest certain Land, being Portion of Suburban Section 68, in the Parish of Jika Jika and County of Bourke, in Her Majesty."
- "An Act to further amend the Act No. LXXXVI, intituled 'An Act to amend the Law for the Collection and Payment of the Public Moneys, the Audit of the Public Accounts, and the Protection and Recovery of the Public Property.'"
- "An Act to amend 'The Agricultural Colleges Act 1884.'"
- "An Act to alter and amend 'The Transfer of Land Statute,' and for other purposes."
- "An Act to declare the meaning of certain words in 'The Real Property Statute 1864.'"
- "An Act to provide for the Disposal of Sludge from Alluvial Mines in Creswick."
- "An Act to further amend 'The Mallee Pastoral Leases Act 1883,' and for other purposes."

The Clerk of the Parliaments delivered to Mr. Speaker a Schedule of the Bills assented to. His Excellency was then pleased to speak as follows:—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

It affords me pleasure to be able to release you from the discharge of your legislative duties after a session of protracted and arduous labour.

The union of Victoria, Queensland, Tasmania, Western Australia, and Fiji, for the purpose of constituting a Federal Council authorized to legislate on matters of general interest, marks a most important epoch in the history of these colonies. The measure of Federal action thus attained must conduce greatly to their mutual advantage, and lead, it is to be hoped, at no distant date to the establishment of an Australasian Dominion.

It is to be regretted that the proposed treaty with Tasmania, having for its object the free interchange of the products and manufactures of Tasmania and Victoria, has remained unratified, and that, owing to the great pressure of business, it has not received the consideration which its importance deserved.

A comprehensive measure has been passed amending the licensing law, by providing for the more effectual regulation of the sale of liquors and a reduction in the number of public-houses.

The sanitary condition of factories, the hours of labour of women and children employed in them, and the closing of shops, have been dealt with in accordance with English precedent and local necessities.

The provision already made for the irrigation of land presenting natural facilities for artificial watering by means of the creation of Irrigation Trusts has now been supplemented by the authorization of advances from the State on the security of the area supplied.

The large increase of population in certain districts entitles them to additional representation in the Legislative Assembly, and, in accordance with the promise given at the opening of the session, a measure of the nature then indicated was laid before you. It is a matter of great regret that it has not become law.

The energetic investigations of the Water and Lunacy Commissions are still proceeding, and while progress reports of the utmost value have been submitted, it is confidently anticipated that the further labours of those Commissions, together with that of the Commission on Agricultural Products, will prove of advantage to the whole colony.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:—

I acknowledge, in the name of the Crown, the liberal supplies granted by you for the Public Service and for the further development of the resources of the country.

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

I consider myself fortunate in having secured the services of experienced Commissioners for the Exhibition to be held next year in London. I have no doubt they will energetically promote your interests, and I congratulate you heartily upon the impressive display which Victoria, through the public spirit and enterprise of her manufacturing and producing classes, will be able to make.

The Statutes providing for the better administration of justice, for an extension of the jurisdiction of justices of the peace, for facilitating the transfer of land and protecting the interests of owners of real estate, for encouraging vermin destruction in the mallee country, for reducing the rents of mining areas, and for the better custody of explosive substances, together with a number of others, are evidence of the industry you have displayed.

The authority which you have given for the borrowing of money, and the ample provision made in the Estimates for Public Works, will enable my Advisers to act with vigour and expedition in the construction of authorized railways, works for water supply and irrigation, advances to shire councils for the construction of tramways, and other national requirements.

I now dismiss you to your homes and private pursuits, feeling well assured that it must be to you a source of the highest satisfaction to know that you have succeeded in placing upon the Statute Book a series of most important measures of organic and practical legislation; and I also congratulate you upon the fact that the whole period of the currency of the Parliament now about to close has been marked by an exceptional degree of progress, in which the country has enjoyed a substantial prosperity, fairly spread among all classes of the community.

I thank you for your attendance in this the last session of the Twelfth Parliament of Victoria; and now, in Her Majesty's name, declare this Parliament to be prorogued to the 21st January, 1886, and it is hereby prorogued accordingly.

Which being concluded, a copy of the Speech was delivered to the President of the Council and to Mr. Speaker, and the Legislative Assembly withdrew.

His Excellency the Governor left the Council Chamber.

JOHN BARKER,  
Clerk of the Legislative Council.

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1960

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**SELECT COMMITTEES,**  
**APPOINTED DURING THE SESSION 1885.**

No. 1.—STANDING ORDERS.

Appointed 17th June, 1885.

The Hon. The President  
 Dr. Dobson  
 W. E. Hearn

The Hon. C. J. Jenner  
 J. Lorimer  
 F. T. Sargood.

No. 2.—PRINTING.

Appointed 17th June, 1885.

The Hon. G. Young  
 T. F. Cumming  
 F. E. Beaver

The Hon. W. McCulloch  
 J. Bell.

No. 3.—PARLIAMENT BUILDINGS (JOINT).

Appointed 17th June, 1885.

The Hon. The President  
 J. Balfour  
 W. Ross

The Hon. N. Thornley  
 C. J. Ham.

No. 4.—REFRESHMENT ROOMS (JOINT).

Appointed 17th June, 1885.

The Hon. W. Pearson  
 J. Buchanan  
 W. E. Stanbridge

The Hon. D. C. Sterry  
 W. I. Winter.

No. 5.—LIBRARY (JOINT).

Appointed 17th June, 1885.

The Hon. The President  
 D. Melville  
 J. Graham

The Hon. H. Cuthbert  
 W. E. Hearn.

No. 6.—ADDRESS IN REPLY TO HIS EXCELLENCY'S SPEECH.

Appointed 17th June, 1885.

The Hon. J. Lorimer  
 W. E. Hearn  
 F. Brown  
 F. E. Beaver  
 D. Melville

The Hon. J. Balfour  
 J. Campbell  
 T. Henty  
 W. I. Winter.

No. 7.—ELECTIONS AND QUALIFICATIONS.

Appointed 14th July, 1885.

The Hon. J. Balfour  
 J. Campbell  
 T. F. Cumming  
 C. J. Ham

The Hon. G. Meares, C.M.G.  
 J. Lorimer  
 W. A. Zeal.

No. 8.—ON REPORT OF STANDING ORDERS COMMITTEE.

Appointed 20th October, 1885.

The Hon. The President  
 J. Lorimer  
 F. T. Sargood  
 W. E. Hearn  
 C. J. Jenner  
 J. Bell  
 F. E. Beaver

The Hon. F. Brown  
 D. Melville  
 J. Williamson  
 W. A. Zeal  
 J. Balfour  
 H. Cuthbert,



VICTORIA.

## LEGISLATIVE COUNCIL.

SESSION 1885.

## WEEKLY REPORT OF DIVISIONS

IN

## COMMITTEE OF THE WHOLE COUNCIL.

No. 1.

Extracted from the Minutes.

TUESDAY, 4TH AUGUST, 1885.

No. 1.—BILLS OF LADING LAW AMENDMENT BILL.—Clause 2.—If any person sign any receipt acknowledgment or bill of lading which represents or purports to represent that the goods therein mentioned have been shipped in or upon or laden on board the ship or vessel therein named, “unless” such goods have in fact been so shipped or laden or unless they are at the port of shipment and are for the purpose of shipment at the absolute order and disposition of the master of such ship or vessel, he shall be guilty of a misdemeanor.

Amendment proposed—That the word “unless” in the third line of the above clause be omitted, with a view of inserting the words “knowing that”—(*Hon. W. A. Zeal*).

Question—That the word proposed to be omitted stand part of Clause—put.

Committee divided.

Ayes, 10.

The Hon. J. Balfour  
 F. Brown  
 J. Buchanan  
 J. Campbell  
 C. J. Ham  
 W. E. Hearn  
 F. T. Sargood  
 J. Williamson  
 W. I. Winter  
 N. Thornley (*Teller*).

Noes, 6.

The Hon. J. Bell  
 T. F. Cumming  
 H. Cuthbert  
 T. Henty  
 D. Melville  
 W. A. Zeal (*Teller*).

Dear Sir,

I have the honor to acknowledge the receipt of your letter of the 14th inst.

and in reply to inform you that the same has been forwarded to the proper authorities.

I am, Sir, very respectfully,  
Yours faithfully,

J. H. [Name]

I am, Sir, very respectfully,  
Yours faithfully,

I am, Sir, very respectfully,  
Yours faithfully,

I am, Sir, very respectfully,  
Yours faithfully,

I am, Sir, very respectfully,  
Yours faithfully,

I am, Sir, very respectfully,  
Yours faithfully,

I am, Sir, very respectfully,  
Yours faithfully,

I am, Sir, very respectfully,  
Yours faithfully,

I am, Sir, very respectfully,  
Yours faithfully,

I am, Sir, very respectfully,  
Yours faithfully,

VICTORIA.

## LEGISLATIVE COUNCIL.

SESSION 1885.

## WEEKLY REPORT OF DIVISIONS

IN

## COMMITTEE OF THE WHOLE COUNCIL.

No. 2.

Extracted from the Minutes.

TUESDAY, 22ND SEPTEMBER, 1885.

No. 1.—TRANSFER OF LAND STATUTE AMENDMENT BILL.—Proposed new Clause H.—An equitable mortgage or lien upon land may be created by deposit of the grant or certificate of title, and such deposit shall have the same effect on the estate and interest of the depositor as a deposit of title deeds of land not under the operation of this Act.—(*Hon. W. A. Zeal*.)

Question—That the proposed new Clause stand part of the Bill—put.

Committee divided.

Ayes, 12.

The Hon. J. Bell  
 J. Graham  
 P. Hanna  
 W. E. Hearn  
 W. McCulloch  
 D. Melville  
 P. Russell  
 D. C. Sterry  
 J. A. Wallace  
 W. I. Winter  
 W. A. Zeal  
 J. Williamson (*Teller*).

Noes, 12.

The Hon. J. Balfour  
 G. F. Belcher  
 F. Brown  
 J. Buchanan  
 J. Campbell  
 C. J. Ham  
 J. Lorimer  
 G. Meares, C.M.G.  
 W. Ross  
 F. T. Sargood  
 N. Thornley  
 F. E. Beaver (*Teller*).

The Tellers having declared the numbers for the Ayes and for the Noes to be respectively twelve, or equal, the Chairman gave his vote with the Noes, and declared the question to have been resolved in the negative.

No. 2.—Clause 22.—Nothing in the Act or this Act contained shall be construed to restrict the right of any person to obtain a certificate of title as to any land to which he shall already have acquired or shall hereafter acquire title by continuous possession, and such title may be acquired and shall be deemed to have been acquired in the same manner as against a proprietor under the Act as against an owner under the general law. Any person who has so gained title against a proprietor may apply for a certificate of title to be issued to him in the same manner as upon an application to bring land under the Act substituting in the form of application the issue of a certificate for the bringing of land under the Act, and on the granting of the application as to land under the Act to which

title has been gained by possession as against the proprietor, the original certificate shall be cancelled or rectified and notice shall be sent to the proprietor as provided by section twelve of this amending Act, and the duplicate certificate may be altered and exchanged for a new certificate where part of the land comprised therein is affected; or in case all the land comprised therein is affected by the granting of the application, the duplicate shall be retained and cancelled whenever the same shall be brought to the Office of Titles for any purpose.

Question—That this Clause stand part of the Bill—put.

Committee divided.

Ayes, 11.

The Hon. J. Bell  
 F. Brown  
 J. Campbell  
 C. J. Ham  
 W. E. Hearn  
 G. Meares, C.M.G.  
 W. Ross  
 F. T. Sargood  
 N. Thornley  
 W. A. Zeal  
 F. E. Beaver (*Teller*).

Noes, 11.

The Hon. J. Balfour  
 J. Buchanan  
 P. Hanna  
 J. Lorimer  
 W. McCulloch  
 D. Melville  
 P. Russell  
 J. A. Wallace  
 J. Williamson  
 W. I. Winter  
 D. C. Sterry (*Teller*).

The Tellers having declared the numbers for the Ayes and for the Noes to be respectively eleven, or equal, the Chairman gave his vote with the Ayes, in order to allow of further consideration, and declared the question to have been resolved in the affirmative.



VICTORIA.

## LEGISLATIVE COUNCIL.

SESSION 1885.

## WEEKLY REPORT OF DIVISIONS

II

## COMMITTEE OF THE WHOLE COUNCIL.

No. 3.

Extracted from the Minutes.

TUESDAY, 27<sup>TH</sup> OCTOBER, 1885.

No. 1.—LICENSING OF PUBLIC HOUSES BILL.—Clause 3.—The following expressions unless where the contrary appears from the context are used in this Act with the meanings hereinafter respectively assigned to them that is to say (*inter alia*):—

“Lodger” shall include any person who habitually takes all or any of his meals at the licensed premises of any licensed victualler although he does not sleep on such premises.

Amendment proposed—That the words “‘Lodger’ shall include any person who habitually takes all or any of his meals at the licensed premises of any licensed victualler although he does not sleep on such premises,” be omitted.—(*Hon. J. Lorimer.*)

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

Committee divided.

Ayes, 4.

The Hon. W. E. Stanbridge  
D. C. Sterry  
J. A. Wallace  
T. Bromell (*Teller*).

Noes, 27.

The Hon. J. Balfour  
G. F. Belcher  
J. Bell  
F. Brown  
J. Buchanan  
J. Campbell  
Sir W. J. Clarke, Bart.  
D. Coutts  
T. F. Cumming  
H. Cuthbert  
J. G. Dougharty  
J. Graham  
C. J. Ham  
P. Hanna  
W. E. Hearn  
C. J. Jenner  
J. Lorimer  
D. Melville  
F. Robertson  
P. Russell  
F. T. Sargood  
N. Thornley  
H. H. Wettenhall  
J. Williamson.  
W. I. Winter  
W. A. Zeal  
F. E. Beaver (*Teller*).

No. 2.—Clause 23.—The Governor in Council may upon the receipt of any such petition or petitions by an Order in Council “direct” the returning officer for the electoral division forming such licensing district to take a poll of the electors upon a day to be fixed in the said Order in Council.

Amendment proposed—That after the word “direct,” in the second line of the above clause, the following words be inserted, viz., “once in every three years”—(*Hon. H. Cuthbert.*)

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

Committee divided.

Ayes, 12.

The Hon. T. Bromell  
F. Brown  
T. F. Cumming  
H. Cuthbert  
J. Graham  
W. E. Hearn, LL.D.  
P. Russell  
W. E. Stanbridge  
J. A. Wallace  
J. Williamson  
W. I. Winter  
D. C. Sterry (*Teller*).

Noes, 16.

The Hon. J. Balfour  
G. F. Belcher  
J. Bell  
J. Buchanan  
J. Campbell  
Sir W. J. Clarke, Bart.  
D. Coutts  
C. J. Ham  
P. Hanna  
J. Lorimer  
D. Melville  
F. T. Sargood  
N. Thornley  
H. H. Wettenhall  
W. A. Zeal  
F. E. Beaver (*Teller*).

WEDNESDAY, 28TH OCTOBER, 1885.

No. 3.—LICENSING OF PUBLIC HOUSES BILL.—Clause 97.—Every licensed victualler on whose licensed premises any sale or barter of or traffic in liquor takes place or on which any liquor is drunk on “Sunday” except by lodgers in such house or by *bonâ fide* travellers, shall for a first offence be liable to a penalty of not less than Two pounds nor exceeding Ten pounds, for a second offence shall be liable to a penalty of not less than Ten pounds nor exceeding Twenty pounds, and for a third offence shall on conviction thereof forfeit his licence.

Amendment proposed—That after the word “Sunday” in the third line of the above clause, the following words be inserted, viz., “from one to three o’clock in the afternoon.”—(*Hon. J. A. Wallace.*)

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

Committee divided.

Ayes, 4.

The Hon. F. Brown  
W. McCulloch  
J. A. Wallace  
T. Bromell (*Teller*).

Noes, 22.

The Hon. J. Balfour  
J. Bell  
J. Buchanan  
J. Campbell  
D. Coutts  
H. Cuthbert  
J. Graham  
C. J. Ham  
P. Hanna  
J. Lorimer  
J. MacBain  
D. Melville  
P. Russell  
F. T. Sargood  
W. E. Stanbridge  
D. C. Sterry  
N. Thornley  
H. H. Wettenhall  
J. Williamson  
W. I. Winter  
G. Young  
T. F. Cumming (*Teller*).

VICTORIA.

## LEGISLATIVE COUNCIL.

SESSION 1885.

## WEEKLY REPORT OF DIVISIONS

IN

## COMMITTEE OF THE WHOLE COUNCIL.

No. 4.

Extracted from the Minutes.

TUESDAY, 10<sup>TH</sup> NOVEMBER, 1885.

No. 1.—LICENSING OF PUBLIC HOUSES BILL.—Clause 108.—On and after the passing of this Act, all goods and chattels (save and except as hereinbefore expressly provided) in or upon the premises of any licensed victualler shall be liable to be seized and distrained upon for the payment of any fine or penalty imposed upon such licensed victualler under the provisions of this Act, and such fine or penalty shall be a first charge upon such goods and chattels in or upon such premises at the time of the imposition of such fine or penalty, notwithstanding that such goods and chattels have before the imposition of any such fine or penalty been mortgaged or pledged under any bill of sale, contract of sale, or contract of letting or hiring, within the meaning of “*The Instruments and Securities Statute 1864*” or any Act amending the same, or may have been assigned for the benefit of the creditors of such licensed victualler.

Question—That the clause, *as amended*, stand part of the Bill—proposed and put.

Committee divided.

Ayes, 15.

The Hon. J. Campbell  
D. Coutts  
P. Hanna  
C. J. Jenner  
J. Lorimer  
G. Meares, C.M.G.  
D. Melville  
F. Robertson  
W. Ross  
P. Russell  
F. T. Sargood  
N. Thornley  
J. Williamson  
W. A. Zeal  
F. E. Beaver (*Teller*).

Noes, 11.

The Hon. J. Bell  
T. Bromell  
H. Cuthbert  
J. G. Dougharty  
T. Henty  
W. McCulloch  
W. E. Stanbridge  
D. C. Sterry  
J. A. Wallace  
W. I. Winter  
T. F. Cumming (*Teller*).

No. 2.—Clause 151.—No female under twenty years of age shall be permitted to attend or be employed in attending customers at the bar on the premises of any licensed victualler, nor shall be employed for more than eight hours during any one day, saving and excepting the wife or daughter of the licensee and saving and excepting the licensee if a female. The licensee on whose premises any contravention of the provisions of this section occurs shall be deemed to have committed an offence against this Act, and shall be liable to a penalty of not less than Two nor more than Twenty pounds for each day on which such an offence is committed.

Question—That this clause stand part of the Bill—put.

Committee divided.

Ayes, 10.

The Hon. J. Campbell  
C. J. Ham  
P. Hanna  
C. J. Jenner  
D. Melville  
F. T. Sargood  
N. Thornley  
H. H. Wettenhall  
W. A. Zeal  
F. E. Beaver (*Teller*).

Noes, 17.

The Hon. J. Bell  
J. Buchanan  
D. Coutts  
T. F. Cumming  
H. Cuthbert  
J. G. Dougharty  
T. Henty  
J. Lorimer  
W. McCulloch  
W. Ross  
P. Russell  
W. E. Stanbridge  
D. C. Sterry  
J. A. Wallace  
J. Williamson  
W. I. Winter  
T. Bromell (*Teller*).

WEDNESDAY, 11TH NOVEMBER, 1885.

No. 3.—PREFERENTIAL PAYMENT OF WAGES BILL.—Clause 3.—In the distribution of assets on the winding-up of any company registered under “*The Companies Statute 1864*,” or under “*The Mining Companies Act 1871*,” or under any Act for the time being in force relating to the registration of companies or in the distribution of assets on the cessation of work of a no-liability company registered under “*The Mining Companies Act 1871*,” there shall be paid in priority to all “other” debts of whatsoever kind secured or unsecured all wages or salary of any clerk or servant due in respect of service rendered to the company during one month before the commencement of the winding-up, not exceeding Twenty-five pounds. And such debts shall rank equally amongst themselves and shall be paid in full unless the assets of the company are insufficient to meet them, in which case they shall abate in equal proportions between themselves.

Amendment proposed—That after the word “other” in the fifth line of the above clause, the word “unsecured” be inserted.—(*Hon. H. Cuthbert.*)

Question—That the word proposed to be inserted be so inserted—put.

Committee divided.

Ayes, 7.

The Hon. T. Bromell  
T. F. Cumming  
H. Cuthbert  
J. C. Dougharty  
T. Henty  
W. E. Stanbridge  
J. Graham (*Teller*).

Noes, 17.

The Hon. J. Balfour  
J. Bell  
J. Buchanan  
J. Campbell  
D. Coutts  
C. J. Ham  
J. Lorimer  
D. Melville  
W. Ross  
P. Russell  
F. T. Sargood  
D. C. Sterry  
H. H. Wettenhall  
W. I. Winter  
G. Young  
W. A. Zeal  
F. E. Beaver (*Teller*).

No. 4.—LICENSING OF PUBLIC HOUSES BILL.—Clause 35.—No person shall at any one time either by himself servant or agent hold or have any beneficial interest in more than one victualler’s licence “nor in more than one grocer’s licence,” and any interference by any licensed victualler with the business of any licensed victualler’s premises other than the premises for which he is licensed shall be deemed *prima facie* evidence of a beneficial interest within the meaning of this section. Any person offending against the provisions of this section shall be liable to a penalty of not less than Two pounds nor more than Five pounds for every day during which he holds or has any beneficial interest in more than one victualler’s licence or more than one grocer’s licence.

Amendment proposed—That the words “nor in more than one grocer’s licence” in the third line of the above clause be omitted.—(*Hon. J. Bell.*)

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

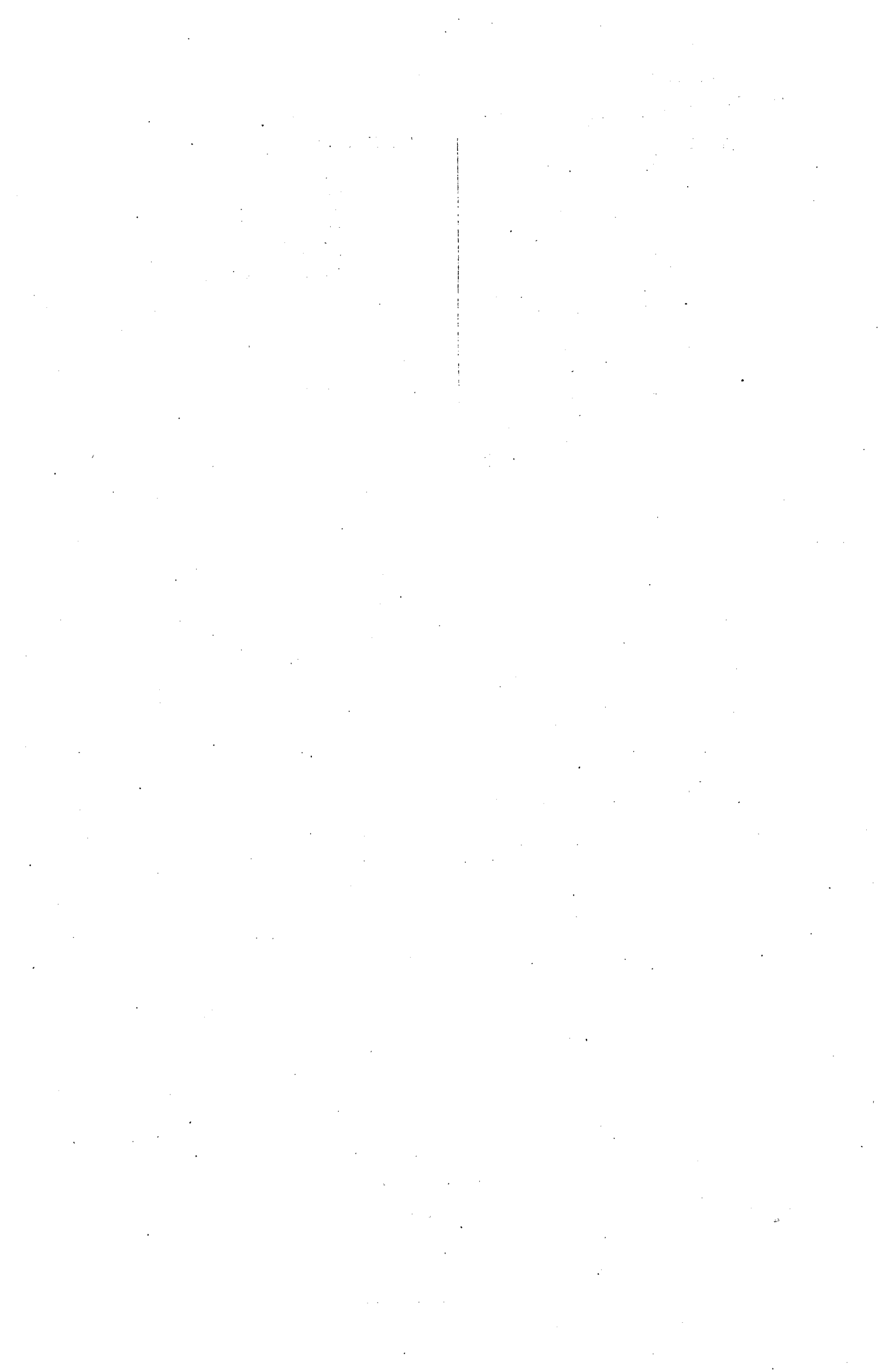
Committee divided.

Ayes, 17.

The Hon. J. Balfour  
 T. Bromell  
 J. Campbell  
 H. Cuthbert  
 J. G. Dougharty  
 C. J. Ham  
 P. Hanna  
 D. Melville  
 W. Ross  
 P. Russell  
 F. T. Sargood  
 W. E. Stanbridge  
 N. Thornley  
 J. Williamson.  
 W. I. Winter  
 W. A. Zeal  
 F. E. Beaver (*Teller*).

Noes, 9.

The Hon. J. Bell  
 D. Coutts  
 T. F. Cumming  
 J. Graham  
 T. Henty  
 J. Lorimer  
 H. H. Wettenhall  
 G. Young  
 D. C. Sterry (*Teller*).



## LEGISLATIVE COUNCIL.

SESSION 1885.

## WEEKLY REPORT OF DIVISIONS

IN

## COMMITTEE OF THE WHOLE COUNCIL.

No. 5.

Extracted from the Minutes.

TUESDAY, 17<sup>TH</sup> NOVEMBER, 1885.

No. 1.—LICENSING OF PUBLIC HOUSES BILL.—Clause 18.—After the commencement of this Act, except in the case of the application for the licence for a new house, which shall contain not less than thirty “bedrooms” of the dimension and in conformity with the provisions of this Act, and shall in every other respect comply with the requirements hereinafter specified, and also except in the cases hereinafter specifically authorized, no new victualler’s licence shall be granted in any licensing district until the number of victuallers’ licences therein is reduced to a number below the statutory number of licensed victuallers for such licensing district, nor unless the electors on the electoral rolls for the division of any electoral district forming the licensing district shall have determined in the manner hereinafter provided that the number of victuallers’ licences in such licensing district may be increased to a given number not exceeding the statutory number.

Amendment proposed—That after the word “bedrooms” in the third line of the above clause, the following words be inserted, viz., “if situate within a city or town, or fifteen if situate in any other place”—(*Hon. W. E. Hearn*).

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

Committee divided.

Ayes, 13.

The Hon. J. Bell  
 F. Brown  
 T. F. Cumming  
 H. Cuthbert  
 J. G. Dougharty  
 P. Hanna  
 W. E. Hearn, LL.D.  
 T. Henty  
 W. McCulloch  
 P. Russell  
 J. A. Wallace  
 W. I. Winter  
 D. C. Sterry (*Teller*).

Noes, 13.

The Hon. J. Balfour  
 J. Buchanan  
 J. Campbell  
 J. Graham  
 C. J. Ham  
 C. J. Jenner  
 J. Lorimer  
 D. Melville  
 W. Ross  
 F. T. Sargood  
 N. Thornley  
 W. A. Zeal  
 F. E. Beaver (*Teller*).

The Tellers having declared the numbers for the Ayes and for the Noes to be respectively thirteen, or equal, the Chairman gave his vote with the Noes, “in order to leave the law as it at present stands,” and declared the question to have been resolved in the negative.

No. 2.—Proposed new clause A.—There shall not be any bar on or in connection with any premises or building used as a theatre concert hall or other place of public entertainment, and any bar to which there shall be any access from any premises or building used as a theatre concert hall or other place of public entertainment otherwise than through a public street shall be deemed to be in connection with such premises or building.

The licensed victuallers on whose premises any contravention of the provisions of this section occurs shall be deemed to have committed an offence against this Act and shall be liable to a penalty for a first offence of not less than Five nor more than Twenty pounds and for every subsequent offence of not less than Twenty pounds for each and every day on which such offence occurs.—*(Hon. F. E. Beaver.)*

Question—That the proposed new clause A stand part of the Bill—put.

Committee divided.

Ayes, 8.

The Hon. J. Balfour  
J. Buchanan  
C. J. Ham  
W. E. Hearn, LL.D.  
C. J. Jenner  
D. Melville  
P. Russell  
F. E. Beaver (*Teller*).

Noes, 17.

The Hon. J. Bell  
F. Brown  
T. F. Cumming  
J. G. Dougharty  
J. Graham  
P. Hanna  
T. Henty  
J. Lorimer  
W. McCulloch  
W. Ross  
F. T. Sargood  
D. C. Sterry  
N. Thornley  
J. A. Wallace  
W. I. Winter  
W. A. Zeal  
H. Cuthbert (*Teller*).

No. 3.—Proposed new clause C.—Where a licensed victualler holds a licence for a house which does not contain the accommodation required by this Act, if he give to the licensing court of his district one month's notice, in writing, of his intention so to do, he may make application to such licensing court for permission to transfer his licence from such insufficient house to some other house in the same licensing district which has the required accommodation; and the licensing court, if it be satisfied that the applicant is entitled to use such other house as a licensed house, and that the house is within such licensing district, and has the required accommodation, and if there be no reasonable objection to the transfer, may authorize such transfer accordingly.—*(Hon. T. Bromell.)*

Question—That the proposed new clause C stand part of the Bill—put.

Committee divided.

Ayes, 18.

The Hon. J. Bell  
F. Brown  
J. Buchanan  
T. F. Cumming  
J. G. Dougharty  
C. J. Ham  
P. Hanna  
W. E. Hearn, LL.D.  
T. Henty  
C. J. Jenner  
J. Lorimer  
W. McCulloch  
W. Ross  
D. C. Sterry  
J. A. Wallace  
W. I. Winter  
W. A. Zeal  
H. Cuthbert (*Teller*).

Noes, 8.

The Hon. J. Balfour  
J. Campbell  
J. Graham  
D. Melville  
P. Russell  
F. T. Sargood  
N. Thornley  
F. E. Beaver (*Teller*).

No. 4.—Clause 3.—The following expressions unless where the contrary appears from the context are used in this Act with the meanings hereinafter respectively assigned to them (that is to say) (*inter alia*):—

“Owner” of licensed premises shall include a *cestui que trust* and shall mean the person for the time being entitled to receive either on his own account or as mortgagee or other encumbrancer in possession the rent of such premises, or if he be absent from the colony of Victoria shall mean the attorney or agent of such person capable of giving a valid receipt for such rent.

Amendment proposed and made—That after the word “rent” in line 7, page 3, the following words be inserted, “‘Person’ shall include a *feme covert*.”—*(Hon. F. T. Sargood.)*

Further Amendment proposed—That after the words “*feme covert*” the following words be added, viz.—“but not a *feme sole* other than a widow except in the case of a *feme sole* holding a licence at the time of the passing of this Act.—*(Hon. J. Balfour.)*



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

Committee divided.

Ayes, 10.  
 The Hon. J. Balfour  
 J. Campbell  
 C. J. Ham  
 C. J. Jenner  
 D. Melville  
 W. Ross  
 P. Russell  
 F. T. Sargood  
 N. Thornley  
 F. E. Beaver (*Teller*).

Noes, 11.  
 The Hon. J. Bell  
 F. Brown  
 H. Cuthbert  
 P. Hanna  
 W. E. Hearn, LL.D.  
 J. Lorimer  
 W. McCulloch  
 J. A. Wallace  
 W. I. Winter  
 W. A. Zeal  
 T. F. Cumming (*Teller*).

No. 5.—Clause 3.—Further Amendment proposed—That after the words "*feme covert*" the following words be added, viz:—

Provided that no *feme sole* other than a widow under the age of thirty years shall be capable of holding a licence, except such *femes sole* as were licensed at the time of the passing of this Act.—(*Hon. J. Balfour*.)

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

Committee divided.

Ayes, 11.  
 The Hon. J. Balfour  
 J. Bell  
 J. Campbell  
 C. J. Ham  
 C. J. Jenner  
 D. Melville  
 W. Ross  
 P. Russell  
 F. T. Sargood  
 N. Thornley  
 F. E. Beaver (*Teller*).

Noes, 10.  
 The Hon. F. Brown  
 H. Cuthbert  
 P. Hanna  
 W. E. Hearn, LL.D.  
 J. Lorimer  
 W. McCulloch  
 J. A. Wallace  
 W. I. Winter  
 W. A. Zeal  
 T. F. Cumming (*Teller*).

WEDNESDAY, 18TH NOVEMBER, 1885.

No. 6.—LICENSING OF PUBLIC HOUSES BILL—(*Further re-committal*).—Amendments to clause 3, as shown above.

Amendment proposed—That the words "Provided that no *feme sole* other than a widow under the age of thirty years shall be capable of holding a licence except such *femes sole* as were licensed at the time of the passing of this Act" be omitted.—(*Hon. H. Cuthbert*.)

Question—That the words proposed to be omitted stand part of the amendment to clause 3—put.

Committee divided.

Ayes, 11.  
 The Hon. J. Balfour  
 G. F. Belcher  
 J. Bell  
 J. Campbell  
 C. J. Ham  
 D. Melville  
 W. Ross  
 P. Russell  
 F. T. Sargood  
 N. Thornley  
 F. E. Beaver (*Teller*).

Noes, 15.  
 The Hon. D. Coutts  
 T. F. Cumming  
 H. Cuthbert  
 J. G. Dougharty  
 J. Graham  
 P. Hanna  
 W. E. Hearn, LL.D.  
 T. Henty  
 J. Lorimer  
 W. McCulloch  
 W. E. Stanbridge  
 J. A. Wallace  
 W. I. Winter  
 W. A. Zeal  
 D. C. Sterry (*Teller*).



VICTORIA.

## LEGISLATIVE COUNCIL.

SESSION 1885.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 6.

Extracted from the Minutes.

WEDNESDAY, 2ND DECEMBER, 1885.

No. 1.—ADMINISTRATION OF JUSTICE BILL.—Clause 5.—Every Judge of a County Court who shall have attained the age of seventy years and every other Judge of a County Court who shall “in the opinion of the Solicitor-General or Minister of Justice” be unable from weak or failing health to perform efficiently the duties of his office may be called upon by the Governor in Council to retire from such judgeship on a retiring allowance of one-half of the salary of such Judge at the time of his retirement notwithstanding that such Judge was not entitled to a retiring allowance under any circumstances. Such retiring allowance shall be paid to him upon the same terms and conditions and in like manner as if he were entitled to a retiring allowance under the provisions of the “*County Court Statute 1869.*”

Amendment proposed—That the words “in the opinion of the Solicitor-General or Minister of Justice,” in the second and third lines of the above clause, be omitted.

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

Committee divided.

Ayes, 12.

The Hon. J. Bell  
 F. Brown  
 J. Campbell  
 Sir W. J. Clarke, Bart.  
 T. F. Cumming  
 H. Cuthbert  
 F. T. Sargood  
 W. E. Stanbridge  
 J. Williamson  
 W. I. Winter  
 G. Young  
 N. Thornley (*Teller*).

Noes, 7.

The Hon. J. Balfour  
 C. J. Ham  
 W. E. Hearn, LL.D.  
 W. McCulloch  
 D. Melville  
 W. A. Zeal  
 W. Ross (*Teller*).



VICTORIA.

## LEGISLATIVE COUNCIL.

SESSION 1885.

## WEEKLY REPORT OF DIVISIONS

IN

## COMMITTEE OF THE WHOLE COUNCIL.

No. 7.

Extracted from the Minutes.

TUESDAY, 8TH DECEMBER, 1885.

No. 1.—FACTORIES, WORKROOMS, AND SHOPS BILL.—Clause 3.—In the construction and for the purposes of this Act the following terms shall if not inconsistent with the context or subject-matter have the respective meanings hereby assigned to them (that is to say) *inter alia* :—“ Factory or workroom ” shall mean any office building or place in which “ four ” or more persons are engaged directly or indirectly in working for hire or reward in any handicraft or in preparing or manufacturing articles for trade or sale and any office building or place in which steam or other mechanical power is used, but shall not include any dwelling office building or place in which the persons engaged in working are shown to the satisfaction of the chief inspector to be all members of the same family nearly related one to the others by blood or marriage and in which steam or other mechanical power is not used nor any dwelling office building or place in which the employment is not carried on for more than three months in any year.

Amendment proposed—That the word “ four,” in fourth line of above clause, be omitted, with a view of inserting the word “ six ” instead thereof—(*Hon. W. A. Zeal*).

Question—That the word proposed to be omitted stand part of the Clause—put.

Committee divided.

Ayes, 12.

The Hon. J. Balfour  
 J. Buchanan  
 J. Campbell  
 Sir W. J. Clarke, Bart.  
 C. J. Ham  
 D. Melville  
 W. Ross  
 P. Russell  
 F. T. Sargood  
 W. E. Stanbridge  
 N. Thornley  
 F. E. Beaver (*Teller*).

Noes, 17.

The Hon. J. Bell  
 F. Brown  
 D. Coutts  
 T. F. Cumming  
 H. Cuthbert  
 J. G. Dougharty  
 P. Hanna  
 T. Henty  
 J. Lorimer  
 W. McCulloch  
 G. Meares, C.M.G.  
 D. C. Sterry  
 J. A. Wallace  
 H. H. Wettenhall  
 W. I. Winter  
 W. A. Zeal  
 J. Williamson (*Teller*).

WEDNESDAY, 9TH DECEMBER, 1885.

No. 2.—**FACTORIES, WORKROOMS, AND SHOPS BILL.**—Clause 59.—All furniture manufactured or sent out of any factory or workroom shall be legibly and permanently stamped, such stamp shall specify the manufacturer's name and address. Every occupier of a factory or workroom omitting to cause his goods to be stamped as aforesaid, and every person who stamps any goods falsely or with a statement that is untrue in any respect or who sells any goods so falsely stamped by any person shall be guilty of an offence, and on conviction thereof before any two justices be liable to a fine not exceeding Ten pounds for each such offence.

Question—That Clause 59, as amended, stand part of the Bill—put.

Committee divided.

Ayes, 16.

The Hon. J. Balfour  
 J. Bell  
 J. Buchanan  
 J. Campbell  
 Sir W. J. Clarke, Bart.  
 D. Coutts  
 C. J. Ham  
 P. Hanna  
 J. Lorimer  
 G. Meares, C.M.G.  
 D. Melville  
 W. Ross  
 F. T. Sargood  
 D. C. Sterry  
 N. Thornley  
 F. E. Beaver (*Teller*).

Noes, 11.

The Hon. F. Brown  
 T. F. Cumming  
 H. Cuthbert  
 W. McCulloch  
 P. Russell  
 W. E. Stanbridge  
 J. A. Wallace  
 H. H. Wettenhall  
 W. I. Winter  
 G. Young  
 J. Williamson (*Teller*).

1885.  
VICTORIA.

# INTESTATE ESTATES.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.  
THE HONORABLE T. F. CUMMING.—17TH NOVEMBER, 1885.

LAID ON THE COUNCIL TABLE BY THE HONORABLE N. THORNLEY, AND ORDERED BY  
THE COUNCIL TO BE PRINTED, 17TH NOVEMBER, 1885.

RETURN showing—

1. The Value of all Estates which have come into the hands of the Curator of Intestate Estates during the last Five Years, distinguishing the annual amount.
2. The Cost of Collection per annum during the same period.
3. The Percentage paid to the General Revenue.
4. The Percentage received by the Curator during the same period.
5. The Cost of all Clerical Assistance given to the Curator for the discharge of his duties, and all Salaries (if any) connected with his office.

RETURN relating to the Office of the Curator of the Estates of Deceased Persons.

	1880-1.		1881-2.		1882-3.		1883-4.		1884-5.		Total.	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.
Balance at Credit of Intestate Estates Fund ... ..	39,294	0 11	49,019	18 0	50,205	6 1	47,282	18 10	45,819	7 0		
*1. Value of Estates ... ..	57,421	0 2	66,936	19 10	63,266	11 5	44,325	6 5	71,622	16 6		
†2. Cost of Collection—5 per cent.												
3. Percentage paid to Revenue—3 per cent.	1,668	8 10	1,796	2 10	1,856	6 11	1,265	11 8	2,016	4 4	8,602	14 7
Interest, 3 per cent., on Balances at credit of Intestate Estates Fund, as above ... ..	1,170	0 0	1,470	0 0	1,500	0 0	1,410	0 0	1,350	0 0	6,900	0 0
Transfers from said fund to Consolidated Revenue, after remaining unclaimed for six years ... ..	2,398	14 5	3,322	6 11	3,308	6 0	3,471	15 9	4,247	3 5	16,748	6 6
Transfers to Revenue from estates of deceased persons illegitimate, after paying next of kin on petition ... ..	5,338	8 11	166	8 6	43	15 10	95	14 11	893	5 9	6,537	13 11
Total paid to Revenue ... ..	10,575	12 2	6,754	18 3	6,708	8 9	6,243	2 4	8,506	13 6	38,788	15 0
4. Percentage paid to Curator, 2 per cent., exclusive of £150 annual allowance ... ..	1,113	4 3	1,185	13 3	1,206	1 3	893	14 2	1,332	11 1	5,731	4 0
5. Salaries, including allowance of £150 a year to Curator ... ..	960	0 0	1,010	0 0	1,050	0 0	1,180	0 0	1,244	0 0	5,444	0 0

\* This is the amount received by the Curator during the year. It includes balances received in estates dealt with in previous years, and there is excluded from the Return a sum of £14,172 7s. 1d. due to the estates dealt with during the period, most of which is still outstanding.

† In two cases of large estates this has been reduced by the Governor in Council to 2½ per cent., of which the Curator has received 1 per cent., and Revenue ½ per cent.

November 17th, 1885.

THEYRE WEIGALL,  
Curator of the Estates of Deceased Persons.

By Authority: JOHN FERRIS, Government Printer, Melbourne.





1885.

VICTORIA.

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LEGISLATIVE COUNCIL.

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REPORT

OF THE

STANDING ORDERS COMMITTEE

ON THE

EXPLOSIVES BILL,

TOGETHER WITH

PROCEEDINGS OF COMMITTEE.

---

ORDERED BY THE COUNCIL TO BE PRINTED, 20<sup>TH</sup> OCTOBER, 1885.

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By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

## EXTRACTED FROM THE MINUTES.

WEDNESDAY, 17<sup>TH</sup> JUNE, 1885.

STANDING ORDERS COMMITTEE.—The Honorable F. T. Sargood moved, by leave of the Council, That the Honorables the President, Dr. Dobson, W. E. Hearn, C. J. Jenner, J. Lorimer, and the Mover be appointed a Select Committee on the Standing Orders of the House.

Question—put and resolved in the affirmative.

TUESDAY, 6<sup>TH</sup> OCTOBER, 1885.

EXPLOSIVES BILL.—The Order of the Day for the resumption of the debate on the question, That the Bill be re-committed for the purpose of leaving out sub-section (2) of clause 5, clause 17, and the Second Schedule, having been read, Debate resumed.

The Honorable the President read to the Council the following Ruling on the question of the propriety of striking out the above parts of the Bill :—

The subject raised by the honorable and learned Dr. Hearn in opposing the striking out of the Explosives Act the clauses which impose a rent is of so much importance that I have no hesitation in recommending that the whole matter should be remitted to the Standing Orders Committee for their consideration and report.

If afterwards honorable Members are of opinion that the practice hitherto adopted in regard to such Bills should be altered, or that the practice is an infringement of the rights and privileges of the Legislative Council, immediate steps should be taken in the usual way with the view of bringing about a conference of both Houses for the consideration of the whole subject, and at such a time when both branches of the Legislature are working in harmony with each other.

I admit at once that it appears somewhat absurd that the Legislative Council, composed as it is of 42 elective Members, having for its constituency a very large majority of the ratepayers, and also possessing large and important legislative powers, should be debarred from inserting in an ordinary Bill a clause or clauses imposing a rent or charges, the same only being incidental to the object of the Bill.

The question, however, on which I am asked to give my ruling, is not the desirableness of changing the existing practice, but whether the course proposed by the Government, and objected to by the Honorable Dr. Hearn, is an infringement of the rights and privileges of the Legislative Council, or is the proposal in accordance with the practice hitherto adopted and consistent with the law of Parliament.

With the aids at my disposal, and after giving the subject my most careful attention, I am compelled to the conclusion that the proposal made by the Honorable the Minister in charge of the Bill to strike out the rent clauses, or parts of same referred to, before the Bill is sent to the Legislative Assembly, is the right course to pursue, being in accordance not only with our previous practice, but also with that of the Imperial Parliament, and consistent with the 56th and 57th clauses of the Constitution Act.

I deem it unnecessary to occupy the time of honorable Members by furnishing the examples of our previous practice, but would here direct attention to the circumstance that the Assembly cannot insert in a Bill any clause for imposing a charge upon the people until it has been considered in a Committee of the whole, and agreed to by the House. This is when the imposition is merely one incidental to the general object of the Bill. When, however, the Bill is for the purpose of imposing taxation, resolutions on which to found the Bill must precede its introduction.

Up to the present time no rules of procedure have been provided by the Council similar to those I have just mentioned as govern the procedure of the Assembly.

Again, under the Constitution Act, it was intended to confer upon Victoria a Constitution as closely identical with that of the mother country, as could be defined by Legislative enactment. Clause 34, of the Act, declares that, until Standing Orders be adopted by the two Houses, the rules and practice of the Imperial Parliament should be followed. Now, although the Lords have never formally surrendered their right to alter money bills, in practice they abstain from doing it. And at a Conference of Members, of both branches of our Legislature, in 1867, an agreement was arrived at, and subsequently adopted by both Houses, though not adopted as a Standing Order, that the practice of the Lords and Commons respectively be observed as to Bills required by the 56th clause of the Constitution Act to originate in the Assembly, and as to all subjects of aid and supply, and that each House should be guided in all matters and forms relating thereto by the precedents established by the House of Lords and by the House of Commons respectively.

Clauses 56 and 57 of the Constitution Act may, for the purpose of this case, and in my opinion ought to be considered as one enactment, clause 57 being regarded in the light of a proviso to 56. Then it will be seen that, under clause 57, so far as appropriation of the Consolidated Revenue is concerned, the Assembly has, after being duly authorized by Message from His Excellency the Governor, power not only to originate Bills for that purpose, but also to originate resolutions or votes. This latter power can only apply to cases where clauses of appropriation are necessary for carrying out provisions in Bills not originated for the sole purpose of appropriation.

The reference in clause 56 to Bills of appropriation, and those for imposing a rate, rent, return, &c., forming one sentence, a similar construction must be placed on the meaning of Bills for imposing, &c., viz., that a Bill by which a rent is incidentally imposed is included in the expression, Bills for imposing, &c.

If this view be not correct, it is not difficult to conceive the possibility of a Bill being introduced into the Council which would, in some of its clauses not specifically referred to in its title, materially alter some of our existing laws, and impose heavy burdens of taxation upon the people.

My ruling is, therefore, in favor of the course proposed by the Minister in charge of the Bill. Honorable Members are, however, aware that my ruling can be disagreed with; and, if the subject is considered of such importance, the same can be remitted to the Standing Orders Committee for consideration and report.

The Honorable W. E. Hearn moved, That the question involved in the President's ruling, and that ruling, be referred to the Standing Orders Committee for their consideration and report, and that the debate be further adjourned.

Question—put and resolved in the affirmative.

TUESDAY, 13<sup>TH</sup> OCTOBER, 1885.

STANDING ORDERS COMMITTEE.—The Honorable F. T. Sargood moved, by leave, That for the consideration of the ruling of the Honorable the President, on the question raised by the Honorable W. E. Hearn respecting the Explosives Bill, permission be granted to the Standing Orders Committee to meet on days on which the Council does not sit.

Question—put and resolved in the affirmative.

## STANDING ORDERS COMMITTEE.

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### R E P O R T .

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THE STANDING ORDERS COMMITTEE of the Legislative Council have the honor to submit the following Report :—

Your Committee having considered the matter referred to them on the 6th October instant, with regard to the Ruling of the Honorable The President on the Explosives Bill, recommend to your Honorable House—

1. That the Explosives Bill be re-committed as to portions of Clauses 5 and 17 and the Second Schedule.
2. That the House should consider the propriety of making Standing Orders, or of taking other steps for the purpose of declaring the law, as to the powers of the Council in dealing with matters incidentally arising in relation to money, and of removing doubts in relation thereto.

## PROCEEDINGS OF THE COMMITTEE.

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MONDAY, 19<sup>TH</sup> OCTOBER, 1885.

*Members present:*

The Hon. The President  
Dr. Dobson  
C. J. Jenner

The Hon. J. Lorimer  
F. T. Sargood  
W. E. Hearn.

The President took the Chair.

Reference of Council to Committee read.

Committee deliberated.

The Honorable W. E. Hearn moved—

1. That this Committee recommend that the Explosives Bill be re-committed as to portions of clauses 5 and 17 and the Second Schedule.
2. That the House should consider the propriety of making Standing Orders, or of taking other steps for the purpose of declaring the law as to the powers of the Council in dealing with matters incidentally arising in relation to money and of removing doubts in relation thereto.

Question—put and resolved in the affirmative.

Chairman directed to report accordingly.

1885.

VICTORIA.

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LEGISLATIVE COUNCIL.

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REPORT

OF THE

SELECT COMMITTEE

ON THE

STANDING ORDERS COMMITTEE REPORT,

TOGETHER WITH

PROCEEDINGS OF COMMITTEE.

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ORDERED BY THE COUNCIL TO BE PRINTED, 8TH DECEMBER, 1885.

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By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

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TUESDAY, 20TH OCTOBER, 1885.

THE STANDING ORDERS COMMITTEE REPORT.—The Honorable H. Cuthbert moved, by leave, That a Committee of this House be appointed for the purpose of taking into consideration the second recommendation of the Standing Orders Committee on the Explosives Bill.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert then moved, by leave, That the Honorables The President, J. Lorimer, F. T. Sargood, W. E. Hearn, C. J. Jenner, J. Bell, F. E. Beaver, F. Brown, D. Melville, J. Williamson, W. A. Zeal, J. Balfour, and the Mover, do form the Committee, five to form a quorum ; and that the Committee have power to meet on days on which the Council does not sit.

Question—put and resolved in the affirmative.

## REPORT.

THE SELECT COMMITTEE of the Legislative Council, appointed for the purpose of taking into consideration the second recommendation of the Standing Orders Committee on the Explosives Bill, have the honor to report as follows:—

Your Committee, having met on several occasions, and having given the subject referred to them their careful attention, find—

That, at this late period of the Session, and in the face of the pressure of Legislative business thence arising, it is not possible to do full justice to the importance of the subject in the limits of the present Session. But they desire to express their strong conviction of the necessity of speedily declaring in express terms the precise limitations of the Legislative powers of the Council, and they therefore recommend that, at the commencement of the next Session, a Committee be appointed to deal fully with the whole question.





PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 28<sup>TH</sup> OCTOBER, 1885.

*Members present:*

The Hon. The President	The Hon. F. Brown
F. T. Sargood	J. Williamson
W. E. Hearn	F. E. Beaver
H. Cuthbert	J. Bell.

The Honorable the President was voted to the Chair.  
The Honorable the President read the Reference of Council to Committee.  
Committee deliberated.  
Committee adjourned until Wednesday the 11th November, at two o'clock.

WEDNESDAY, 11<sup>TH</sup> NOVEMBER, 1885.

*Members present:*

The Hon. the PRESIDENT, in the Chair ;  
The Hon. H. Cuthbert | The Hon. F. E. Beaver.

Five members of the Committee not being present within half an hour of the time appointed for the meeting, the Chairman adjourned the Committee until Tuesday the 17th November; at quarter past four o'clock.

TUESDAY, 17<sup>TH</sup> NOVEMBER, 1885.

*Members present:*

The Hon. the PRESIDENT, in the Chair ;  
The Hon. W. E. Hearn | The Hon. D. Melville  
C. J. Jenner | F. E. Beaver.  
F. Brown

Committee deliberated.  
Committee adjourned until Wednesday the 2nd December, at half-past two o'clock.

WEDNESDAY, 2<sup>ND</sup> DECEMBER, 1885.

*Members present:*

The Hon. the PRESIDENT, in the Chair ;  
The Hon. W. E. Hearn | The Hon. D. Melville  
F. Brown | H. Cuthbert  
J. Williamson | J. Lorimer.

Committee deliberated.  
The Honorable H. Cuthbert submitted Draft Report, which was read and agreed to.



VICTORIA



VOTES  
AND  
PROCEEDINGS  
OF THE  
LEGISLATIVE  
COUNCIL.

SESSION.

1885