

VICTORIA



VOTES

AND

PROCEEDINGS

OF THE

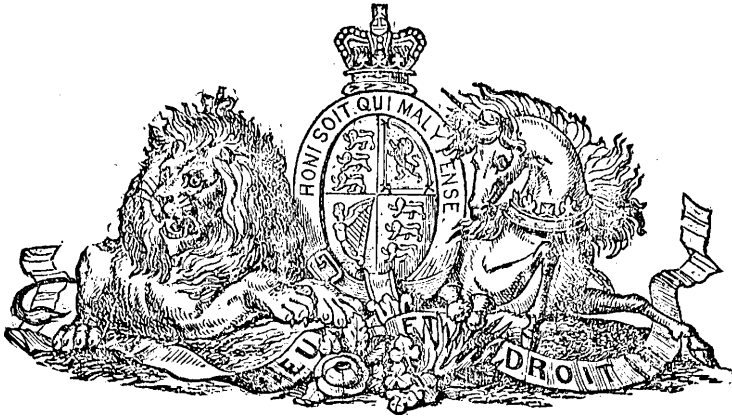
LEGISLATIVE

COUNCIL.

SESSION.

1860-I.

VICTORIA.



VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

DURING THE SESSION

1860-1,

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

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

TABLE OF CONTENTS.

	PAGE
RETURN OF MEMBERS OF THE COUNCIL AT THE COMMENCEMENT OF THE SESSION...	v
INDEX	vii
PAPERS LAID UPON THE COUNCIL TABLE, NOT ORDERED TO BE PRINTED	xv
SUMMARY ON BILLS INTRODUCED INTO THE COUNCIL	xix
ADDITIONAL STANDING ORDER	xxi
MINUTES OF PROCEEDINGS	1
SELECT COMMITTEES	123
WEEKLY REPORT OF DIVISIONS IN COMMITTEE OF THE WHOLE COUNCIL	127

RETURNS TO ADDRESSES AND ORDERS, AND PAPERS:—

A 1. Insolvencies in Country Districts	129
„ 2. Breweries	135
„ 3. Sugar imported in 1859. Sugar Refineries	137
„ 4. Salary of President	139
„ 5. Moneys granted to Municipalities	141
„ 6. District Road Boards	143
„ 7. Geelong Harbor Returns... ..	147
„ 8. Revenues received at Portland, Belfast, and Warrnambool	149
„ 9. Divorce Act.—Despatch from the Right Honorable the Secretary of State	151
„ 10. Harbor Returns and Correspondence	153
„ 11. Defensive Works	157
„ 12. Defences of the Colony	159
„ 13. Tobacco imported	171
„ 14. Money paid to Religious Denominations	173
„ 15. Fees for Occupation of Crown Lands	179

REPORTS OF SELECT COMMITTEES:—

D 1. Refreshment Rooms, &c.—Progress Report	185
„ 2. Printing—First Report	189
„ 3. Printing—Second Report	193
„ 4. Library	197
„ 5. Printing—Third Report	201
„ 6. Parliament Buildings	205
„ 7. Printing—Fourth Report	211
„ 8. Waste Lands	215
„ 9. Refreshment Rooms—Second Progress Report	223
„ 10. Printing—Fifth Report	227

SECRET

RETURN OF MEMBERS OF THE LEGISLATIVE COUNCIL, 20TH NOVEMBER, 1860, AT THE
OPENING OF THE FIFTH SESSION OF PARLIAMENT.

Names arranged in the Order of Retirement.	Elected at		Remarks.
	Nomination.	Polling.	
CENTRAL PROVINCE :			
George Ward Cole	20th Sep., 1860	...	Retired by rotation and was re-elected.
Thomas Turner a'Beckett ...	...	21st Sep., 1858.	
William Hull ... ..	...	27th Sep., 1860	Elected instead of Hon. J. Hodgson, deceased.
John Pascoe Fawkner ... ..	...	26th Aug., 1856.	
Thomas Howard Fellows ... ..	...	11th May, 1858.	
SOUTH PROVINCE :			
William Degraives	18th Sep., 1860	...	Elected instead of Hon. G. Rutherford, retired by rotation. Hon. G. Rutherford having succeeded Hon. T. McCombie, who resigned.
John Barter Bennett ... ..	...	28th Sep., 1858.	
Donald Kennedy	}	29th Aug., 1856.	
Thomas Herbert Power			
William John Turner Clarke ...			
SOUTH WESTERN PROVINCE :			
John McCrae ... ..	...	8th Oct., 1860	Elected instead of Hon. W. Roope, retired by rotation.
George Selth Coppin ... ..	...	7th Oct., 1858.	
James Ford Strachan	}	4th Sep., 1856.	
Robert Culbertson Hope			
James Henty... ..			
WESTERN PROVINCE :			
James Frederick Palmer	5th Oct., 1860	...	Retired by rotation and was re-elected.
Charles Vaughan ... ..	...	15th Oct., 1858.	
Stephen George Henty ... ..	...	11th Sep., 1856.	
Henry Miller ... ..	...	25th Mar., 1858.	
Niel Black ... ..	...	19th Feb., 1858.	
NORTH WESTERN PROVINCE :			
William Henry Fancourt Mitchell	18th Oct., 1860	...	Retired by rotation and was re-elected.
David Elliot Wilkie ... ..	...	1st Nov., 1858.	
Francis Robertson ... ..	...	21st May, 1860	Elected instead of Hon. D. P. Keogh, resigned.
Alexander Fraser ... ..	...	13th Sep., 1858.	
George Rolfe ... ..	...	27th April, 1860	Elected instead of Hon. G. Urquhart, resigned.
EASTERN PROVINCE :			
William Highett	5th Oct., 1860	...	Retired by rotation and was re-elected.
Benjamin Williams ... ..	...	25th Oct., 1858	
Matthew Hervey	}	16th Sep., 1856.	
James Stewart			
Robert Thomson			

	Minutes of	Printed
	Proceedings.	Papers.
	Page	Page
Commonages (Towns and Gold Fields): Proclamation (28th January, 1861): Laid on Council Table ...	29	
Commons (Farmers), Proclamation of (18th February, 1861): Laid on Council Table	31	
Constitutional Payments from Public Treasury: Motion (<i>Hon. G. W. Cole</i>)	69	
Adjourned debate ...	75	
Contractors and Workmen Lien Bill: Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills")	43	
Council counted out ...	30	
County Court and Court of Mines at Inglewood, Establishment of: Order in Council (5th November, 1860): Laid on Council Table	13	
County Court at Bacchus Marsh, Establishment of: Order in Council (26th November, 1860): Laid on Council Table ...		
County Courts Bill: Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills")	32	
Crown Lands alienated from 1st January to 30th June, 1860: Return laid on Council Table ...	13	
Auriferous: General Regulations respecting leases and applications for leases (4th December, 1860): Laid on Council Table ...	15	
Crown Lands Sales Act: Despatch from Right Honorable Secretary of State for the Colonies (Vic. No. 22, 26th February, 1861): Laid on Council Table ...	50	
Crown Lands Sales Bill: Resolutions on: Laid on Council Table, and motion for Committee of the whole Council thereon ...	31	
Motion (<i>Hon. G. Rolfe</i>) ...	36	
Last Schedule amended by Proclamation (4th March, 1861): Laid on Council Table ...	39	
D.		
Death of Her Royal Highness the Duchess of Kent: Circular Despatch from Right Honorable Secretary of State (18th March, 1861): Laid on Council Table ...	69	
Motion for agreeing with Address of Condolence of the Legislative Assembly	74, 75	
Select Committee appointed to prepare Address of Condolence on ...	77	
Address on, brought up and adopted ...	78	
Reply of Governor on presentation of Address to the Queen on ...	81	
Declarations of Members ...	2, 3	
Defences of the Colony: Report of Captain Scratchly, R.E. (22nd September, 1861): Laid on Council Table ...	9	
Motion (<i>Hon. W. Hull</i>) ...	17	
Letter from Captain Clarke (25th September, 1860): Laid on Council Table	18	
Motion for Correspondence of Engineer Officer upon ...	36	
Return laid on Council Table ...	61	
Extracts from Return, ordered to be printed (<i>see</i> Fourth Report Printing Committee)	73	159
Defensive Works: Motion for Return of ...	49	
Return } Laid on Council Table ...	73	157
Ordered to be printed (<i>see</i> Third Report Printing Committee) ...	101	
Diseases, Return of, 1860: Laid on Council Table ...	57	
Disorderly Meetings Act: Despatch of Right Honorable Secretary of State (20th February, 1861): Laid on Council Table ...	50	
Divorce Bill: Despatch from Right Honorable Secretary of State (Vic. No. 16, 19th February, 1861): Laid on Council Table ...	73	151
Despatch ordered to be printed (<i>see</i> Third Report Printing Committee)	69	
Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills")	74, 75	
Duchess of Kent (Death of): Circular Despatch from Right Honorable Secretary of State (18th March, 1861): Laid on Council Table ...	77	
Motion for agreeing with Address of Condolence of the Legislative Assembly on ...	78	
Select Committee appointed to prepare Address of Condolence on ...	81	
Address on, brought up and adopted ...		
Reply of Governor on presentation of Address to the Queen on ...		
E.		
Education (National): Report of Commissioners, 1859-60: Presented by Command National Board, Rule of (10th June, 1861): Laid on Council Table ...	31	
Election of Member: Joseph Sutherland, Esq. ...	114	
Elections and Qualifications Committee: Warrant laid on Council Table ...	21	
Electric Telegraph: Revised Scale of Charges (11th March, 1861): Laid on Council Table ...	11, 13, 15	
Table ...	46	
Emerald Hill (a Town): Proclamation of (13th May, 1861): Laid on Council Table	85	
Exhibition (Victorian), 1861: London International, 1862: First Report of Exhibition Commissioners (12th April, 1861): Laid on Council Table ...	55	
F.		
Farmers Commons: Proclamation of (18th February, 1861): Laid on Council Table	31	
(4th March, 1861): Laid on Council Table ...	40	
(18th March, 1861): Laid on Council Table ...	45	
(4th April, 1861): Laid on Council Table ...	46	
Proclamation of Bradford and other places (22nd April, 1861): Laid on Council Table ...	65	
Regulations: Proclamation of (16th April, 1861): Laid on Council Table		
Seymour and Tallarook, Proclamation of (29th April, 1861): Laid on Council Table ...	67	

	Minutes of Proceedings.	Printed Papers.
	Page	Page
Farmers Commons (<i>continued</i>): Langi Ghiran, Proclamation of (21st May, 1861): Laid on Council Table		
Greenfield, Proclamation of (6th May, 1861): Laid on Council Table		
Cut-paw-paw, Doutta Galla, Derrimut, Gisborne, Ballangarook, Proclamation of (13th May, 1861): Laid on Council Table	85	
Bowman's Forest, Proclamation of (13th May, 1861): Laid on Council Table		
Bet Bet and other places, Proclamation of (3rd June, 1861): Laid on Council Table	105	
Fees for the Occupation of Crown Lands: Motion for Address (<i>Hon. T. H. Fellows</i>)...	114	
Reply of the Governor: Laid on Council Table and ordered to be printed ...	117	179
Fitz Roy Municipal Council: Motion that they be heard by Counsel: Abattoirs Bill	111	
Heard by Counsel	113	
Forest Creek: Mining Operations authorised on Reserved Lands (21st May, 1861): Laid on Council Table	111	
Friendly Societies (Return of): Registered in 1860: Laid on Council Table ...	57	
Fyansford (Town of): Alteration of Limits (3rd June, 1861): Laid on Council Table	11	
G.		
Geelong Harbor Returns: Motion (<i>Hon. G. W. Cole</i>)	35	
Return { Laid on Council Table	39	
{ Ordered to be printed (<i>see</i> Second Report Printing Committee) ...	41	147
Gold Export Duty Act Amendment Bill: Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills")	98	
Gold Fields Act: Order in Council regulating Mining Leases in Mining District of Maryborough (15th October, 1860): Laid on Council Table	9	
Polling Places, Mining District of Ballarat altered (7th January, 1861): Laid on Council Table	22	
Gold Fields Commons: Proclamation of (11th March, 1861): Laid on Council Table	45	
Proclamation of, at Raglan and other places (22nd April, 1861): Laid on Council Table	65	
Proclamation of, at Durham and other places (22nd April, 1861): Laid on Council Table	65	
Redbank, Proclamation of (6th May, 1861): Laid on Council Table		
Waranga and Woolshed (Alteration) Proclamation of (6th May, 1861): Laid on Council Table	85	
Wedderbourne (enlarged) Proclamation of (6th May, 1861): Laid on Council Table		
Mountain Creek, Proclamation (3rd June, 1861): Laid on Council Table		
Maldon, Alteration of (3rd June, 1861): Laid on Council Table	105	
Morrison's Diggings, Alteration of (10th June, 1861): Laid on Council Table		
Gold Fields Statistics, 1860: Laid on Council Table	55	
Governor's Salary Reduction Bill: Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills")	36	
H.		
Harbor Improvements and River and Harbor Trust: Report of Royal Commission (10th November, 1860): Laid on Council Table	13	
Harbor Returns and Correspondence: Motion	30, 35	
Return { Laid on Council Table	55	
{ Ordered to be printed (<i>see</i> Third Report Printing Committee) ...	73	153
Head Quarters' Staff: Despatch from Right Honorable Secretary of State (11th June, 1860): Laid on Council Table	15	
Health Officer (Report of) for Year ending 31st December, 1860: Laid on Council Table	118	
Hour of Meeting: Motion for rescinding part of Sessional Order (<i>Hon. T. H. Fellows</i>)	22	
I.		
Immigrants: Regulations respecting (15th April, 1861): Laid on Council Table ...	55	
Insolvencies in Country Districts: Return { Referred to Printing Committee ...	29	
{ Ordered to be printed (<i>see</i> Second Report Printing Committee) ...	41	129
Insolvency Statistics: Motion for Return (<i>Hon. G. S. Coppin</i>)	69	
Insolvent Courts (District) Bill: Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills")	86	
L.		
Lands (Crown): Alienated { (1st January to 30th June, 1860): Laid on Council Table	13	
{ (1st July to 31st December, 1860): Laid on Council Table	46	
Offered for Sale and Lease and alienated: Return (1st January, 1861, to 31st March, 1861): Laid on Council Table	114	
Fees for Occupation of: Motion for Address (<i>Hon. T. H. Fellows</i>)		
Reply of the Governor, laid on Council Table, and ordered to be printed	117	179
Library Committee (Joint): Appointed	8	
First Report of { Brought up and ordered to be printed	41	197
{ Adopted	46	
Loans and Interests on Loans: Amount payable Annually from 1860 to 1884: Laid on Council Table	18	
M.		
Mansfield and Merton: Proclamation of Townships (4th February, 1861): Laid on Council Table	29	
Medical Practitioners' Registration Bill: Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills")	50	

	Minutes of Proceedings.	Printed Papers.
	Page	Page
Melbourne and Essendon Railway Bill : Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills")	58	
Melbourne and Suburban Railway Act Amendment Bill : Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills")	98	
Melbourne, Motion that the Corporation of, be heard by Counsel at the Bar	111	
Messages from Legislative Assembly : Transmitting Census Bill	18	
Transmitting Sentence of Death Commutation Bill	25	
Returning Census Bill	32	
Transmitting Officials in Parliament Act Amendment Bill, and County Courts Bill	36	
Transmitting Governor's Salary Reduction Bill	43	
Transmitting Pleuro-pneumonia in Cattle Bill, and Contractors and Workmen Lien Bill	45	
Transmitting Weights and Measures Bill (No. 2)	50	
Transmitting Medical Practitioners Registration Bill	55	
Returning Pleuro-pneumonia in Cattle Bill	58	
Transmitting Payment of Members Bill	61	
Transmitting Copy of Address on Subject of Royal Mint	69	
Transmitting State Aid to Religion Abolition Bill	74	
Transmitting Melbourne and Essendon Railway Bill	77	
Transmitting Report and Evidence on Melbourne and Essendon Railway Bill	86	
Transmitting Abattoirs Bill and Divorce Bill	98	
Transmitting St. Kilda and Brighton Railway Act Amendment Bill	101	
Transmitting Address of Condolence with Her Majesty on Death of the Duchess of Kent	106	
Transmitting Report and Evidence on St. Kilda and Brighton Railway Act Amendment Bill	109	
Returning Address of Condolence on Death of Duchess of Kent	113	
Transmitting District Insolvent Courts Bill	117	
Transmitting Melbourne and Suburban Railway Bill	118	
Transmitting Gold Export Duty Bill and Pawnbrokers Bill	31	
Transmitting Report and Evidence on Melbourne and Suburban Railway	74	
Returning Officials in Parliament Bill	90	
Transmitting Copy of Report of Select Joint Committee on Parliament Buildings	49	
Transmitting Message from Governor, proposing Amendment in Melbourne and Suburban Railway Bill	93	
Returning Report of Joint Select Committee on Parliament Buildings	105	173
Transmitting Appropriation Bill	106	
Returning Pawnbrokers Bill	109	
Mint (Royal) : Correspondence : Presented by Command	31	
Motion for agreeing with Address of Legislative Assembly on Resumption of Adjourned Debate on	74	
Money paid to Religious Denominations : Motion for Returns (<i>Hon. G. Rolfe</i>)	49	
Return { Laid on Council Table	93	
{ Ordered to be printed (<i>see</i> Fifth Report Printing Committee)	105	173
Municipalities (Return of Moneys granted to) to 31st December, 1860 : Laid on Council Table	35	
Ordered to be printed (<i>see</i> Second Report Printing Committee)	41	141
N.		
National Education : Report of Commissioners, 1859-60 : Presented by Command	31	
Board : Rule of (10th July, 1861) : Laid on Council Table	114	
{ Honorable G. W. Cole...		
{ Honorable W. Hull ...		
{ Honorable W. Highett ...		
New Members sworn : { Honorable Sir James Palmer ...	2	
{ Honorable John McCrae ...		
{ Honorable W. H. F. Mitchell ...		
{ Honorable Joseph Sutherland ...		
New Zealand War (Paper respecting) laid on Council Table	27	
	25	
O.		
Officials in Parliament Act Amendment Bill: Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills")	32	
Orders in Council: Polling Places for Mining District of Ballaarat, altered (4th February, 1861): Laid on Council Table	29	
Polling Places for Mining District of Maryborough, altered (4th February, 1861): Laid on Council Table		
Polling Places for Mining District of Ararat, altered (7th February, 1861): Laid on Council Table		
Polling Places for Mining District of Beechworth, altered (7th February, 1861): Laid on Council Table		
Polling Places for Mining District of Ballaarat, Beechworth, Castlemaine, and Maryborough, altered (18th February, 1861): Laid on Council Table	31	
Beechworth District Court of Mines to be holden at Chiltern (25th February, 1861): Laid on Council Table		
Court of Mines at Indigo discontinued (25th February, 1861): Laid on Council Table	35	
County Court transferred from Indigo to Chiltern (25th February, 1861): Laid on Council Table		

P.		Minutes of Proceedings.	Printed Papers.
		Page	Page
Papers laid on Table at end of last Session referred to Printing Committee	...	25	
Parliament: Proclamation convening, read	...	1	
Buildings Committee appointed	...	8	
Buildings Committee:	Appointment of the Acting President a Member of ...	46	
	First Progress Report	65	
	Brought up	...	
	Ordered to be printed (see Third Report Printing Committee)	...	
	Message from Assembly, with Progress Report and Amendments	73	205
	Message considered and Amendments adopted	109	
	...	112	
Pawnbrokers Bill: Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills")	...	98	
Payment of Members Bill: Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills")	...	55	
Pensions: List of, granted under 50th sec. of Constitution Act: Laid on Council Table	...	18	
Abolition of. Act: Despatch from the Right Honorable the Secretary of State, No. 10 (26th January, 1861). Laid on Council Table	...	43	
Petition: Richard Osburne and others, Warrnambool: State Aid to Religion	...	58	
Rev. W. C. Robinson and others, Williamstown: State Aid to Religion	...	...
John Brebner and others, Geelong: State Aid to Religion	...	61	
Edwin Day and others, Castlemaine: State Aid to Religion	...	...
G. B. Kerford and others: State Aid to Religion	...	65	
Godfrey Howitt and other Members of the Medical Profession: Medical Practitioners' Registration Bill	...	73	
Mayor and Corporation: Abattoirs Bill	...	77	
W. Thomsson and another: Medical Practitioners' Registration Bill	...	81	
J. J. Casey and others, Bendigo: District Insolvent Courts Bill	...	85	
G. B. Kerforth, Beechworth: District Insolvent Courts Bill	...	...
Referred to Committee on Bill	...	105	
A. K. Sheppard and others: District Insolvent Courts Bill	...	85	
Referred to Committee on Bill	...	105	
John Lowe and others: Abattoirs Bill: Referred to Committee on Bill	...	...
Joseph Beer and others, Dunolly: State Aid to Religion Bill	...	85	
Robert Hamilton and others, Fitz Roy: State Aid to Religion Bill: Referred to Committee on Bill	...	...
C. H. Lyon and others, Ballan: State Aid to Religion Bill	...	...
T. Townend and others, Collingwood: State Aid to Religion Bill: Referred to Committee on Bill	...	...
James Oddie, Ballaarat: State Aid to Religion Bill: Referred to Committee on Bill	...	...
R. Fletcher and others, St. Kilda: State Aid to Religion Bill: Referred to Committee on Bill	...	...
Alexander Cattach and others: Abattoirs Bill: Referred to Committee on Bill	...	...
James Scott and others: State Aid to Religion Bill	...	...
Charles Britten and others, Richmond: State Aid to Religion Bill	...	...
William Kidney and others, Collingwood: State Aid to Religion Bill: Referred to Committee on Bill	...	...
Andrew Macarthur and others, Northcote: State Aid to Religion Bill: Referred to Committee on Bill	...	...
James Macintosh and others, Broadmeadows: State Aid to Religion Bill: Referred to Committee on Bill	...	...
J. L. Poore and others, Victoria Parade, Melbourne: State Aid to Religion Bill: Referred to Committee on Bill	...	...
George Beeston and others, Hawthorn: State Aid to Religion Bill: Referred to Committee on Bill	...	...
Walter Adamson and others, Queenscliff: State Aid to Religion Bill: Referred to Committee on Bill	...	86	
William Moss and others, Prahran: State Aid to Religion Bill: Referred to Committee on Bill	...	...
S. Stephens and others, Footscray: State Aid to Religion Bill: Referred to Committee on Bill	...	...
J. C. McMichael and others, Geelong: State Aid to Religion Bill: Referred to Committee on Bill	...	...
Francis Tunstall and others, Chewton: State Aid to Religion Bill: Referred to Committee on Bill	...	...
W. Robinson and others, Williamstown: State Aid to Religion Bill: Referred to Committee on Bill	...	...
H. Langlands and others, Melbourne: State Aid to Religion Bill: Referred to Committee on Bill	...	...
W. B. Landells and others, Collingwood: State Aid to Religion Bill: Referred to Committee on Bill	...	...
Thomas Odell and others: State Aid to Religion Bill: Referred to Committee on Bill	...	...
J. W. Healey and others, Gisborne: State Aid to Religion Bill	...	...
R. Hamilton and others, Melbourne: State Aid to Religion Bill: Referred to Committee on Bill	...	...
Richard Connibee and others, Kew: State Aid to Religion Bill: Referred to Committee on Bill	...	...
Kerr Johnstson and others, Sandridge: State Aid to Religion Bill: Referred to Committee on Bill	...	...
Thomas Wilkinson and others, Brunswick: Abattoirs Bill: Referred to Committee on Bill	...	89	

	Minutes of Proceedings.	Printed Papers.
	Page	Page
Petition (<i>continued</i>): Municipal Corporation of Fitz Roy: Abattoirs Bill: Referred to Committee on Bill ...		
John Atkin and others, Geelong: Abattoirs Bill: Referred to Committee on Bill ...		
Benj. Williams and others, St. Kilda: Abattoirs Bill: Referred to Committee on Bill ...		
H. G. Cameron and others, Richmond: Abattoirs Bill: Referred to Committee on Bill ...	89	
J. K. Freyer and others, Williamstown: Weights and Measures Bill (2): Referred to Committee on Bill ...		
Thos. Greenwood and others, Collingwood: Abattoirs Bill: Referred to Committee on Bill ...		
Municipal Council, Maldon: District Insolvent Courts Bill: Referred to Committee on Bill ...		
Municipal Council, Sandhurst: District Insolvent Courts Bill: Referred to Committee on Bill ...		
Francis Brothers and others, Sandhurst: District Insolvent Courts Bill: Referred to Committee on Bill ...		
Corporation of Geelong: Abattoirs Bill: Referred to Committee on Bill ...		
Henry Chambers and others: Medical Practitioners' Registration Bill: Referred to Committee on Bill ...	97	
William Gillbee and others: Medical Practitioners' Registration Bill: Referred to Committee on Bill ...		
C. Stewart and others: Medical Practitioners' Registration Bill: Referred to Committee on Bill ...		
Heape Brothers: District Insolvent Courts Bill: Referred to Committee on Bill ...	98	
Robert Gray and others, Steiglitz: Gold Export Duty Reduction Bill ...	101	
Geo. Alexander and others, Melbourne: Pawnbrokers Bill: Referred to Committee on Bill ...	105	
William Smith and others, Ballarat: District Insolvent Courts Bill ...		
Corporation of Melbourne, Praying to be heard by Counsel at Bar of the House: Abattoirs Bill ...	109	
Municipal Council, Fitz Roy, Praying to be heard by Counsel at Bar of the House: Abattoirs Bill ...	111	
Pleuro-pneumonia in Cattle Bill: Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills") ...	43	
Pollution of Streams and Rivers Bill: Brought in (<i>Hon. T. H. Fellows</i>). (<i>Vide</i> "Summary on Bills") ...	49	
Portland, Belfast, and Warrnambool: Motion for Return of Revenues at (<i>Hon. S. G. Henty</i>) ...	41	
Return { Laid on Council Table ...	47	
{ Ordered to be printed (<i>see</i> Third Report Printing Committee) ...	73	149
Pratt, Major-General: Address to: Ordered, and Select Committee to prepare, appointed ...	45	
Report of Select Committee brought up and adopted ...		
Motion for transmitting Thanks of House ...	53	
Reply to Address from, laid on Council Table ...	57	
President: elected and presented to Governor ...	2	
Leave of Absence granted to the (Acting) appointed ...	26	
	31, 35, 39, 41	
	{ Laid on Council Table ...	35
	{ Select Committee { Appointed ...	39
	{ Brought up Report ...	41
Salary of, Correspondence: { Correspondence ordered to be printed (<i>see</i> Second Report Printing Committee) ...	41	139
{ Motion for Address (<i>Hon. J. P. Fawkner</i>) ...	70	
{ Address to Governor on, brought up and adopted ...	73	
Election of Acting, during the absence, on leave, of Sir James Palmer ...	41	
Printing Committee: Appointed ...	8	
First Report of, brought up, adopted, and ordered to be printed ...	29	189
Second Report of, brought up, adopted, and ordered to be printed ...	41	193
Third Report of, brought up and ordered to be printed ...	67	201
Fourth Report of, brought up, adopted, and ordered to be printed, and Third Report adopted ...	73	211
Fifth Report of, brought up, adopted, and ordered to be printed ...	105	227
Proclamation convening Parliament read ...	1	
Prospecting Board, Report of (14th December, 1860), laid on Council Table ...	15	
Q.		
Question of Privilege: Committee appointed to enquire whether Honorable W. J. T. Clarke has ceased to be a Member ...		18
Report of Committee brought up ...		27
R.		
Railways: Return of Free Passes issued during 1860: Laid on Council Table ...	57	
Free Pass Tickets: Members of Parliament: Motion (<i>Hon. J. F. Strachan</i>) ...	65	
Refreshment Rooms: Joint Committee appointed ...	8	
Report { Brought up and ordered to be printed ...	27	185
{ Adopted, and Message ordered ...	32	
Second Progress Report { Brought up and ordered to be printed ...	101	223
{ Adopted ...	105	
Religious Denominations (Money paid to): Motion for Return ...	49	
Return { Laid on Council Table ...	93	
{ Ordered to be printed (<i>see</i> Fifth Report Printing Report) ...	105	173

	Minutes of Proceedings.	Printed Papers.
	Page	Page
Representative of the Government in the Council : Motion : (<i>Hon. J. B. Bennett</i>)...	46	
Revenues received at Portland, Belfast, and Warrnambool : Motion for Returns (<i>Hon. S. G. Henty</i>) ...	41	
Return ordered to be printed (<i>see</i> Third Report Printing Committee) ...	73	149
Richmond (Town of) : Proclamation (11th March, 1861) : Laid on Council Table ...	43	
Road Boards (Return of Moneys granted to) 1854-1860, inclusive : Laid on Council Table ...	35	
Return ordered to be printed (<i>see</i> Second Report Printing Committee) ...	41	143
Royal Assent to Bills ...	27, 57, 119	
S.		
Schedule D : Expenditure during 1859 on account of 1858 : Laid on Council Table } Expenditure for and during Year 1859 : Laid on Council Table ...	18	
Sentence of Death Commutation Bill : Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills") ...	15	
Sessional Order (appointing Hour of Business) suspended ...	22	
Motion for rescinding (<i>Hon. T. H. Fellows</i>) ...	18	
South Province Election : Select Committee appointed ...	27	
Report brought up ...	4	
Speech of Governor : Opening Parliament ...	5	
Select Committee appointed to prepare Reply to ...	7	
Address in reply to { Adopted ...	9	
{ Presentation of ...	11	
Reply of Governor to Address ...	119, 120, 121	
Proroguing Parliament ...	25	
Standing Order (Additional) CXXIV. : Adopted ...	27	
Approval of, by Governor ...	8	
Standing Orders Committee : Appointed ...	13	
Honorable W. H. F. Mitchell's name added to ...	46	
Honorable T. H. Fellows appointed Member of ...	29	
Stanley, Proclamation of, as a Town (5th November, 1860) : Laid on Council Table	58	
State Aid to Religion Abolition Bill : Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills") ...	90, 91	
Motion (<i>Hon. G. S. Coppin</i>) ...	25	
Statistics of the Colony, 1859 : Laid on Council Table ...	55	
St. Kilda: Proclamation of, as a Town (25th March, 1861) : Laid on Council Table } Proclamation of Town Common at : Laid on Council Table ...	69	
And Brighton Railway Act Amendment Bill : Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills") ...	13	
Sugar imported, 1859 : Sugar Refiners : Motion for Return (<i>Hon. G. W. Cole</i>) ...	31	
Return { Laid on Council Table ...	41	137
{ Ordered to be printed (<i>see</i> Second Report Printing Committee) ...	9	
Supreme Court Rules (14th September, 1860) : Laid on Council Table ...	31	
Survey (Lands surveyed and Cost of) : Return of, 1856-1860 : Laid on Council Table	1	
Swearing-in Members: Judge Molesworth's Commission for ...	21	
President's Commission ...		
T.		
Tariff (Revision of) : Motion (<i>Hon. G. W. Cole</i>) ...	81	
Telegraphic Communication between Europe and Australia : Despatch from Right Honorable Secretary of State, with Enclosure (19th February, 1861) : Laid on Council Table ...	61	
Tobacco imported : Motion for Return (<i>Hon. J. Henty</i>) ...	65	
Return { Laid on Council Table ...	67	
{ Ordered to be printed (<i>see</i> Fourth Report Printing Committee) ...	73	171
Towns : Boundaries (28th Jan., 1861) : Laid on Council Table ...	29	
Proclamation of { (18th February, 1861) : Laid on Council Table ...	31	
{ (4th March, 1861) : Laid on Council Table ...	39	
Commons, Proclamation of (18th February, 1861) : Laid on Council Table ...	31	
Prahran and Panmure, Proclamation of (18th March, 1861) : Laid on Council Table ...	45	
Commons, Proclamation of, at Hotspur and Terang (15th April, 1861) : Laid on Council Table ...	65	
Commons (not within or adjoining Municipal Districts), Proclamation of (16th April, 1861) : Laid on Council Table ...	67	
Commons (Belmont, Newton, and Chilwell), Proclamation of (29th April, 1861) : Laid on Council Table ...	73	
Commons (Heathcote) enlarged : Proclamation (22nd April, 1861) : Laid on Council Table ...	105	
Common (Footscray), alteration of (3rd June, 1861) : Laid on Council Table } Common (Newton and Chilwell), enlargement of (3rd June, 1861) : Laid on Council Table ...	25	
Trade and Customs Return, 1859 : Laid on Council Table ...	5	
Trade Marks Imitation Bill : Brought in (<i>Hon. W. H. F. Mitchell</i>). (<i>Vide</i> "Summary on Bills") ...	46	
Treaty : of Commerce between Great Britain and France, signed at Paris, 23rd January 1860 : Laid on Council Table ...	65	
Between Her Majesty and Emperor of China : Despatch from Right Hon. Secretary of State (31st January, 1861) : Laid on Council Table		
Of Commerce with France : Second Supplementary Convention : Despatch from Right Hon. Secretary of State (15th December, 1860) : Laid on Council Table ...		

	Minutes of Proceedings.	Printed Papers.
	Page	Page
V.		
Volunteers in Victoria : Motion (<i>Hon. W. Hull</i>)	49	
Votes and Proceedings supplied to Members : Motion (<i>Hon. J. McCrae</i>)	46	
Reply to Motion	53	
W.		
Waste Lands (Resolutions on) : Laid on Council Table, and Motion for Committee of the whole Council...	31	
Referred to Select Committee	39	
Report of Select Committee brought up and ordered to be printed	93	215
Weights and Measures Bill : Brought in (<i>Hon. T. H. Fellows</i>). (<i>Vide</i> "Summary on Bills")	13	
Weights and Measures Bill (No. 2) : Brought in by Message from Legislative Assembly (<i>vide</i> "Summary on Bills")	45	
Wendouree Swamp : Order in Council authorizing Mining Operations (27th May, 1861) : Laid on Council Table	97	
Williamstown Common enlarged: Proclamation (13th May, 1861): Laid on Council Table		
Worship (Public): Regulations respecting Grants in Aid of (12th January, 1861): Laid on Council Table	119	
Writ (Issue of) for New Member (South Province)	17	
Writs (Return of) received, showing Return of Members, announced	2	
Wyndham Town Common, Proclamation of (22nd April, 1861): Laid on Council Table	65	
Y.		
Yarra Bend Lunatic Asylum : Report for 1860 : Laid on Council Table	85	

PAPERS LAID UPON THE COUNCIL TABLE,

NOT ORDERED TO BE PRINTED.

- 1860.
- 27th Nov. 1. Gold Fields Act.—Order in Council—Regulating Mining Leases in Mining District of Maryborough (15th October, 1860).
- ” 2. Public Accounts—Regulation respecting (27th October, 1860).
- ” 3. Board of Agriculture—First Annual Report—Presented by the Council of the Board of Agriculture to the.
- ” 4. Supreme Court Rules (14th September, 1860).
- ” 5. Defences of the Colony.—Report of Captain Scratchley, R.E. (22nd September, 1860).
- 1861.
- 8th Jan. 6. Establishment of County Court and Court of Mines at Inglewood.—Orders in Council (5th November, 1860).
- ” 7. Establishment of County Court at Bacchus Marsh.—Order in Council (26th November, 1860).
- ” 8. Return of Crown Lands alienated from 1st January to 30th June, 1860.
- ” 9. Harbor Improvements and River and Harbor Trust.—Report of Royal Commission (10th November, 1860).
- 15th Jan. 10. Public Accounts—Regulations respecting (13th December, 1860).
- ” 11. Head Quarters' Staff.—Despatch from the Right Honorable the Secretary of State (11th June, 1860).
- ” 12. Auriferous Crown Lands—General Regulations respecting Leases, and applications for Leases of (4th December, 1860).
- ” 13. Prospecting Board—Report of (14th November, 1860).
- 22nd Jan. 14. Defences of the Colony.—Letter from Captain Clarke (25th September, 1860).
- ” 15. Loans and Interest on Loans.—Amount payable annually, from 1860 to 1884, on Loans contracted up to 31st December, 1860.
- ” 16. Expenditure under Schedule D to Act 18 and 19 Victoria, cap. 55, during the year 1859, on account of the year 1858.
- ” 17. Expenditure under Schedule D to Act 18 and 19 Victoria, cap. 55, for and during the year 1859.
- ” 18. Pensions—List of, granted under 50th section of the Constitution Act.
- 23rd Jan. 19. Gold Fields Act.—Polling Places, Murray District, Ballaarat, altered.—Order in Council (7th January, 1861).
- 19th Feb. 20. Ballaarat East—Proclamation of, as a town (14th January, 1861).
- ” 21. Stanley—Proclamation of, as a town (5th November, 1860).
- ” 22. Proclamation of Towns Boundaries, Towns Commonages, and Gold Fields Commonages (28th January, 1861).
- ” 23. Proclamations of Townships of Mansfield and Merton (4th February, 1861).
- ” 24. Proclamations of Townships of Chepstow and Linton (28th January, 1861).
- ” 25. Botanist, Government—Annual Report of (10th January, 1861).
- ” 26. Orders in Council.—Polling Places for Mining District of Ballaarat, altered (4th February, 1861).
Polling Places for Mining District of Maryborough, altered (4th February, 1861).
Polling Places for Mining District of Ararat, altered (7th February, 1861).
Polling Places for Mining District of Beechworth, altered (7th February, 1861).
- 5th Mar. 27. Lands Surveyed, and Cost of Survey—Return of—1856, 1857, 1858, 1859, 1860.
- ” 28. National Education—Report of Commissioners for 1859–60. Presented by Command.
- ” 29. Order in Council.—Polling Places for Mining Districts of Ballaarat, Beechworth, Castlemaine, and Maryborough, altered (18th February, 1861).
- ” 30. Farmers Commons—Proclamation of (18th February, 1861).
- ” 31. Towns—Proclamation of (18th February, 1861).
- ” 32. Town Commons—Proclamation of (18th February, 1861).
- ” 33. Royal Mint—Correspondence on subject of establishing a Branch at Melbourne. Presented by Command.

- 1861.
- 12th Mar. 34. Order in Council.—Beechworth District Court of Mines to be holden at Chiltern (25th February, 1861).
- „ 35. Order in Council.—Court of Mines at Indigo, discontinued (25th February, 1861).
- „ 36. Order in Council.—County Court transferred from Indigo to Chiltern (25th February, 1861).
- „ 37. Public Accounts.—Regulations respecting refunds.
- „ 38. Public Accounts.—Regulations respecting advances after 15th December in each year.
- 13th Mar. 39. Towns—Proclamation of (4th March, 1861).
- „ 40. Last Schedule to Crown Lands Act.—Amended by Proclamation (4th March, 1861).
- „ 41. Farmers Commons—Proclamation (4th March, 1861).
- 26th Mar. 42. Abolition of Pensions.—Despatch from the Right Honorable the Secretary of State. No. 10 (26th January, 1861).
- „ 43. Richmond, Town of—Proclamation (11th March, 1861).
- 16th April. 44. Farmers Commons—Proclamation of (18th March, 1861).
- „ 45. Gold Fields Commons—Proclamation of (11th March, 1861).
- „ 46. Towns—Prahlan and Panmure—Proclamation of (18th March, 1861).
- „ 47. Mining District of Castlemaine, altered.—Order in Council (4th March, 1861).
- „ 48. Divisions of Mining District of Castlemaine, altered.—Order in Council (4th March, 1861).
- „ 49. Electric Telegraph.—Revised Scale of Charges (11th March, 1861).
- „ 50. Treaty of Commerce between Great Britain and France. Signed at Paris, 23rd January, 1860.
- „ 51. Crown Lands alienated (1st July to 1st October, 1860).
- „ 52. Crown Lands alienated (1st November to 31st December, 1860).
- „ 53. Farmers Commons—Proclamation (4th April, 1861).
- 17th April. 54. Crown Lands Sales Act.—Despatch from the Right Honorable the Secretary of State (Victoria, No. 22, 26th February, 1861).
- 25th April. 55. St. Kilda—Proclamation of, as a Town (25th March, 1861).
- „ 56. Town Common at St. Kilda—Proclamation of (25th March, 1861).
- „ 57. Immigrants—Regulations respecting (15th April, 1861).
- „ 58. Gold Fields Statistics, 1860.
- „ 59. Exhibition—Victorian, 1861, London International, 1862. First Report of Exhibition Commissioners (12th April, 1861).
- 30th April. 60. Disorderly Meetings Act.—Despatch from the Right Honorable the Secretary of State (20th February, 1861).
- „ 61. Friendly Societies—Return of, registered in 1860.
- „ 62. Return of the number of Free Passes issued by the Government Railway Authorities during the year 1860.
- 1st May. 63. Telegraphic Communication between Europe and Australia.—Despatch from the Right Honorable the Secretary of State, with Enclosure (19th February, 1861).
- 7th May. 64. Treaties between Her Majesty and the Emperor of China.—Despatch from the Right Honorable the Secretary of State (31st January, 1861).
- „ 65. Treaty of Commerce with France—Second Supplementary Convention.—Despatch from the Right Honorable the Secretary of State (15th December, 1860).
- „ 66. Farmers Commons—Proclamation of, at Bradford and other places (22nd April, 1861).
- „ 67. Towns Commons—Proclamation of, at Hotspur and Terang (15th April, 1861).
- „ 68. Gold Fields Commons—Proclamation of, at Durham and other places (22nd April, 1861).
- „ 69. Gold Fields Commons—Proclamation of, at Raglan and other places (22nd April, 1861).
- „ 70. Wyndham Town Common—Proclamation of (22nd April, 1861).
- „ 71. Carisbrook Town Common Alteration—Proclamation of (15th April, 1861).
- „ 72. Farmers Commons Regulations—Proclamation of (16th April, 1861).
- „ 73. Towns Commons not within or adjoining Municipal Districts—Proclamation of (16th April, 1861).
- 14th May. 74. Farmers Commons (Seymour and Tallarook)—Proclamation of (29th April, 1861).
- „ 75. Town Commons (Belmont, Newton, and Chilwell)—Proclamation of (29th April, 1861).
- 16th May. 76. Death of Her Royal Highness the Duchess of Kent.—Circular Despatch from the Right Honorable the Secretary of State (18th March, 1861).
- 21st May. 77. Heathcote Town Common, enlarged—Proclamation (22nd April, 1861).
- 4th June. 78. Langi Ghiran—Farmers Commons, Proclamation of (21st May, 1861).
- „ 79. Greenfield—Farmers Commons, Proclamation of (6th May, 1861).
- „ 80. Red Bank—Gold Fields Common, Proclamation of (6th May, 1861).

- 1861.
- 4th June. 81. Waranga and Woolshed—Gold Fields Commons Alteration, Proclamation of (6th May, 1861).
- „ 82. Farmers Commons (Cut-paw-paw, Doutta Galla, Derrimut, Gisborne, Bullengarook)—Proclamation of (13th May, 1861).
- „ 83. Wedderburne—Gold Fields Common enlarged, Proclamation (6th May, 1861).
- „ 84. Emerald Hill—a Town, Proclamation of (13th May, 1861).
- „ 85. Bowman's Forest—Farmers Common, Proclamation of (13th May, 1861).
- „ 86. Yarra Bend Lunatic Asylum, Report for 1860.
- 6th June. 87. Amherst.—Mining Operations on Reserved Land authorized.—Order in Council (21st May, 1861).
- 11th June. 88. Wendouree Swamp—Order in Council—Authorizing Mining Operations at (27th May, 1861).
- „ 89. Camperdown Town Common enlarged—Proclamation (27th May, 1861).
- „ 90. Williamstown Town Common enlarged—Proclamation (13th May, 1861).
- 13th June. 91. Diseases—Return of, for 1860.
- 18th June. 92. Mountain Creek Gold Fields Common—Proclamation of (3rd June, 1861).
- „ 93. Farmers Commons at Bet Bet and other places—Proclamation of (3rd June, 1861).
- „ 94. Maldon Gold Fields Common—Alteration of (3rd June, 1861).
- „ 95. Footscray Town Common—Alteration of (3rd June, 1861).
- „ 96. Newtown and Chilwell Town Common—Enlargement of (3rd June, 1861).
- „ 97. Morrison's Diggings Gold Fields Common—Alteration of (10th June, 1861).
- 25th June. 98. Fyansford, Town of—Alteration of Limits (3rd June, 1861).
- „ 99. Forest Creek.—Mining Operations authorized on Reserved Land (21st May, 1861).
- 26th June. 100. Crown Lands offered for sale and lease, and alienated—Return of (1st January to 31st March, 1861).
- „ 101. National Education Board—Rule of (10th June, 1861).
- 2nd July. 102. Health Officer.—Report of year, 31st December, 1860.
-

1860-1.

VICTORIA.

LEGISLATIVE COUNCIL.

ADDITIONAL STANDING ORDER.

ADOPTED BY THE LEGISLATIVE COUNCIL, 24TH JANUARY, 1861.

LEAVE OF ABSENCE TO THE PRESIDENT.

CXXIV. In case of the absence of the President, with the permission of the Council, the Council shall be presided over by such other member as the Council may appoint, until the President shall have returned, or his leave of absence shall have expired, or his seat shall have become vacant.

[Approved by the Governor, 28th January, 1861.]

VICTORIA.

No. 1.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 20TH NOVEMBER, 1860.

The Council met in accordance with Proclamation.

A Commissioner from His Excellency the Governor, to administer the oaths provided for by the 32nd clause of *The Constitution Act*, was introduced by the Usher.

The Proclamation convening the Parliament was read by the Clerk :—

PROCLAMATION.

By His Excellency SIR HENRY BARKLY, Knight Commander of the Most Honorable Order of the Bath, Captain-General and Governor-in-Chief of the Colony of Victoria, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS the Parliament of Victoria has been and now stands prorogued to Monday, the twenty-second day of October instant: And whereas it is expedient further to prorogue the same, and to fix the time of holding the next Session thereof: Now therefore I, Sir Henry Barkly, the Governor of Victoria, do hereby further prorogue the said Parliament until Tuesday, the twentieth day of November now next ensuing; and I do also hereby appoint and proclaim that the Second Session of the Second Parliament of Victoria shall commence and be holden, for the despatch of business, on Tuesday, the twentieth day of November aforesaid, at twelve of the clock at noon, 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 respectively are hereby required to give their attendance at the said time and place accordingly.

Given under my Hand and the Seal of the Colony, at Melbourne, this sixteenth day of October, in the year of our Lord One thousand eight hundred and sixty, and in the twenty-fourth year of Her Majesty's reign.

(L.S.)

HENRY BARKLY.

By His Excellency's Command,
WILLIAM NICHOLSON.

GOD SAVE THE QUEEN!

The Commissioner handed his Commission to the Clerk, who read it as follows :—

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

To ROBERT MOLESWORTH, ESQUIRE, a Justice of our Supreme Court
of Victoria,

GREETING :

WHEREAS by the Bill contained in the Schedule to a Statute passed in the Session of our Imperial Parliament, holden in the eighteenth and nineteenth years of our reign, intituled "*An Act to enable Her Majesty to assent to a Bill, as amended, of the Legislature of Victoria, to establish a Constitution in and for the Colony of Victoria,*" it is enacted that no Member either of the Legislative Council or of the Legislative

Assembly shall be permitted to sit or vote therein respectively, until he shall have taken and subscribed before the Governor, or before some person authorized by the Governor in that behalf, the oath in the said Bill mentioned: WE DO THEREFORE by these presents command and authorise you to proceed to the Parliament House, in the City of Melbourne, on Tuesday next, the twentieth day of November instant, at twelve of the clock at noon, then and there to administer the said oath to the several Members of the said Legislative Council who have not already taken and subscribed the same since their election to the said Legislative Council. IN TESTIMONY whereof we have caused the Seal of our said Colony to be hereunto affixed.

WITNESS our trusty and well-beloved SIR HENRY BARKLY, Knight Commander of the Most Honorable Order of the Bath, Captain-General and Governor-in-Chief of our Colony of Victoria, and Vice-Admiral of the same, at Melbourne, in our said Colony, this sixteenth day of November, in the year of our Lord One thousand eight hundred and sixty, and in the twenty-fourth year of our reign.

(L.S.)

HENRY BARKLY.

By His Excellency's Command,
WILLIAM NICHOLSON.

Entered on Record by me in Register of Patents,
Book 10, page 198, this sixteenth day of
November, One thousand eight hundred and
sixty.

J. MOORE.

The Clerk announced that he had received from His Excellency's Private Secretary writs showing the return of the following Members :—

Central Province, Honorable George Ward Cole.
Central Province, Honorable William Hull.
Eastern Province, Honorable William Highett.
Western Province, Honorable Sir James Frederick Palmer.
South-Western Province, Honorable John McCrae.
North-Western Province, Honorable William Henry Fancourt Mitchell.

The Members, so enumerated, approached the Table, and took and subscribed the Oath of Allegiance.

The Commissioner withdrew.

The Clerk announced that the time had arrived for proceeding to the election of a President of the Council.

The Honorable J. P. Fawcner moved, That Sir James Frederick Palmer be President.

The Honorable J. Henty seconded the nomination.

Sir J. F. Palmer submitted himself to the judgment of the Council, and being unanimously called to the Chair, was escorted thereto by his proposer and seconder, and made his acknowledgment to the Council.

RECEPTION OF THE PRESIDENT ELECT BY THE GOVERNOR.—The Honorable T. H. Fellows announced that he was commanded to declare that His Excellency the Governor would be prepared to receive the President Elect at one o'clock at the Government Offices.

At a quarter to two o'clock the President took the Chair and read the Prayer.

The President reported that he had, accompanied by many members of the House, presented himself to the Governor, who had been pleased to approve of the choice made by the Council, and had addressed him in the following terms :—

I am glad that the Legislative Council has chosen a gentleman of so much ability and experience in Parliamentary business to preside over its deliberations, and have great pleasure, as Her Majesty's representative, in expressing my concurrence in the choice.

Government Offices,
20th November, 1860.

HENRY BARKLY.

DECLARATIONS OF MEMBERS.—The President then made and subscribed, and the following Members in the same manner made and subscribed, the declaration required by the seventh clause of the *Constitution Act*, as hereunder set forth, viz.:—The Honorables G. W. Cole, W. Hull, W. Highett, J. McCrae, W. H. F. Mitchell.

“I, GEORGE WARD COLE, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements, in the Colony of Victoria, of the value of five hundred pounds per annum, sterling money, above all charges and incumbrances affecting the same: and, further, that the lands and tenements out of which such qualification arises are situate in the parish of Jika Jika, in the county or reputed county of Bourke, the descriptions of which lands and tenements are as follow :—Allotment of section 1 fronting Flinders and Spencer streets, and allotment 4 of section 2 fronting Flinders and Little Flinders streets, in the city of Melbourne, with store houses,

buildings, &c. 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 of the Colony of Victoria.

“GEORGE WARD COLE.”

“I, WILLIAM HULL, do declare and testify that I am duly seised at law or in equity of 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, sterling money, above all charges and incumbrances affecting the same : and, further, that the lands and tenements out of which such qualification arises are situate in the parishes of
in the counties or reputed counties of
the description of which lands and tenements are as follow :—Portion of allotment No 37, parish of Jika Jika ; (1) houses and land in Richmond ; (2) land, part of sub., sect. No. 31, parish of Jika Jika ; (3) Holcombe Farm, county of Talbot ; (4) three allotments, 1 rood each, parish of Elphinstone, county of Talbot. 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 of the Colony of Victoria.

“WILLIAM HULL.”

“I, WILLIAM HIGHETT, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements, in the Colony of Victoria, of the full value of five thousand pounds, sterling money, above all charges and incumbrances affecting the same : and, further, that the lands and tenements out of which such qualification arises are situate in the parish of Richmond, in the county or reputed county of Bourke, the description of which lands and tenements are as follow :—House and fourteen acres of land, being part of section 37. 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 of the Colony of Victoria.

“WILLIAM HIGHETT.”

“I, JAMES FREDERICK PALMER, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements, in the Colony of Victoria, of the full value of five thousand pounds, sterling money, above all charges and incumbrances affecting the same : and, further, that the lands and tenements out of which such qualification arises are situate in the parish of Boroondara, in the county or reputed county of Bourke, the descriptions of which lands and tenements are as follow :—Allotments No. 19, 20, and 21, in section No. 6 :—and are in my own occupation and used as a dwelling-house. 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 of the Colony of Victoria.

“J. F. PALMER.”

“I, JOHN McCRAE, do declare and testify that I am duly seised at law or in equity of 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, sterling money, above all charges and incumbrances affecting the same : And, further, that the lands and tenements out of which such qualification arises are situate in the parish of Melbourne, in the county or reputed county of Bourke, the descriptions of which lands and tenements are as follow :—All that piece of land, corner of Lonsdale and Stephen streets, containing one half acre on which is erected the Oriental Baths, and other buildings ; also that piece of land corner of Collins and Stephen streets, containing two houses numbering 160 and 162, Collins street ; also that piece of land in Lonsdale street west, containing the building numbering 3 and 5. 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 of the Colony of Victoria.

“JOHN McCRAE.”

“I, WILLIAM HENRY FANCOURT MITCHELL, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements, in the Colony of Victoria, of the clear value of five thousand pounds, sterling money, above all charges and incumbrances affecting the same : and, further, that the lands and tenements out of which such qualification arises are situate in the parish of Emberton, in the county or reputed county of Dalhousie, the descriptions of which lands and tenements are as follow :—Four thousand and seven hundred acres, known as the Barfold Estate, and lying between the Campaspe River and Piper’s Creek. 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 of the Colony of Victoria.

“W. H. F. MITCHELL,”

The approach of His Excellency the Governor was announced by the Usher.

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, 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 regret that the necessity of providing for the exigencies of the Public Service of the ensuing year has obliged me to call you together after the short interval allowed for repose from the fatigues of the last Session, and at a time when attendance upon your parliamentary duties must be inconvenient to many of you.

I trust, with your assistance, to be enabled to make arrangements by which future Sessions may commence at a time of the year more suitable for the despatch of public business. To effect this object, it will be the duty of my advisers to submit for your consideration such measures only as are indispensable for the public welfare, in order that the present Session may be brought to a close at the earliest possible period.

The Bill for the better management of the Gold Fields, which was laid before you at the close of the last Session, has since received material amendments, and, together with Bills for the better Administration of Justice upon the Gold Fields, and for authorising and regulating Gold Mining on Private Property, subjects upon the importance of which I need not dwell, will be submitted to you.

It is my duty to call your attention to the subject of the occupation of the Crown lands of the Colony for pastoral purposes. A series of resolutions will be submitted by my advisers, as to the mode of dealing with these lands, and as the basis of a Bill which will be introduced for the purpose. I recommend to your most earnest consideration the means by which they may be rendered most productive to the public revenue, and most available for the public benefit.

The necessity for a reform in the present system of transferring land becomes daily more apparent, and a Bill to simplify and render indefeasible titles to Land will at once be introduced.

Your consideration will be invited to measures for the amendment of the existing Laws relating to Municipal Institutions, and for the establishment of District Councils with large powers of self-government, and taxation. I need not point out to you the evils arising from excessive centralization of the functions of Government, or the advantages to be derived from local institutions.

A Bill for the consolidation and the amendment of the existing Insolvent Laws, the defects of which are seriously felt by the mercantile community, together with other important measures of Law Reform, will also be laid before you.

The moral and social evils arising from the number of neglected and deserted children in this community are painfully conspicuous, and a Bill will be introduced providing for their maintenance and education.

Among other measures which will be brought under your consideration, I may enumerate Bills for consolidating and amending the Laws relating to the Naturalization of Aliens, and the Laws between Master and Servant, for regulating the Fencing of Land, for the amendment of the Law relating to the Impounding of Cattle, for the regulation of Harbor Trusts, and of Weights and Measures, for Postal Reform, and for the taking an account of the Population of the Colony, in accordance with the desire of the Imperial Government, that a simultaneous Census should be taken throughout Her Majesty's dominions during the ensuing year.

I have had under my consideration the Report of the Commission which I appointed to enquire into the state of the Civil Service of the Colony. A Bill, based upon and carrying out the most important suggestions contained in that Report, will be submitted to you. This measure will effect material saving in the expenditure of the country, and will, I trust, diminish the labors of future Sessions, and increase the efficiency of the Public Service

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY—

The Estimates for the ensuing year will immediately be laid before you. They have been framed with the strictest regard to economy compatible with the efficiency of the Public Service, and embrace important reductions from the expenditure of previous years.

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL, AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY—

Your attention will be invited during the Session to the propriety of providing a permanent and adequate Supply of Water to the Interior of the Country, and to the necessity for the protection of our Harbors from Foreign Aggression.

The subjects which I have mentioned, though few in number, are of great importance ; and I earnestly pray that your deliberations may, under the blessing of Almighty God, insure the continuance of the tranquillity and prosperity which the country now enjoys.

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.

TRADE MARKS IMITATION BILL.—The Honorable W. H. F. Mitchell, with leave of the Council, without notice, obtained leave to bring in a Bill to prevent the fraudulent imitation of Trade Marks.

Which being ordered, the Bill, on the motion of the Honorable W. H. F. Mitchell, was read a first time, ordered to be printed and read a second time this day fortnight.

SPEECH OF HIS EXCELLENCY THE GOVERNOR.—The President reported His Excellency's Speech, and the same being read by the President,

The Honorable W. Hull moved, That a Select Committee be appointed to prepare an Address to His Excellency the Governor in reply to his Speech delivered to the Parliament, and that such Committee consist of the following Members, viz :—The Honorables G. W. Cole, W. H. F. Mitchell, G. S. Coppin, T. H. Power, H. Miller, Dr. Wilkie, T. H. Fellows, and the Mover.

Question—put and passed.

The Honorable W. Hull moved, That the Council do adjourn for half an hour, to enable the Committee to prepare the Address.

Amendment moved by the Honorable J. P. Fawkner, That all the words after the word "adjourn" be omitted, with a view to insert the words "until three o'clock to-morrow."

Question—That the words proposed to be omitted be so omitted—put and passed.

Question—That the words proposed to be inserted be so inserted—put and passed.

Question, *amended* with leave of the Council—That the House at its rising adjourn until three o'clock to-morrow—put and passed.

The Council adjourned at twenty minutes to three o'clock until three o'clock on Wednesday, the 21st instant.

NOTICES OF MOTION AND ORDER OF THE DAY.

WEDNESDAY, 21ST NOVEMBER, 1860.

NOTICES OF MOTION:—

1. The Hon. T. H. FELLOWS: To move, That Tuesdays, Wednesdays, and Thursdays be the days on which the Council shall meet for the despatch of business during the present session, and that four o'clock be the hour of meeting on each day.
2. The Hon. T. H. FELLOWS: To move, That on Wednesday in each week during the present session the transaction of Government business take precedence of all other business.
3. The Hon. T. H. FELLOWS: To move, That the Honorables the President, T. T. a'Beckett, M. Hervey, and H. Miller, be appointed a Select Committee on the Standing Orders of the House.
4. The Hon. T. H. FELLOWS: To move, That the Honorables the President, W. Highett, G. Rolfe, G. W. Cole, and F. Robertson, be Members of the Joint Committee of both Houses to manage and superintend the Parliament Buildings.
5. The Hon. T. H. FELLOWS: To move, That the Honorables the President, J. B. Bennett, T. H. Power, Dr. Hope, and J. P. Fawkner, be Members of the Joint Committee of both Houses to manage the Library.
6. The Hon. W. HIGHETT: To move, That the Honorables S. G. Henty, A. Fraser, James Stewart, G. W. Cole, and the Mover, be Members of the Joint Committee of both Houses to manage the Refreshment Rooms and Stables.
7. The Hon. M. HERVEY: To move, That there be a Printing Committee appointed, and that papers presented to the House be referred to the said Committee for report; such Committee to consist of the Honorables J. P. Fawkner, T. H. Power, T. T. a'Beckett, C. Vaughan, W. Degraives, and the Mover.

TUESDAY, 4TH DECEMBER, 1860.

ORDER OF THE DAY:—

1. TRADE MARKS IMITATION BILL.—To be read a second time.

MEETING OF SELECT COMMITTEE.

Wednesday, 21st November.

ADDRESS IN REPLY TO THE GOVERNOR'S SPEECH—at two o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

By Authority: JOHN FERRES, Government Printer, Melbourne.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 21ST NOVEMBER, 1860.

The Council met in accordance with adjournment.—The President took the Chair.

The President read the Prayer.

ADDRESS IN REPLY TO THE SPEECH OF HIS EXCELLENCY THE GOVERNOR.—The Honorable W. Hull, as Chairman of the Committee appointed to prepare an Address in reply to the Speech of His Excellency the Governor, brought up the Report of the Committee.

The Report was read at the Table by the Clerk.

To His Excellency SIR HENRY BARKLY, Knight Commander of the Most Honorable Order of the Bath, Captain-General and Governor-in-Chief of the Colony of Victoria, and Vice-Admiral of the same, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY—

We, Her Majesty's most dutiful and loyal Subjects, the Members of the Legislative Council of Victoria, in Parliament assembled, beg leave to express our loyalty to Her Most Gracious Majesty the Queen, and to thank Your Excellency for the Speech with which you have opened the present Session of Parliament. We desire to express our concurrence with Your Excellency in trusting that arrangements may be made by which future Sessions may commence at a time of the year more suitable for the despatch of public business, and our satisfaction that such measures only will be submitted for our consideration as are indispensable for the public welfare, in order that the present Session may be brought to a close at the earliest possible period.

We assure Your Excellency that our best attention shall be given to the consideration of the Bills to be laid before us.

We thank Your Excellency for calling our attention to the subject of the occupation of the Crown Lands of the Colony for pastoral purposes. The means by which these lands may be rendered most productive to the public Revenue, and most available for the public benefit, shall receive our most earnest consideration.

We join with Your Excellency in the earnest prayer that our deliberations may, under the blessing of Almighty God, ensure the continuance of the tranquillity and prosperity which the country now enjoys.

We regret that we feel it our duty most respectfully to allude to what appears to us an omission on the part of Your Excellency's Advisers in connection with Your Excellency's Address, inasmuch as no reference is made to any intention on their part to bring under consideration of Parliament the questions of Immigration and Education. Believing, as we do, that these subjects are not exceeded in importance by any others, we earnestly hope that this Session will not be allowed to close without measures for carrying them out being submitted for our consideration.

The Honorable W. Hull moved, That the Address be now adopted.

Question—put and passed.

DAYS OF BUSINESS.—The Honorable W. H. F. Mitchell, in the absence of the Honorable T. H.

Fellows, moved, in accordance with notice, That Tuesdays, Wednesdays, and Thursdays be the days on which the Council shall meet for the despatch of business during the present Session, and that four o'clock be the hour of meeting on each day.

Amendment moved by the Honorable J. P. Fawcner, That the word "four" be omitted, with a view to insert the word "three" instead thereof.

Debate ensued.

Amendment moved by the Honorable A. Fraser, That the word "Tuesdays" be omitted.

Debate ensued.

Amendment made by the Honorable A. Fraser by leave withdrawn.

Question—That the word "four," proposed to be omitted, be so omitted—put and passed.

Question—That the word "three," proposed to be inserted, be so inserted—put and passed.

Question—That Tuesdays, Wednesdays, and Thursdays be the days on which the Council shall meet for the despatch of business during the present Session, and that three o'clock be the hour of meeting on each day—put and passed.

GOVERNMENT BUSINESS.—The Honorable W. H. F. Mitchell, in the absence of the Honorable T. H. Fellows, moved, in accordance with notice, That on Wednesday in each week during the present Session the transaction of Government business take precedence of all other business.

Question—put and passed.

STANDING ORDERS—SELECT COMMITTEE.—The Honorable W. H. F. Mitchell, in the absence of the Honorable T. H. Fellows, moved, in accordance with notice, That the Honorables the President, T. T. a'Beckett, M. Hervey, and H. Miller, be appointed a Select Committee on the Standing Orders of the House.

Question—put and passed.

PARLIAMENT BUILDINGS—SELECT COMMITTEE (JOINT).—The Honorable W. H. F. Mitchell, in the absence of the Honorable T. H. Fellows, moved, in accordance with notice, That the Honorables the President, W. Highett, G. Rolfe, G. W. Cole, and F. Robertson, be members of the Joint Committee of both Houses to manage and superintend the Parliament Buildings.

Amendment moved by the Honorable J. P. Fawkner, That the name of the Honorable A. Fraser be added to the Committee.

Debate ensued.

Amendment by leave withdrawn.

Question—put and passed.

LIBRARY COMMITTEE (JOINT).—The Honorable W. H. F. Mitchell, in the absence of the Honorable T. H. Fellows, moved, in accordance with notice, That the Honorables the President, J. B. Bennett, T. H. Power, Dr. Hope, and J. P. Fawkner, be members of the Joint Committee of both Houses to manage the Library.

Question—put and passed.

REFRESHMENT ROOMS COMMITTEE (JOINT).—The Honorable W. Highett, in accordance with notice, moved, That the Honorables S. G. Henty, A. Fraser, James Stewart, G. W. Cole, and the Mover, be members of the Joint Committee to manage the Refreshment Rooms and Stables.

Question—put and passed.

PRINTING COMMITTEE.—The Honorable M. Hervey, in accordance with notice, moved, That a Printing Committee be appointed, and that papers presented to the House be referred to the said Committee for report; such Committee to consist of the Honorables J. P. Fawkner, T. H. Power, T. T. a'Beckett, C. Vaughan, W. Degraives, and the Mover.

Question—put and passed.

The Honorable W. H. F. Mitchell moved, That the House do now adjourn.

Amendment moved by the Honorable J. P. Fawkner, That the word "now" be omitted, with a view to add the words "at its rising this day until Tuesday next," after the word "adjourn."

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

Question—That the words proposed to be inserted be so inserted—put and passed.

Question—That the House adjourn, at its rising this day, until Tuesday next—put and passed.

The Council adjourned at twenty-minutes to four o'clock, until three o'clock on Tuesday, the 27th instant.

NOTICE OF MOTION AND ORDER OF THE DAY.

TUESDAY, 27TH NOVEMBER.

1. The Hon. A. FRASER: To ask the Honorable T. H. Fellows whether the report is correct that a circular has been issued to all the clerks in the Law Department, enquiring if they had subscribed to the Church of England Fund, and the amount of their subscriptions; if so, whether such circular was authorized by the Attorney-General.

TUESDAY, 4TH DECEMBER.

ORDER OF THE DAY:—

1. TRADE MARKS IMITATION BILL.—To be read a second time.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 27TH NOVEMBER, 1860.

The Council met in accordance with adjournment.—The President took the Chair.

The President read the Prayer.

ADDRESS IN REPLY TO THE SPEECH OF HIS EXCELLENCY THE GOVERNOR.—The President announced that he had received a communication from His Excellency's Private Secretary, informing him that His Excellency the Governor would receive the Address in reply to his Speech at half-past three o'clock on the 27th instant.

PAPERS.—The Honorable T. H. Fellows, by command of His Excellency the Governor, presented to the House the following papers :—

1. Gold Fields Act.—Order in Council—Regulating Mining Leases in Mining District of Maryborough (15th October, 1860).
2. Public Accounts—Regulation respecting (27th October, 1860).
3. Board of Agriculture—First Annual Report—Presented by the Council of the Board of Agriculture to the.
4. Supreme Court Rules (14th September, 1860).
5. Defences of the Colony.—Report of Captain Scratchley, R.E. (22nd September, 1860).

ADJOURNMENT.—The Honorable T. H. Fellows, with leave of the Council, moved, without notice, That the House at its rising this day adjourn until Tuesday, 4th December.

Question—put and passed.

The Council adjourned at a quarter past three o'clock, until three o'clock on Tuesday, the 4th December.

ORDER OF THE DAY.

TUESDAY, 4TH DECEMBER.

ORDER OF THE DAY :—

1. TRADE MARKS IMITATION BILL.—To be read a second time.

G. W. RUSDEN,
Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 4TH DECEMBER, 1860.

The Council met in accordance with adjournment.—The President took the Chair.

The President read the Prayer.

REPLY OF THE GOVERNOR TO THE ADDRESS OF THE COUNCIL.—The President announced to the Council that the Address to His Excellency the Governor had been presented by the President and other members of the House, 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 loyal and dutiful Address, and for the assurance it contains that your attention will be devoted to the measures which may be brought before you.

The omission of any allusion to a question on which so much difference of opinion prevails, as that of Education, must be attributed to the desire, of which you express approval, to bring the Session of Parliament to an early close.

With respect to Immigration, it was intended to propose the restoration of the usual provision to the Estimates of next year, but there is now reason to hope that further consideration will be bestowed on a subject of such vital importance to the advancement of the country.

HENRY BARKLY.

Government Offices, 27th Nov., 1860.

ADJOURNMENT.—The Honorable A. Fraser, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday, the 8th January next.
Question—put and passed.

ELECTIONS AND QUALIFICATIONS.—In pursuance of "*The Electoral Act of 1856*," the President laid upon the Council Table the following Warrant, appointing the Committee of Elections and Qualifications :—

VICTORIA.

Pursuant to the provisions of the Victoria Electoral Act of 1856, I do hereby appoint

The Honorable George Ward Cole,
The Honorable William Degraives,
The Honorable Thomas Howard Fellows,
The Honorable Alexander Fraser,
The Honorable James Henty,
The Honorable Matthew Hervey,
The Honorable William Hull,

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

Given under my hand this fourth day of December, 1860.

J. F. PALMER,
President of the Legislative Council.

CHAIRMANSHIP OF COMMITTEES.—The Honorable M. Hervey, with leave of the Council, moved, without notice, That the Honorable Robert Thomson be Chairman of Committees of the Council.

Question—put and passed.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday, 8th January, 1861 :—

“ *Trade Marks Imitation Bill* ”—to be read a second time.

The Council adjourned at twenty-five minutes to four o'clock, until three o'clock on Tuesday, the 8th January, 1861.

NOTICES OF MOTION AND ORDER OF THE DAY.

TUESDAY, 8TH JANUARY, 1861.

1. The Hon. W. HULL : To ask the Representative of the Government in this House—
 - (1.) What action has been taken by the Government with reference to the Third Progress Report of the Commission appointed to consider the best mode of carrying out the recommendations of the Defences Commission of 1858.
 - (2.) What action has been taken upon the Governor's memorandum for the Honorable the Chief Secretary, dated November 8th, 1860, in connection with Captain Scratchley's special report, dated 22nd September, 1860.

NOTICES OF MOTION :—

1. The Hon. G. W. COLE : To move for a Return, as far as practicable, of the number of Breweries in 1859; where situated; quantity made at each; ditto sugar; ditto malt; ditto hops; average price per hogshead; number of men and horses employed; number from which no returns are received; any remarks of Inspector.
2. The Hon. G. W. COLE : To move for a Return of the quantity of Loaf Sugar imported in 1859; a Return of Sugar Refineries in 1859; quantity and description manufactured; quantity of Spirits; number of men and horses employed.
3. The Hon. T. H. FELLOWS : To move for leave to bring in a Bill for the prevention of Crime by Children.
4. The Hon. T. H. FELLOWS : To move for leave to bring in a Bill to regulate Weights and Measures.

ORDER OF THE DAY :—

1. TRADE MARKS IMITATION BILL.—To be read a second time.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 8TH JANUARY, 1861.

The Council met in accordance with adjournment.—The President took the Chair.

The President read the Prayer.

ELECTIONS AND QUALIFICATIONS COMMITTEE.—The President laid upon the Table the Warrant appointing the Committee of Elections and Qualifications.

PAPERS.—The Honorable T. T. a'Beckett laid upon the Table the following Papers:—

1. Establishment of County Court and Court of Mines at Inglewood.—Orders in Council (5th November, 1860).
2. Establishment of County Court at Bacchus Marsh.—Order in Council (26th November, 1860).
3. Return of Crown Lands alienated from 1st January to 30th June, 1860.

Ordered severally to lie on the Table.

PAPERS.—The Honorable T. T. a'Beckett, by command of his Excellency the Governor, laid on the Table—

Harbor Improvements and River and Harbor Trust.—Report of Royal Commission (10th November, 1860.)

Ordered to lie on the Table.

STANDING ORDERS COMMITTEE.—The Honorable T. T. a'Beckett, with leave of the Council, moved, without notice, That the name of the Honorable W. H. F. Mitchell be added to the names proposed for the Standing Orders Committee.

Question—put and passed.

BREWERIES.—The Honorable G. W. Cole, in accordance with notice, moved for a Return, as far as practicable, of the number of Breweries in 1859; where situated; quantity made at each; ditto, sugar; ditto, malt; ditto, hops; average price per hogshead; number of men and horses employed; number from which no returns are received; any remarks of inspector.

Question—put and passed.

SUGAR IMPORTED IN 1859.—SUGAR REFINERIES.—The Honorable G. W. Cole, in accordance with notice, moved for a Return of the quantity of Loaf Sugar imported in 1859; a Return of Sugar Refineries in 1859, quantity and description manufactured; quantity of Spirits; number of men and horses employed.

Question—put and passed.

CHILDREN'S CRIME PREVENTION BILL.—The Honorable T. H. Fellows, in accordance with notice, moved for leave to bring in a Bill for the Prevention of Crime by Children.

Question—put and passed.

Bill brought in, and on the motion of the Honorable T. H. Fellows, read a first time and ordered to be printed.

WEIGHTS AND MEASURES BILL.—The Honorable T. H. Fellows, in accordance with notice, moved for leave to bring in a Bill to regulate Weights and Measures.

Question—put and passed.

Bill brought in, and on the motion of the Honorable T. H. Fellows, read a first time and ordered to be printed.

LEAVE OF ABSENCE TO A MEMBER.—The Honorable J. Henty, with leave of the Council, moved, without notice, That leave be given to the Honorable J. P. Fawkner to be absent from the deliberations of this House for a period of one month.

Question—put and passed.

TRADE MARKS IMITATION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. H. Fellows moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable T. H. Fellows moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

Question—That the President do now leave the Chair—put and passed.

The President left the Chair.

The Chairman of Committees reported progress and asked leave to sit again.

Ordered.

ADJOURNMENT.—The Honorable T. T. a'Beckett, with leave of the Council, moved, without notice, That the House at its rising adjourn until this day week.

Question—put and passed.

TRADE MARKS IMITATION BILL.—The Honorable T. H. Fellows moved, That the further consideration of this Bill in Committee of the whole Council be made an Order of the Day for Tuesday next.

Question—put and passed.

The Council adjourned at twenty-five minutes to five o'clock until three o'clock on Tuesday, the 15th instant.

ORDER OF THE DAY.

TUESDAY, 15TH JANUARY, 1861.

1. The Hon. W. HULL: To ask the Representative of the Government in this House—
 - (1.) What action has been taken by the Government with reference to the Third Progress Report of the Commission appointed to consider the best mode of carrying out the recommendations of the Defences Commission of 1858.
 - (2.) What action has been taken upon the Governor's memorandum for the Honorable the Chief Secretary, dated November 8th, 1860, in connection with Captain Scratchley's special report dated 22nd September, 1860.

ORDER OF THE DAY :

1. TRADE MARKS IMITATION BILL.—To be further considered in Committee.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 15TH JANUARY, 1861.

The Council met in accordance with adjournment.—The President took the Chair.

The President read the Prayer.

ELECTIONS AND QUALIFICATIONS COMMITTEE.—The President laid upon the Table, for the third time, the Warrant appointing the Committee of Elections and Qualifications.

PAPERS.—The Honorable T. T. a'Beckett presented to the Council the following Papers:—

1. Public Accounts—Regulations respecting (13th December, 1860).
2. Head Quarter's Staff.—Despatch from the Right Honorable the Secretary of State (11th June, 1860).
3. Auriferous Crown Lands—General Regulations respecting Leases, and applications for Leases of (4th December, 1860).
4. Prospecting Board—Report of (14th November, 1860).

Ordered severally to lie on the Table.

CHILDREN'S CRIME PREVENTION BILL.—The Honorable T. T. a'Beckett, with leave of the Council, moved, without notice, That the second reading of this Bill be made an Order of the Day for the next day of meeting of the Council.

Question—put and passed.

TRADE MARKS IMITATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

The Chairman of Committees reported that the Committee had gone through the Bill and had agreed to the same with amendments.

The Honorable T. H. Fellows moved, That the adoption of the Report of the Committee be made an Order of the Day for the next day of meeting.

Question—put and passed.

SUSPENSION OF SESSIONAL ORDER.—The Honorable T. T. a'Beckett moved, That the Sessional Order appointing the hour of meeting on each day of business be suspended.

Question—put and passed.

ADJOURNMENT.—The Honorable T. T. a'Beckett moved, That the House at its rising adjourn until Tuesday next at four o'clock.

Question—put and passed.

The Council adjourned at a quarter past four o'clock until four o'clock on Tuesday, the 22nd instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 22ND JANUARY, 1861.

NOTICES OF MOTION:—

1. The Hon. W. HULL: To move, That, in the opinion of this House, the munitions of war, ordered on the recommendation of the Defence Commission in April, July, and December, 1859, ought, ere this, to have been received by this Colony, or a satisfactory reason given by the Government why they have not arrived.
2. The Hon. T. H. FELLOWS: To move for leave to bring in a Bill to consolidate and amend the laws relating to attorneys, solicitors, proctors, and conveyancers.

ORDERS OF THE DAY:

1. CHILDREN'S CRIME PREVENTION BILL.—To be read a second time.
2. TRADE MARKS IMITATION BILL.—Adoption of Report.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.



Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 22ND JANUARY, 1861.

The Council met in accordance with adjournment.—The President took the Chair.

The President read the Prayer.

ISSUE OF WRIT FOR A NEW MEMBER.—The President laid on the Table a letter received from the Private Secretary to His Excellency the Governor, reporting, for the information of the President of the Council, that His Excellency had received the resignation of the Honorable W. J. T. Clarke as a Member of the Legislative Council for the Southern Province, and had issued a Writ, returnable on the 8th day of February next, for a new member.

The President informed the Council that he had received a letter from the Honorable W. J. T. Clarke, in the following terms:—

SIR,

Having been called to England unexpectedly from Tasmania, and thinking my stay here would have been but a few weeks, I beg to apologise for having neglected to send in my resignation as a member of the Legislative Council. I now beg the House will be pleased to accept the same.

I have the honor to be,

Sir,

Your most obedient Servant,

W. J. T. CLARKE.

To the Honorable Sir James Palmer,
President of the Legislative Council.

The President informed the Council further, that, in accordance with his direction, the said letter was transmitted to the Private Secretary, with the following letter:—

SIR,

I do myself the honor to transmit to you, for His Excellency's consideration, a letter which has been addressed by one of the Members for the South Province to the President of the Legislative Council, and which the President has handed to myself.

The VIIIth Clause of the Constitution Act defines the mode in which Members of the Legislative Council may resign their seats.

I have the honor to be,

Sir,

Your most obedient Servant,

G. W. RUSDEN,

Clerk of the Legislative Council and
Clerk of the Parliaments.

The Private Secretary.

The President further stated that, as guardian of the privileges of the House, he felt it to be his duty to submit the foregoing facts to the House, so that the House might, if it should think fit, determine whether the seat occupied by the Honorable W. J. T. Clarke had become vacant.

DEFENCES OF THE COLONY.—The Honorable W. Hull, in accordance with notice, moved, That, in the opinion of this House, the Munitions of War ordered on the recommendation of the Defence Commission in April, July, and December, 1859, ought, ere this, to have been received by this Colony, or a satisfactory reason given by the Government why they have not arrived.

Debate ensued.

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 Bill intituled “*An Act for taking an Account of the Population in 1861*,” in which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 15th January, 1861.

FRANS. MURPHY,
Speaker.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to remove Doubts as to the extent of the power of the Governor to commute the Sentence of Death*,” in which they desire the concurrence of the Legislative Council.

Legislative Assembly Chambers,
Melbourne, 22nd January, 1861.

FRANS. MURPHY,
Speaker.

CENSUS BILL.—This Bill, on the motion of the Honorable T. T. a’Beckett, was read a first time, ordered to be printed, and read a second time to-morrow.

SENTENCE OF DEATH COMMUTATION BILL.—This Bill, on the motion of the Honorable T. T. a’Beckett, was read a first time, ordered to be printed, and read a second time to-morrow.

DEFENCES OF THE COLONY.—Debate resumed.

The Honorable W. Hull, with leave of the Council, withdrew his motion.

PAPERS.—The Honorable T. T. a’Beckett presented to the Council the following Papers:—

1. Defences of the Colony.—Letter from Captain Clarke (25th September, 1860).
2. Loans and Interest on Loans.—Amount payable annually, from 1860 to 1884, on Loans contracted up to 31st December, 1860.
3. Expenditure under Schedule D to Act 18 and 19 Victoria, cap. 55, during the year 1859, on account of the year 1858.
4. Expenditure under Schedule D to Act 18 and 19 Victoria, cap. 55, for and during the year 1859.
5. Pensions.—List of, granted under 50th section of the Constitution Act.

Ordered severally to lie on the Table.

ATTORNEYS, SOLICITORS, PROCTORS, AND CONVEYANCERS BILL.—The Honorable T. H. Fellows, in accordance with *amended* notice, moved, That leave be given to bring in a Bill to amend the laws relating to Attorneys, Solicitors, Proctors, and Conveyancers.

Question—put and passed.

Bill brought in, read a first time, and ordered to be printed.

QUESTION OF PRIVILEGE.—The Honorable J. B. Bennett moved, as a question of privilege, without notice, That a Select Committee, of seven members be appointed, with power to call for papers and take evidence, to enquire and report to this House whether the Honorable W. J. T. Clarke has ceased to be a member of this Council.

Debate ensued.

Question—put.

Council divided.

Contents, 15.
The Hon. T. H. Fellows
G. W. Cole
J. F. Strachan
R. Thomson
G. Rolfe
J. B. Bennett
W. Hull
W. Highett
J. McCrae
Dr. Hope
Dr. Wilkie
G. S. Coppin
A. Fraser
B. Williams
J. Stewart (*Teller*).

Not Contents, 5.
The Hon. T. T. a’Beckett
T. H. Power
W. Degraives
C. Vaughan
H. Miller (*Teller*).

The question was therefore passed.

The Honorable J. B. Bennett moved, That the Committee consist of the Honorables G. W. Cole, W. Degraives, T. H. Fellows, A. Fraser, J. Henty, M. Hervey, W. Hull.

Question—put and passed.

The President appointed the first meeting of the Committee to take place at half-past two o’clock on Wednesday, the 23rd instant.

CHILDREN'S CRIME PREVENTION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. T. a'Beckett moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable T. T. a'Beckett moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

Question—That the President do now leave the Chair—put and passed.

The President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again to-morrow.

Ordered.

TRADE MARKS IMITATION BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable T. H. Fellows moved, That the report be now adopted.

Question—put and passed.

The Honorable T. H. Fellows moved, That the third reading of the Bill be made an Order of the Day for to-morrow.

Question—put and passed.

The Council adjourned at a quarter to six o'clock until three o'clock on Wednesday, the 23rd instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 23RD JANUARY.

NOTICES OF MOTION :—

1. The Hon. T. H. FELLOWS : To move, That so much of the Sessional Order as provides that three o'clock be the hour of meeting on each day of business be rescinded, and that four o'clock be the hour of meeting on each day.
2. The Hon. T. H. FELLOWS : To move, That a Joint Committee, consisting of seven members of each House, be appointed, to take into consideration the Reports of the Civil Service Commissioners, with power to call for persons and papers, and to prepare a Bill for carrying out their recommendations, with any modifications which such Committee may think proper, and that seven shall form a quorum.

ORDERS OF THE DAY :—

1. CENSUS BILL.—To be read a second time.
2. SENTENCE OF DEATH COMMUTATION BILL.—To be read a second time.
3. CHILDREN'S CRIME PREVENTION BILL.—To be further considered in Committee.
4. TRADE MARKS IMITATION BILL.—To be read a third time.

MEETING OF SELECT COMMITTEE.

Wednesday, 23rd January.

SOUTH PROVINCE ELECTION COMMITTEE—at half past two o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 23RD JANUARY, 1861.

The Council met in accordance with adjournment.—The President took the Chair.

The President read the Prayer.

ELECTION OF MEMBER.—The President notified to the Council that a letter had been received from the Private Secretary to His Excellency the Governor, reporting, for the information of the President of the Council, that a Writ issued by the Governor on the 7th January, 1861, for the election of one Member to serve in the Legislative Council for the South Province, has been returned to His Excellency, by which it appears upon the authority of Richard Eades, Esq., the returning officer, that Joseph Sutherland, Esq., of St. Kilda, was duly elected.

COMMISSION TO SWEAR IN MEMBERS.—The President laid on the Table a Commission from His Excellency the Governor, empowering him to administer the oath of allegiance to such Members of the Legislative Council as have not yet taken and subscribed that oath.

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

**TO THE HONORABLE SIR JAMES FREDERICK PALMER, KNIGHT, President
of the Legislative Council of our Colony of Victoria.**

WHEREAS by the Bill contained in the Schedule to a Statute passed in the Session of our Imperial Parliament, holden in the eighteenth and nineteenth years of our reign, intituled "*An Act to enable Her Majesty to assent to a Bill, as amended, of the Legislature of Victoria, to establish a Constitution in and for the Colony of Victoria,*" it is enacted that no Member either of the Legislative Council or of the Legislative Assembly shall be permitted to sit or vote therein respectively, until he shall have taken and subscribed before the Governor, or before some person authorized by the Governor in that behalf, the oath in the said Bill mentioned: **WE DO THEREFORE** by these presents command and authorize you, from time to time, in the Parliament House, in the City of Melbourne, to administer the said oath to such Members of the said Legislative Council as have not already taken and subscribed the same. **IN TESTIMONY** whereof we have caused the Seal of our said Colony to be hereunto affixed.

WITNESS our trusty and well-beloved **SIR HENRY BARKLY**, Knight Commander of the Most Honorable Order of the Bath, Captain-General and Governor-in-Chief of our Colony of Victoria, and Vice-Admiral of the same, at Melbourne, in our said Colony, this twentieth day of November, in the year of our Lord One thousand eight hundred and sixty, and in the twenty-fourth year of our reign.

(L.S.)

HENRY BARKLY.

By His Excellency's Command,
WILLIAM NICHOLSON.

Entered on Record by me in Register of Patents,
Book 10, page 199, this twentieth day of
November, One thousand eight hundred and
sixty.

J. MOORE.

HOOR OF MEETING.—The Honorable T. H. Fellows, in accordance with notice, moved, That so much of the Sessional Order as provides that three o'clock be the hour of meeting on each day of business be rescinded, and that four o'clock be the hour of meeting.

Debate ensued.

Question—put.

Council divided.

Contents, 11.
The Hon. T. H. Fellows
R. Thomson
G. Rolfe
W. Degraives
S. G. Henty
W. Highett
W. Hull
J. McCrae
F. Robertson
A. Fraser
T. T. a'Beckett (*Teller*).

Not Contents, 6.
The Hon. G. W. Cole
M. Hervey
Dr. Hope
G. S. Coppin
C. Vaughan
T. H. Power (*Teller*).

The question was therefore passed.

PAPER.—The Honorable T. T. a'Beckett presented to the Council the following Paper:—
Gold Fields Act.—Polling Places, Mining District of Ballaarat altered.—Order in Council (7th January, 1861).

CIVIL SERVICE COMMISSION REPORTS.—The Honorable T. H. Fellows, in accordance with notice, moved, That a Joint Committee consisting of seven Members of each House be appointed to take into consideration the Reports of the Civil Service Commissioners, with power to call for persons and papers, and to prepare a Bill for carrying out their recommendations, with any modifications which such Committee may think proper; and that seven shall form a quorum.

Question—put and passed.

The Honorable T. H. Fellows moved, That a Message be carried to the Legislative Assembly to inform them of the Resolution adopted by the Council, and to request their concurrence therewith.

Question—put and passed.

CENSUS BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. T. a'Beckett moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable T. T. a'Beckett moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

Question—That the President do now leave the Chair—put and passed.

The President left the Chair.

The Chairman of Committees reported that the Committee had gone through the Bill, and had agreed to the same with amendments.

The Honorable T. T. a'Beckett moved, That the report be now adopted.

Question—put and passed.

SENTENCE OF DEATH COMMUTATION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. T. a'Beckett moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable T. T. a'Beckett moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

Question—That the President do now leave the Chair—put and passed.

The President left the Chair.

The Chairman of Committees reported that the Committee had gone through the Bill, and had agreed to the same without amendments.

The Honorable T. T. a'Beckett moved, That the adoption of the Report of the Committee be made an Order of the Day for to-morrow.

Question—put and passed.

CENSUS BILL.—The President having reported that the Chairman of Committees had certified that the Bill as certified was in accordance with the Bill as reported from a Committee of the whole Council, the Bill, on the motion of the Honorable T. T. a'Beckett, was read a third time and *passed*.

The Honorable T. T. a'Beckett moved, That the title of the Bill be "*An Act for taking an Account of the Population in 1861.*"

Question—put and passed.

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

CHILDREN'S CRIME PREVENTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair. The Chairman of Committees reported progress, and asked leave to sit again this day week. Ordered.

TRADE MARKS IMITATION 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 from a Committee of the whole Council, the Bill, on the motion of the Honorable T. T. a'Beckett, was read a third time and *passed*.

The Honorable T. T. a'Beckett moved, That the title of the Bill be "*An Act to prevent the imitation of Trade Marks.*"

Question—put and passed.

Ordered—That the Bill be carried to the Legislative Assembly with a Message, requesting their concurrence therewith.

The Council adjourned at ten minutes to five o'clock until four o'clock on Thursday, the 24th instant.

ORDERS OF THE DAY.

THURSDAY, 24TH JANUARY.

ORDER OF THE DAY:—

1. SENTENCE OF DEATH COMMUTATION BILL.—Adoption of Report.

WEDNESDAY, 30TH JANUARY.

ORDER OF THE DAY:—

1. CHILDREN'S CRIME PREVENTION BILL.—To be further considered in Committee.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.



Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 24TH JANUARY, 1861.

The Council met in accordance with adjournment.—The President took the Chair.

The President read the Prayer.

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 a Bill intituled, "*An Act for taking an account of the Population in 1861,*" and acquaint them that the Legislative Assembly have agreed to the amendments made therein by the Legislative Council.

Legislative Assembly Chambers,
Melbourne, 24th January, 1861.

FRANS. MURPHY,
Speaker.

PAPERS.—The Honorable T. H. Power, with leave of the Council, moved, without notice, That the Papers laid on the Table of the House on the 18th September, 1860, on the last day of the past session, and which could not be referred to the Printing Committee then, viz. :—

1. New Zealand War—Copy of a Letter from the Speaker of the House of Representatives in New Zealand, enclosing a resolution of that House thanking the Government of Victoria for the aid rendered by placing the armed steamer *Victoria* at the disposal of the Government of New Zealand;
2. Trade and Customs—Returns, 1859;
3. Statistics of the Colony for the year 1859;

be referred to the Printing Committee.

Question put and passed.

SENTENCE OF DEATH COMMUTATION BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable T. T. a'Beckett moved, That the Report be now adopted.

Question—put and passed.

The President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable T. T. a'Beckett, was read a third time and *passed*.

The Honorable T. T. a'Beckett moved that the title of the Bill be, "*An Act to remove doubts as to the extent of the power of the Governor to commute the sentence of Death.*"

Question—put and passed.

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

STANDING ORDER.—The Honorable M. Hervey, with leave of the Council, moved, without notice, That the following additional Standing Order be adopted:—In case of the absence of the President with the permission of the Council, the Council shall be presided over by such other Member as the Council may appoint, until the President shall have returned, or his leave of absence shall have expired, or his seat shall have become vacant.

Question—put and passed.

LEAVE OF ABSENCE TO THE HONORABLE THE PRESIDENT.—The Honorable M. Hervey, with leave of the Council, moved, without notice, That leave of absence be given to the Honorable Sir J. F. Palmer, President of the Council, for a period of fifteen months, commencing on the 1st March next.

Question—put and passed.

The President made his acknowledgments to the Council for the leave of absence unanimously accorded to him.

ADJOURNMENT.—The Honorable T. T. a'Beckett, with leave of the Council, moved, without notice, That the House at its rising this day adjourn until Tuesday fortnight.

Debate ensued.

Question—put and passed.

MEETINGS OF SELECT COMMITTEES.—The Honorable J. B. Bennett, with leave of the Council, moved, without notice, That the Select Committees appointed by the Council have power to meet during the adjournment.

Question—put and passed.

The Council adjourned at a quarter to five o'clock until four o'clock on Tuesday, the 12th day of February next.

MEETINGS OF SELECT COMMITTEES.

Wednesday, 30th January.

SOUTH PROVINCE ELECTION—at twelve o'clock.

PRINTING COMMITTEE—at one o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 12TH FEBRUARY, 1861.

The Council met in accordance with adjournment.—The President took the Chair.

The President read the Prayer.

ROYAL ASSENT TO BILLS.—The President announced to the Council that he had received an intimation from the Private Secretary to the effect, that it is the intention of His Excellency the Governor to proceed to the Legislative Council Chamber, on Tuesday, the 12th day of February, at half-past four o'clock, to assent, in Her Majesty's name, to certain Bills passed by the Legislative Council and the Legislative Assembly.

APPROVAL OF STANDING ORDER BY THE GOVERNOR.—The President announced to the Council that His Excellency had been pleased to approve of the Standing Order adopted by the Council on the 24th ultimo, on the subject of leave of absence to the President.

SOUTH PROVINCE ELECTION.—REPORT OF SELECT COMMITTEE.—The Honorable M. Hervey, as Chairman of the Select Committee appointed on the 22nd January to "enquire and report whether the Honorable W. J. T. Clarke has ceased to be a member of the Council," brought up the Report of the Committee.

NEW MEMBER.—The Honorable Joseph Sutherland, being introduced, took and subscribed the Oath of Allegiance provided for by the thirty-second clause of the Constitutional Act, and delivered to the Clerk the declaration required by the seventh clause of the Constitutional Act, as hereunder set forth:—

"I, JOSEPH SUTHERLAND, do declare and testify that I am duly seized at law or in equity of 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 sterling money, above all charges and incumbrances affecting the same: And, further, that the lands and tenements out of which such qualification arises are situate in Moorabool-street, in the parish of North Geelong, in the county or reputed county of Grant, the descriptions of which lands and tenements are as follow:—Two stores erected on land as above, being portion of allotment No. 10 of section No. 24, rental £350 per annum. In the parish of Emerald Hill, and county of Bourke, South Melbourne, houses erected on land as above, being four Crown grants to Jno. Gemmell, dated 22nd September, 1853, one rood each. Rental £440 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 of the Colony of Victoria.

"J. SUTHERLAND."

REFRESHMENT ROOMS (JOINT) SELECT COMMITTEE.—REPORT OF.—The Honorable W. Highett, as Chairman of the Select Joint Committee of both Houses of Parliament appointed to manage the Refreshment Rooms and Stables, brought up a Progress Report from the Committee, and moved that the same be printed, and that its adoption be made an Order of the Day for the next day of meeting.

Question—put and passed.

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

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, His Excellency was pleased to assent, in the name of Her Majesty the Queen, to the following Bills:—

"An Act for taking an account of the Population in 1861."

"An Act to remove doubts as to the extent of the power of the Governor to commute
"the Sentence of Death."

The Royal Assent being read severally by the Clerk of the Parliaments in the following words:—

"In the name and on behalf of Her Majesty I assent to this Act.

"HENRY BARKLY,

"Governor."

The Clerk of the Parliaments delivered to Mr. Speaker a Schedule of the Bills assented to. Mr. Speaker and the Legislative Assembly withdrew. His Excellency the Governor left the Council Chamber.

ADJOURNMENT.—The Honorable M. Hervey moved, That the Council at its rising this day adjourn until this day week.

Amendment moved by the Honorable T. H. Fellows, That the word "week" be omitted, with a view to insert the word "month" instead thereof.

Debate ensued.

Amendment by leave withdrawn.

Question—That the Council at its rising this day adjourn until this day week—put and passed.

The Council adjourned at ten minutes past five o'clock until four o'clock on Tuesday, the 19th instant.

NOTICES OF MOTION AND ORDER OF THE DAY.

TUESDAY, 19TH FEBRUARY.

1. The Hon. W. HULL : To ask the Representative of the Government—
 - (1.) If the defensive works at the Heads are discontinued ; and if so, when, and for what reason ?
 - (2.) Why it is the cutlasses and revolvers ordered for the Naval Brigade in 1859 have not yet arrived ; or if they have, why not given out to the men ?
2. The Hon. T. H. FELLOWS : To ask—
 - (1.) Whether a person named Barber, recently appointed a rate collector under the Sewerage Department, was at the time of such appointment employed in the Public Service ; and if so, in what capacity.
 - (2.) Why Barber ceased to hold the office to which he was so appointed, and how long he continued in it.
 - (3.) Who was appointed to succeed Barber, and was such successor in the Public Service at the time of such appointment.

NOTICES OF MOTION :—

1. The Hon. G. W. COLE : To move—
 - (1.) For a Statement, similar to Appendix F in Report of Harbor Commission, of all sums expended for deepening the River Yarra from 1853 to 26th July, 1860.
 - (2.) Statement of the vessels employed.
 - (3.) Cost of construction and repairs.
 - (4.) The time employed.
 - (5.) In whose charge and in what department were the operations carried on.
 - (6.) Correspondence or minutes, if any, why the Boat Channel as laid down in Garrard's Survey was not opened.
 - (7.) By whose authority was the present channel into Hobson's Bay opened.

Also, similar Returns for the expenditure for dredging the Bar at Geelong, distinguishing—

 - (1.) The cost incurred in dredging the Ship or Old Channel.
 - (2.) The reasons why the operations were changed, and by whose authority.

Also, any Correspondence or Minutes authorizing the two dredges being kept at Geelong after deepening the Bar to eighteen feet ; and if there was or is any promise existing or pledge given that they were to be kept there ; and if so, for what purpose they were intended.
2. The Hon. G. W. COLE : To move, for Returns for the Port of Geelong, similar to those furnished the Harbor Trust Commission for the Port of Melbourne, under date as follows :—
 - (1.) From the Department of Trade and Customs, 18th July, 1860.
 - (2.) From the Collector of Customs, 31st July, 1860.
 - (3.) From the Harbor Master (two Reports), 24th August, 1860.
 - (4.) Statement as per Appendix F from 1853 to 26th July, 1860, relative to the cost of construction and repairs of the wharves at Geelong.

ORDER OF THE DAY :—

1. REFRESHMENT ROOMS.—PROGRESS REPORT.—Adoption of.

MEETING

OF

SELECT COMMITTEE.

Tuesday, 19th February.

PRINTING COMMITTEE—at half-past three o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 19TH FEBRUARY, 1861.

The Council met in accordance with adjournment.—The President took the Chair.

The President read the Prayer.

PAPERS.—The Honorable T. T. a'Beckett presented to the Council the following Papers—

1. Ballaarat East—Proclamation of, as a town (14th January, 1861).
2. Stanley—Proclamation of, as a town (5th November, 1860).
3. Proclamation of Towns Boundaries, Towns Commonages, and Gold Fields Commonages (28th January, 1861).
4. Proclamations of Townships of Mansfield and Merton (4th February, 1861).
5. Proclamations of Townships of Chepstow and Linton (28th January, 1861).
6. Botanist, Government—Annual Report of (10th January, 1861).

Ordered severally to lie on the Table.

INSOLVENCIES IN COUNTRY DISTRICTS.—The Honorable G. Rolfe, with leave of the Council, moved, without notice, That the Return to an Order of the Council made on the 24th July, 1860, which Return was laid on the Table of the House on the last day of the last session, be referred to the Printing Committee.

Question—put and passed.

PRINTING COMMITTEE—FIRST REPORT OF.—The Honorable M. Hervey, as Chairman of the Committee appointed to report on Papers presented to the House, brought up the First Report of the Committee, and moved that the same be adopted and printed.

Question—put and passed.

ADJOURNMENT.—The Honorable T. T. a'Beckett, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn for one week.

Amendment moved by the Honorable T. H. Fellows, That the words "one week" be omitted, and the words "seven weeks" inserted instead thereof.

Debate ensued.

Amendment by leave withdrawn.

Original motion, amended, with leave of the Council, as follows, That the House, at its rising this day, adjourn until this day fortnight—put and passed.

LAPSED ORDER OF DAY RESTORED.—The Honorable T. T. a'Beckett, with leave of the Council, moved, without notice, That the Order of the Day for the further consideration in Committee of the Children's Crime Prevention Bill, which lapsed by the adjournment of the House on the 24th ultimo, be restored to the Business Paper for the 5th proximo.

Question—put and passed.

WEIGHTS AND MEASURES BILL.—The Honorable T. H. Fellows, with leave of the Council, moved, without notice, That the second reading of this Bill be made an Order of the Day for the 5th proximo.

Question—put and passed.

PAPERS.—The Honorable T. T. a'Beckett presented to the Council the following Papers:—

Orders in Council.—Polling Places for Mining District of Ballaarat, altered (4th February, 1861).

Polling Places for Mining District of Maryborough, altered (4th February, 1861).

Polling Places for Mining District of Ararat, altered (7th February, 1861).

Polling Places for Mining District of Beechworth, altered (7th February, 1861).

Ordered severally to lie on the Table.

HARBOR RETURNS AND CORRESPONDENCE.—The Honorable G. W. Cole, in accordance with notice, moved, That there be laid on the Table of the Council—

- (1.) A Statement, similar to Appendix F in Report of Harbor Commission, of all sums expended for deepening the River Yarra from 1853 to 26th July, 1860.
- (2.) Statement of the vessels employed.
- (3.) Cost of construction and repairs.
- (4.) The time employed.
- (5.) In whose charge and in what department were the operations carried on.
- (6.) Correspondence or minutes, if any, why the Boat Channel as laid down in Garrard's Survey was not opened.
- (7.) By whose authority was the present channel into Hobson's Bay opened.

Also, similar Returns for the expenditure for dredging the Bar at Geelong, distinguishing—

- (1.) The cost incurred in dredging the Ship or Old Channel.
- (2.) The reasons why the operations were changed, and by whose authority.

Also, any Correspondence or Minutes authorizing the two dredges being kept at Geelong after deepening the Bar to eighteen feet; and if there was or is any promise existing or pledge given that they were to be kept there; and if so, for what purpose they were intended.

Debate ensued.

Question—put.

The Honorable J. F. Strachan called the attention of the President to the fact that there was no quorum in the House.

The President counted the House, and, no quorum being present, adjourned the Council at five o'clock, until the next sitting day.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 5TH MARCH.

1. The Hon. W. HULL: To ask the Representative of the Government—
 - (1.) If the defensive works at the Heads are discontinued; and if so, when, and for what reason.
 - (2.) Why it is the cutlasses and revolvers ordered for the Naval Brigade in 1859 have not yet arrived; or if they have, why not given out to the men.
2. The Hon. T. H. FELLOWS: To ask—
 - (1.) Whether a person named Barber, recently appointed a rate collector under the Sewerage Department, was at the time of such appointment employed in the Public Service; and if so, in what capacity.
 - (2.) Why Barber ceased to hold the office to which he was so appointed, and how long he continued in it.
 - (3.) Who was appointed to succeed Barber, and was such successor in the Public Service at the time of such appointment.
3. The Hon. G. ROLFE: To ask the Honorable Member representing the Government—
 - (1.) What moneys have been granted to the several Municipalities and Corporations throughout the Colony, from the commencement of such grants in aid to the end of 1860; the returns to be for each Municipality respectively.
 - (2.) And what moneys have been paid to the several Road Boards throughout the Colony.
4. The Hon. G. ROLFE: To ask the Honorable Member representing the Government—
 - (1.) Of what denomination are the two Chaplains at the Melbourne Gaol; what are their duties; and if they are engaged in other duties besides those connected with the gaol from which they receive remuneration.
 - (2.) The two Chaplains at the Stockade, the one a Church of England minister at £400, and the other a Roman Catholic at £300 per annum, what are the duties devolving upon these gentlemen; and if they are engaged in other duties than those connected with the Stockade from which they receive pay.
 - (3.) Who has the appointing these gentlemen to these situations; and if clergymen of the Presbyterian, Wesleyan, or other denominations can be appointed.
 - (4.) And if the sums paid by Government to these gentlemen are from the grant of £50,000 to religious purposes.

ORDERS OF THE DAY:—

1. CHILDREN'S CRIME PREVENTION BILL.—To be further considered in Committee.
2. WEIGHTS AND MEASURES BILL.—To be read a second time.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 5TH MARCH, 1861.

The Council met in accordance with adjournment.

The Clerk announced to the Council that, the President having left the Colony with leave of the Council, it had become necessary, under the Standing Order adopted by the Council on the 24th ultimo, to appoint a member to preside over the Council during the absence of the President.

The Honorable T. T. a'Beckett moved, That the Honorable M. Hervey be Acting President during the absence, on leave, of the Honorable the President.

Amendment moved by the Honorable J. F. Strachan, That the Chairman of Committees be Acting President for the period of twenty-four hours.

Question—That the Chairman of Committees be Acting President for the period of twenty-four hours—put and passed.

The Acting President took the Chair.

The Acting President read the Prayer.

CALL OF THE HOUSE.—The Honorable J. F. Strachan, with leave of the Council, moved, without notice, That a call of the House be made on the 19th instant, for the purpose of electing a President in the absence of the Honorable Sir James Palmer.

Question—put and passed.

CROWN LANDS SALES ACT.—The Honorable G. Rolfe laid on the Table certain resolutions on the subject of the Crown Lands Sales Act, and moved, with leave of the Council, without notice, That the House resolve itself into Committee of the whole, on the next day of meeting, to consider the said resolutions.

Question—put and passed.

WASTE LANDS.—The Honorable G. Rolfe laid on the Table certain resolutions on the subject of the Waste Lands of the Crown, and moved, with leave of the Council, without notice, That the House resolve itself into a Committee of the whole, on the day following the next day of meeting, to consider the said resolutions.

Question—put and passed.

BREWERIES.—The Honorable T. T. a'Beckett laid on the Table a Return to an Order of the Council, made on the 8th January, 1861.

SUGAR IMPORTED IN 1859.—SUGAR REFINERIES.—The Honorable T. T. a'Beckett laid on the Table a Return to an Order of the Council made on the 8th January, 1861.

PAPERS.—The Honorable T. T. a'Beckett presented to the Council the following papers :—

1. Lands Surveyed, and Cost of Survey—Return of—1856, 1857, 1858, 1859, 1860.
2. National Education.—Report of Commissioners, for 1859–60. Presented by Command.
3. Order in Council.—Polling Places for Mining Districts of Ballaarat, Beechworth, Castlemaine, and Maryborough, altered (18th February, 1861).
4. Farmers' Commons—Proclamation of (18th February, 1861).
5. Towns—Proclamation of (18th February, 1861).
6. Town Commons—Proclamation of (18th February, 1861).
7. Royal Mint—Correspondence on subject of establishing a Branch at Melbourne. Presented by Command.

Ordered severally to lie on the Table.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend the Act intituled ‘An Act to limit the Number of Persons holding ‘Offices under the Crown who may sit and vote in the Legislative Council and ‘Legislative Assembly of Victoria;’*” and also; a Bill intituled “*An Act to continue ‘an Act intituled ‘An Act to amend the Law relating to the more easy recovery of ‘certain Debts and Demands;’*” in which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 5th March, 1861.

FRANS. MURPHY,
Speaker.

OFFICIALS IN PARLIAMENT ACT AMENDMENT BILL.—The Honorable T. T. a’Beckett moved, That this Bill be now read a first time, printed, and read a second time this day week.

Question—put and passed.

Bill read a first time.

COUNTY COURTS BILL.—The Honorable T. T. a’Beckett moved, That this Bill be now read a first time, printed, and read a second time this day week.

Question—put and passed.

Bill read a first time.

LAPSED ORDER—RESTORATION OF.—The Honorable W. Highett, with leave of the Council, moved, without notice, That the Order of the Day for the adoption of the Progress Report of the Refreshment Rooms Joint Committee, which lapsed by the counting out of the House on the last day of sitting, be restored to the business paper for this day.

Question—put and passed.

ADJOURNMENT.—The Honorable T. T. a’Beckett, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until this day week.

Question—put and passed.

REFRESHMENT ROOMS—(JOINT) SELECT COMMITTEE—PROGRESS REPORT OF.—The Order of the Day for the adoption of the Progress Report of the Joint Committee of both Houses of Parliament on the Refreshment Rooms being called on, the Honorable W. Highett moved, That the Report be adopted, with the omission of the following words :—

“Table d’Hôte at half-past 6 p.m., 3s. 6d.

“Orders for special dinners, &c., will meet with every attention.”

Question—That the Report be adopted, omitting the said words—put and passed.

POSTPONEMENTS.—The following Orders of the Day were severally postponed until Tuesday, the 12th instant :—

“*Children’s Crime Prevention Bill*”—to be further considered in Committee.

“*Weights and Measures Bill*”—to be read a second time.

REFRESHMENT ROOMS—PROGRESS REPORT OF (JOINT) SELECT COMMITTEE.—The Honorable W. Highett moved, That a Message be carried to the Legislative Assembly to acquaint them that the Council have adopted the Progress Report of the Committee, with amendments, and to desire their concurrence therein.

Question—put and passed.

The Council adjourned at five o’clock until four o’clock on Tuesday, the 12th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 12TH MARCH, 1861.

1. The Hon. T. H. POWER : To ask the Honorable Mr. a’Beckett whether the Treasurer, the Commissioner of Trade and Customs, and gentlemen in the Government service having public money passing daily through their different offices, are required to give security when appointed to office : if not, whether the Government, when making future appointments, see any objection to introduce the practice of getting security.
2. The Hon. G. ROLFE : To ask the member representing the Government, why Mr. Coll, the stipendiary magistrate at Carisbrook, has received peremptory orders to remove from that town.
3. The Hon. J. F. STRACHAN : To ask the Honorable Mr. a’Beckett :—Has the Government issued free tickets to members of Parliament to travel by the Victorian Railways?
Contingent on the answer being in the affirmative—
On what authority are the tickets issued, and are they limited to the time the Houses are in session?
Is it the opinion of the Law Officers of the Crown that the issue of such tickets can be justified without the authority of Parliament?

NOTICES OF MOTION :—

1. The Hon. G. W. COLE : To move, on next day of meeting—
 - (1.) For a Statement similar to Appendix F. in Report of Harbor Commission, of all sums expended for deepening the River Yarra from 1853 to 26th July, 1860.
 - (2.) Statement of the vessels employed.
 - (3.) Cost of construction and repairs.
 - (4.) In whose charge and in what department were the operations carried on.
 - (5.) Correspondence or minutes, if any, why the Boat Channel as laid down in Garrard's Survey was not opened.
 - (6.) By whose authority was the present channel into Hobson's Bay opened.
 Also, similar Returns for the expenditure for dredging the Bar at Geelong, distinguishing—
 - (1.) The cost incurred in dredging the Ship or Old Channel.
 - (2.) The reason why the operations were changed, and by whose authority.
 Also, any Correspondence or Minutes authorizing the two dredges being kept at Geelong after deepening the Bar to eighteen feet ; and if there was or is any promise existing or pledge given they were to be kept there ; and if so, for what purpose they were intended.
2. The Hon. G. W. COLE : To move, on next day of meeting, for Returns for the Port of Geelong, similar to those furnished the Harbor Trust Commission for the Port of Melbourne, under date as follows :—
 - (1.) From the Department of Trade and Customs, 18th July, 1860.
 - (2.) From the Collector of Customs, 31st July, 1860.
 - (3.) From the Harbor Master (two Reports), 24th August, 1860.
 - (4.) Statement as per Appendix F. from 1853 to 26th July, 1860, relative to the cost of construction and repairs of the wharves at Geelong.
3. The Hon. W. HULL : To move, That there be laid on the Table of this House all correspondence (if any) between the Engineer Officer specially appointed by the Imperial Government to carry out the Defences of this Colony and the Government of Victoria, subsequent to his Special Report, dated 22nd September, 1860.

ORDERS OF THE DAY :—

1. CROWN LANDS SALES ACT.—Resolutions to be considered in Committee.
2. OFFICIALS IN PARLIAMENT ACT AMENDMENT BILL.—To be read a second time.
3. COUNTY COURTS BILL.—To be read a second time.
4. CHILDREN'S CRIME PREVENTION BILL.—To be further considered in Committee.
5. WEIGHTS AND MEASURES BILL.—To be read a second time.

WEDNESDAY, 13TH MARCH.

ORDER OF THE DAY :—

1. WASTE LANDS.—Resolutions to be considered in Committee.

TUESDAY, 19TH MARCH.

ORDERS OF THE DAY :—

1. CALL OF THE HOUSE.
2. ELECTION OF PRESIDENT, IN THE ABSENCE OF THE HONORABLE SIR JAMES PALMER.

G. W. RUSDEN,
Clerk of the Council and Clerk of the Parliaments.



Minutes of the Proceedings
 OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 12TH MARCH, 1861.

The Council met in accordance with adjournment.

The Honorable T. T. a'Beckett moved, That the Chairman of Committees be Acting President for the period of twenty-four hours.

Question—put and passed.

The Acting President took the Chair.

The Acting President read the Prayer.

SALARY OF PRESIDENT.—CORRESPONDENCE.—The Acting President laid on the Table Correspondence between the Honorable Sir J. F. Palmer and the Honorable the Treasurer on the subject of the Payment of the salary of the President of the Council.

The correspondence was read at the Table by the Clerk.

PAPERS.—The Honorable T. T. a'Beckett presented to the Council the following papers:—

1. Order in Council.—Beechworth District Court of Mines to be holden at Chiltern. (25th February, 1861.)
2. Order in Council.—Court of Mines at Indigo, discontinued. (25th February, 1861.)
3. Order in Council.—County Court transferred from Indigo to Chiltern. (25th February, 1861.)
4. Public Accounts.—Regulations respecting refunds.
5. Public Accounts.—Regulations respecting advances after 15th December in each year.
6. Municipalities—Return of monies granted to, to 31st December, 1860.
7. Road Boards—Return of monies granted to, 1854 to 1860 inclusive.

Ordered severally to lie on the Table.

HARBOR RETURNS AND CORRESPONDENCE.—The Honorable G. W. Cole, in accordance with notice, moved, That there be laid on the Table of the House—

- (1.) A Statement similar to Appendix F. in Report of Harbor Commission, of all sums expended for deepening the River Yarra from 1853 to 26th July, 1860.
- (2.) Statement of the vessels employed.
- (3.) Cost of construction and repairs.
- (4.) In whose charge and in what department were the operations carried on.
- (5.) Correspondence or minutes, if any, why the Boat Channel as laid down in Garrard's Survey was not opened.
- (6.) By whose authority was the present channel into Hobson's Bay opened.

Also, similar Returns for the expenditure for dredging the Bar at Geelong, distinguishing—

- (1.) The cost incurred in dredging the Ship or Old Channel.
- (2.) The reason why the operations were changed, and by whose authority.

Also, any Correspondence or Minutes authorizing the two dredges being kept at Geelong after deepening the Bar to eighteen feet; and if there was or is any promise existing or pledge given they were to be kept there; and if so, for what purpose they were intended.

Question—put and passed.

GEELONG HARBOR RETURNS.—The Honorable G. W. Cole, in accordance with notice, moved, That there be laid on the Table of the House Returns for the Port of Geelong, similar to those furnished the Harbor Trust Commission for the Port of Melbourne, under date as follows:—

- (1.) From the Department of Trade and Customs, 18th July, 1860.
- (2.) From the Collector of Customs, 31st July, 1860.
- (3.) From the Harbor Master (two Reports), 24th August, 1860.
- (4.) Statement as per Appendix F. from 1853 to 26th July, 1860, relative to the cost of construction and repairs of the wharves at Geelong.

Question—put and passed.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend the first part of Schedule D of the Constitution Act,*” to which they desire the concurrence of the Legislative Council.

FRANS. MURPHY,
Speaker.

Legislative Assembly Chambers,
Melbourne, 8th March, 1861.

GOVERNOR'S SALARY REDUCTION BILL.—The Honorable T. T. a'Beckett moved, That this Bill be now read a first time, printed, and read a second time this day week.

Question—put and passed.

Bill read a first time.

DEFENCES OF THE COLONY—CORRESPONDENCE OF ENGINEER OFFICER UPON.—The Honorable W. Hull, in accordance with notice, moved, That there be laid on the Table of this House all correspondence (if any) between the Engineer Officer specially appointed by the Imperial Government to carry out the Defences of this Colony and the Government of Victoria, subsequent to his Special Report, dated 22nd September, 1860.

Question—put and passed.

CROWN LANDS SALES ACT RESOLUTIONS.—The Order of the Day for the consideration of these Resolutions in Committee of the whole Council being read, the Honorable G. Rolfe moved, That the Acting President do now leave the Chair.

Debate ensued.

Question—That the Acting President do now leave the Chair—put and negatived.

OFFICIALS IN PARLIAMENT ACT AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. T. a'Beckett moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

Ordered—That the said Bill be now considered in Committee of the whole Council.

Question—That the Acting President do now leave the Chair—put and passed.

The Acting President left the Chair.

The Honorable S. G. Henty, Chairman of the Committee, reported, That the Committee had gone through the Bill, and had agreed to the same with an amendment.

Ordered—That the adoption of the Report of the Committee be made an Order of the Day for to-morrow.

COUNTY COURTS BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. T. a'Beckett moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

Ordered—That the said Bill be now considered in Committee of the whole Council.

Question—That the Acting President do now leave the Chair—put and passed.

The Acting President left the Chair.

The Honorable S. G. Henty, Chairman of the Committee, reported that the Committee had gone through the Bill, and had agreed to the same without amendment.

Ordered—That the adoption of the Report of the Committee be made an Order of the Day for to-morrow.

CHILDREN'S CRIME PREVENTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Honorable S. G. Henty, Chairman of the Committee, reported progress, and asked leave to sit again to-morrow.

Ordered.

WEIGHTS AND MEASURES BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. H. Fellows moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

Ordered—That the said Bill be now considered in Committee of the whole Council.

Question—That the Acting President do now leave the Chair—put and passed.

The Acting President left the Chair.

The Honorable S. G. Henty, Chairman of the Committee, reported progress, and asked leave to sit again to-morrow.

Ordered.

The Council adjourned at half-past six o'clock until four o'clock on Wednesday, the 13th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 13TH MARCH.

1. The Hon. W. HULL: To ask if it be officially known that the scientific and gallant engineer officer contemplates returning to England, his services here being rendered nugatory by obstacles over which he has no control.
2. The Hon. W. H. F. MITCHELL: To ask the Honorable Member representing the Government to lay upon the Table of the House the opinion of the Attorney-General upon which the Free Railway Passes have been issued.

Government Business:—

ORDERS OF THE DAY:—

1. OFFICIALS IN PARLIAMENT ACT AMENDMENT BILL.—Adoption of Report.
2. COUNTY COURTS BILL.—Adoption of Report.
3. CHILDREN'S CRIME PREVENTION BILL.—To be further considered in Committee.

General Business:—

NOTICE OF MOTION:—

1. The Hon. J. P. FAWKNER: To move, That a Select Committee be appointed, to consist of five members of the Council, to take into consideration the disposal of the salary of the President, and the promises made to the Council, and the correspondence of the President respecting the division of the amount voted to the office of President; the Honorables W. Hull, C. Vaughan, A. Fraser, G. Coppin, and the Mover, to form the said Committee.

ORDERS OF THE DAY:—

1. WASTE LANDS.—Resolutions to be considered in Committee.
2. WEIGHTS AND MEASURES BILL.—To be further considered in Committee.

TUESDAY, 19TH MARCH.

1. The Hon. J. McCRAE: To ask the Honorable Member representing the Government if a statement of transactions and account of receipts and expenditure of the various Charitable Institutions of the Colony, for the year 1861, has been received into the Treasury; and if so, would the Honorable Member lay the same on the Table of the House.
2. The Hon. J. McCRAE: To ask the Honorable Member representing the Government for—
 - (1.) A Return of the number of Free Passes issued by the Government Railway Authorities during the year ending 31st December, 1860; such Return to state the number issued each month.
 - (2.) The names and employment of the persons to whom such Passes were granted.
 - (3.) The names of the persons who are allowed by the Government to grant Free Passes.
 - (4.) A Copy of the Government Instructions to the Railway Authorities authorizing them to grant Free Passes.

NOTICE OF MOTION:—

1. The Hon. S. G. HENTY: To move—
 - (1.) For a Return showing the amount of Revenue from all sources, received by the Receipt and Paymaster at the respective Ports of Portland, Belfast, and Warrnambool, for the year ending 31st December, 1860.
 - (2.) For a Return showing the amount of Imports and Exports to and from the above-named ports for the same period.

ORDERS OF THE DAY:—

1. CALL OF THE HOUSE.
2. ELECTION OF PRESIDENT, IN THE ABSENCE OF THE HONORABLE SIR JAMES PALMER.
3. GOVERNOR'S SALARY REDUCTION BILL.—To be read a second time.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

MEETING

OF

SELECT COMMITTEE.

Wednesday, 20th March.

PRINTING—at three o'clock.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 13TH MARCH, 1861.

The Council met in accordance with adjournment.

The Hon. T. T. a'Beckett moved, That the Chairman of Committees be Acting President for the period of twenty-four hours.

Question—put and passed.

The Acting President took the Chair.

The Acting President read the Prayer.

GEELONG HARBOR RETURNS.—The Honorable T. T. a'Beckett laid on the Table a Return to an Order of the House made on the 12th instant.

PAPERS.—The Honorable T. T. a'Beckett presented to the Council the following papers:—

1. Towns—Proclamation of (4th March, 1861).

2. Last Schedule to Crown Lands Act amended by Proclamation (4th March, 1861).

Ordered severally to lie on the Table.

SALARY OF PRESIDENT.—The Honorable J. P. Fawkner, in accordance with notice, moved, That a Select Committee be appointed, consisting of five members of the Council, to take into consideration the disposal of the salary of the President, and the promises made to the Council, and the correspondence of the President respecting the division of the amount voted to the office of President; the Honorables W. Hull, C. Vaughan, A. Fraser, G. S. Coppin, and the Mover, to form the said Committee.

Question—put and passed.

OFFICIALS IN PARLIAMENT ACT AMENDMENT BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable T. T. a'Beckett moved, That the Report be now adopted.

Question—put and passed.

The Acting President having informed the Council that the Chairman of the Committee had certified that the fair print of the Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable T. T. a'Beckett, was read a third time and passed.

The Honorable T. T. a'Beckett moved, That the title of the Bill be "*An Act to amend the Act intituled 'An Act to limit the number of persons holding offices under the Crown who may sit and vote in the Legislative Council and Legislative Assembly of Victoria.'*"

Question—put and passed.

Ordered—That the Bill be carried to the Legislative Assembly, with a Message to acquaint them that the Council have agreed to the Bill with an amendment, and to desire their concurrence therewith.

COUNTY COURTS BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable T. T. a'Beckett moved, That the Report be now adopted.

Question—put and passed.

On the motion of the Honorable T. T. a'Beckett, the Bill was read a third time and passed.

The Honorable T. T. a'Beckett moved, That the title of the Bill be "*An Act to continue 'an Act intituled 'An Act to amend the Law relating to the more easy Recovery of 'certain Debts and Demands.'*"

Question—put and passed.

POSTPONEMENT.—The Order of the Day for the further consideration of the Children's Crime Prevention Bill in Committee of the whole Council was postponed until after the consideration of the other Orders of the Day.

WASTE LANDS—RESOLUTIONS ON.—The Order of the Day for the consideration of these Resolutions in Committee of the whole Council being read, the Honorable G. Rolfe moved, That the Resolutions be referred to a Select Committee of ten members.

Question—put and passed.

The Honorable G. Rolfe moved, That the Select Committee consist of the following members, viz.:—The Honorables J. P. Fawkner, M. Hervey, W. H. F. Mitchell, T. H. Power, J. Henty, J. F. Strachan, J. Sutherland, T. T. a'Beckett, N. Black, and the Mover.

Question—put and passed.

PAPERS.—The Honorable T. T. a'Beckett laid on the Table of the Council the following paper:—

Farmers Commons.—Proclamation (4th March, 1861).

Ordered to lie on the Table.

WEIGHTS AND MEASURES BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Honorable J. Henty, Chairman of the Committee, reported progress, and asked leave to sit again on Tuesday next.

Ordered.

ADJOURNMENT.—The Honorable T. T. a'Beckett moved, That the House at its rising this day adjourn until Tuesday next.

Question—put and passed.

CHILDREN'S CRIME PREVENTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Honorable J. Henty, Chairman of the Committee, reported progress, and asked leave sit again on Tuesday next.

Ordered.

The Council adjourned at six o'clock until four o'clock on Tuesday, the 19th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 19TH MARCH.

1. The Hon. J. McCRAE: To ask the Honorable Member representing the Government if a statement of transactions and account of receipts and expenditure of the various Charitable Institutions of the Colony, for the year 1861, has been received into the Treasury; and if so, would the Honorable Member lay the same on the Table of the House.
2. The Hon. J. McCRAE: To ask the Honorable Member representing the Government for—
 - (1.) A Return of the number of Free Passes issued by the Government Railway Authorities during the year ending 31st December, 1860; such Return to state the number issued each month.
 - (2.) The names and employment of the persons to whom such Passes were granted.
 - (3.) The names of the persons who are allowed by the Government to grant Free Passes.
 - (4.) A Copy of the Government Instructions to the Railway Authorities authorizing them to grant Free Passes.

NOTICE OF MOTION:—

1. The Hon. S. G. HENTY: To move—
 - (1.) For a Return showing the amount of Revenue from all sources, received by the Receipt and Paymaster at the respective Ports of Portland, Belfast, and Warrnambool, for the year ending 31st December, 1860.
 - (2.) For a Return showing the amount of Imports and Exports to and from the above-named ports for the same period.

ORDERS OF THE DAY:—

1. CALL OF THE HOUSE.
2. ELECTION OF PRESIDENT, IN THE ABSENCE OF THE HONORABLE SIR JAMES PALMER.
3. GOVERNOR'S SALARY REDUCTION BILL.—To be read a second time.
4. WEIGHTS AND MEASURES BILL.—To be further considered in Committee.
5. CHILDREN'S CRIME PREVENTION BILL.—To be further considered in Committee.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

MEETINGS

OF

SELECT COMMITTEES.

Tuesday, 19th March.

- WASTE LANDS.—RESOLUTIONS—at 2 o'clock.
 PARLIAMENT BUILDINGS (JOINT)—at 2 o'clock.
 SALARY OF PRESIDENT—at 3 o'clock.
 PRINTING—at half-past 3 o'clock.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 19TH MARCH, 1861.

The Council met in accordance with adjournment.

The Honorable T. T. a'Beckett moved, That the Honorable R. Thomson take the Chair as Acting President until after the disposal of the first Order of the Day.

Question—put and passed.

The Acting President took the Chair.

The Acting President read the Prayer.

SALARY OF PRESIDENT.—The Honorable J. P. Fawkner, as Chairman of the Select Committee appointed on the 13th instant, “to take into consideration the disposal of the salary of the President, and the promises made to the Council, and the correspondence of the President respecting the division of the amount voted to the office of President,” brought up the Report of the Committee, and moved that the same be adopted.

The Report was read as follows:—

The Committee appointed to take into consideration the disposal of the salary of the President, and the promises made to the Council, and the correspondence of the President respecting the division of the amount voted to the office of President, have the honor to report that they are unanimously of opinion that nothing less than the whole salary attached to the office of President should be paid over to the gentleman holding that office during the absence of Sir James Palmer.

JOHN P. FAWKNER,
Chairman.

Committee Room,
19th March, 1861.

Question—That the Report be adopted—put and passed.

REVENUES RECEIVED AT PORTLAND, BELFAST, AND WARRNAMBOOL.—The Honorable J. Henty, in accordance with notice, moved—That Returns be laid on the Table of the House, showing—

- (1.) The amount of Revenue from all sources, received by the Receipt and Paymaster at the respective Ports of Portland, Belfast, and Warrnambool, for the year ending 31st December, 1860.
- (2.) The amount of Imports and Exports to and from the above-named ports for the same period.

Question—put and passed.

PRINTING COMMITTEE, SECOND REPORT OF.—The Honorable M. Hervey brought up the Second Report of the Printing Committee, and moved that the same be adopted and printed.

Question—put and passed.

LIBRARY COMMITTEE (JOINT)—FIRST PROGRESS REPORT OF.—The Honorable T. H. Power brought up the First Progress Report of the Joint Library Committee of both Houses of Parliament, and moved that the same be received and printed.

Question—put and passed.

CALL OF THE HOUSE.—The Order of the Day for a call of the House being called on, the names of the members of the House were called over by the Clerk by direction of the Acting President.

It appeared that the members absent were the Honorable N. Black, and the Honorable Dr. Wilkie.

The Honorable M. Hervey stated that the Honorable N. Black had written to inform him that urgent business, for which he had made arrangements before he was aware of the call of the House, prevented his attendance.

The Honorable J. Stewart stated that family affliction prevented the Honorable Dr. Wilkie from attending his place.

The Acting President left the Chair.

The Honorable T. T. a'Beckett moved, That the Honorable Matthew Hervey be Acting President during the absence on leave of the Honorable Sir James F. Palmer.

The Honorable J. F. Strachan moved, That the Honorable William Henry Fancourt Mitchell be Acting President during the absence on leave of the Honorable Sir James F. Palmer.

The Honorable M. Hervey addressed himself to the House, and retired from the Council Chamber.

The Honorable W. H. F. Mitchell addressed himself to the House, and retired from the Council Chamber.

Question—That the Honorable Matthew Hervey be Acting President during the absence on leave of the Honorable Sir James F. Palmer—put.
Council divided.

Contents, 14.
The Hon. Robert Thomson
G. W. Cole
G. Rolfe
J. Sutherland
J. Stewart
J. McCrae
C. Vaughan
H. Miller
D. Kennedy
B. Williams
Dr. Hope
W. Degraives
G. S. Coppin
T. T. a'Beckett (*Teller*).

Not Contents, 11.
The Hon. T. H. Power
S. G. Henty
W. Hull
J. F. Strachan
J. P. Fawkner
Jas. Henty
A. Fraser
J. B. Bennett
W. Highett
F. Robertson
T. H. Fellows (*Teller*).

The question was therefore passed.

The Honorable M. Hervey was conducted to the Chair by his proposer and seconder, and standing on the upper step expressed his thanks for the high honor conferred upon him, and took the Chair.

GOVERNOR'S SALARY REDUCTION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. T. a'Beckett moved, That the Bill be now read a second time.

Amendment moved by the Honorable J. P. Fawkner, That the word "now" be omitted with a view to add the words "this day six months" after the word "time."

Debate ensued.

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

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

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

WEIGHTS AND MEASURES BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the chair. The Chairman of Committees reported progress, and asked leave to sit again this day week. Ordered.

CHILDREN'S CRIME PREVENTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the chair.

The Chairman of Committees reported progress, and asked leave to sit again this day week. Ordered.

ADJOURNMENT.—The Honorable T. T. a'Beckett moved, That the House, at its rising this day, adjourn until Tuesday next.

Question—put and passed.

SELECT COMMITTEES, MEETINGS OF.—The Honorable T. T. a'Beckett moved, That all Select Committees appointed by this House have power to sit during the adjournment.

Question—put and passed.

The Council adjourned at ten minutes to six o'clock until four o'clock on Tuesday, the 26th instant.

ORDERS OF THE DAY.

TUESDAY, 26TH MARCH.

ORDERS OF THE DAY:—

1. WEIGHTS AND MEASURES BILL.—To be further considered in Committee.
2. CHILDREN'S CRIME PREVENTION BILL.—To be further considered in Committee.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

MEETINGS OF SELECT COMMITTEES.

Wednesday, 20th March.

WASTE LANDS—at 2 o'clock.

Wednesday, 27th March.

PARLIAMENT BUILDINGS, JOINT—at half-past 2 o'clock.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 26TH MARCH, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

PAPERS.—The Honorable T. T. a'Beckett presented to the Council, by command of His Excellency, the following Paper :—

Abolition of Pensions Act.—Despatch from the Right Honorable the Secretary of State—No. 10 (26th January, 1861).

The Despatch was read at the Table by the Clerk.

Ordered to lie on the Table.

PAPERS.—The Honorable T. T. a'Beckett presented to the Council the following Paper :—

Richmond, Town of—Proclamation (11th March, 1861).

Ordered to lie on the Table.

WEIGHTS AND MEASURES BILL.—The Order of the Day for the further consideration of this

Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported that the Committee had gone through the Bill, and had agreed to the same with amendments.

The Honorable T. H. Fellows moved, That the Bill be now recommitted to the consideration of a Committee of the whole Council.

Question—put and passed.

Question—That the Acting President leave the Chair—put and passed.

The Acting President left the Chair.

The Chairman of Committees reported that the Committee had gone through the Bill, and had agreed to the same with further amendments.

The Honorable T. H. Fellows moved, That the Report be printed.

Question—put and passed.

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

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to prevent the further spread of the disease in Cattle called Pleuro-pneumonia;*" also, a Bill intituled "*An Act for the better security of Mechanics and others performing work or furnishing materials therefor,*" in which they desire the concurrence of the Legislative Council.

FRAN^s. MURPHY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 26th March, 1861.

PLEURO-PNEUMONIA IN CATTLE BILL.—The Honorable T. T. a'Beckett moved, That this Bill be now read a first time, printed, and read a second time on the next day of meeting of the Council.

Question—put and passed.

Bill read a first time.

CONTRACTORS AND WORKMEN LIEN BILL.—The Honorable T. T. a'Beckett moved, That this Bill be now read a first time, printed, and read a second time on the next day of meeting of the Council.

Question—put and passed.

Bill read a first time.

CHILDREN'S CRIME PREVENTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again on the next day of meeting of the Council.

Ordered.

ADJOURNMENT.—The Honorable T. T. a'Beckett, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday, the ninth day of April.

Amendment moved by the Honorable J. F. Strachan, That the word "ninth" be omitted, with a view to insert the word "sixteenth" instead thereof.

Debate ensued.

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

Question—That the word "sixteenth," proposed to be inserted, be so inserted—put and passed.

Question—That the House at its rising this day adjourn until Tuesday, the sixteenth day of April—put and passed.

SELECT COMMITTEES, MEETINGS OF.—The Honorable T. T. a'Beckett, with leave of the Council, moved, without notice, That all Select Committees, appointed by the House, have power to sit during the adjournment.

Question—put and passed.

The Council adjourned at ten minutes to five o'clock until four o'clock on Tuesday, the 16th April.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 16TH APRIL.

NOTICES OF MOTION:—

1. The Hon. T. T. A'BECKETT: To move for leave to bring in a Bill to amend an Act for the establishment and maintenance of Public Cemeteries in Victoria.
2. The Hon. T. H. FELLOWS: To move for leave to bring in a Bill, intituled, "*An Act for the better administration of the law by Justices of the Peace and Wardens of the Gold Fields and for other purposes in connection therewith.*"
3. The Hon. T. H. POWER: To move, That the Progress Report of the (Joint) Library Committee be taken into consideration.
4. The Hon. J. McCRAE: To move, That a copy of the Votes and Proceedings and printed Papers of the two preceding Sessions of this Parliament (if in print), be supplied on application to each Member of this House who may not have received the same.
5. The Hon. J. McCRAE: To move, That such of the present Members of this House as have not been supplied with a copy of Adamson's Acts of Council, and with copies of the Acts of the Legislature of Victoria of the two last Sessions (if in print), be furnished with copies thereof on application.
6. The Hon. T. T. A'BECKETT: To move, That the Honorable T. H. Fellows be a member of the Standing Orders Committee, in the room of the Honorable Sir James Palmer, absent on leave.
7. The Hon. T. T. A'BECKETT: To move, That the Acting President be a member of the Parliament Buildings Committee and the Library Committee, in the room of Sir James Palmer, absent on leave.

ORDERS OF THE DAY:—

1. PLEURO-PNEUMONIA IN CATTLE BILL—To be read a second time.
2. CONTRACTORS AND WORKMEN LIEN BILL—To be read a second time.
3. CHILDREN'S CRIME PREVENTION BILL.—To be further considered in Committee.

MEETING

OF

SELECT COMMITTEE.

Wednesday, 27th March.

PARLIAMENT BUILDINGS, JOINT—at half-past 2 o'clock.

G. W. RUSDEN,
Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 16TH APRIL, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair. The Acting President read the Prayer.

LEAVE OF ABSENCE TO A MEMBER.—The Honorable A. Fraser, with leave of the Council, moved, without notice, That leave of absence, on account of ill-health, be given to the Honorable T. T. a'Beckett, for one month from this date.

Debate ensued.

Question—put and passed.

PAPERS.—The Honorable A. Fraser, in the absence of the Honorable T. T. a'Beckett, presented to the Council the following Papers:—

- (1.) Farmers' Commons—Proclamation of (18th March, 1861).
- (2.) Gold Fields' Commons—Proclamation of (11th March, 1861).
- (3.) Towns—Pahran and Panmure—Proclamation of (18th March, 1861).
- (4.) Mining District of Castlemaine altered.—Order in Council (4th March, 1861).
- (5.) Divisions of Mining District of Castlemaine altered.—Order in Council (4th March, 1861).

ADDRESS TO HIS EXCELLENCY MAJOR-GENERAL PRATT, C.B.—The Honorable A. Fraser, with leave of the Council, moved, without notice, That this House present an Address to His Excellency Major-General Pratt, C.B., Commander-in-Chief of the Forces in Australia, expressing its congratulations on his safe return from the scene of his valuable and gallant services in New Zealand, and to request that His Excellency will convey to the officers and soldiers (including volunteers and seamen) engaged in that most desperate warfare, the high sense which this House entertains of their bravery, and its deep sympathy for the widows and children of those who have fallen during the war; and that a Committee, consisting of the Honorables T. H. Fellows, J. B. Bennett, J. Stewart, G. Rolfe, W. Hull, G. W. Cole, Dr. Hope, H. Miller, and the Mover, be appointed to prepare the Address; three to form a quorum; and that the Committee retire immediately for that purpose.

Question—put and passed.

The Committee retired.

ADDRESS TO HIS EXCELLENCY MAJOR-GENERAL PRATT, C.B.—REPORT OF SELECT COMMITTEE.—The Honorable A. Fraser brought up the Report of the Select Committee appointed to prepare an Address to His Excellency Major-General Pratt, C.B., and moved that the same be read.

The Address was read at the Table by the Clerk.

To His Excellency MAJOR-GENERAL PRATT, C.B., Commander-in-Chief of the Forces in Australia.

We, the President and Members of the Legislative Council of Victoria, in Parliament assembled, desire to express our congratulations to your Excellency on your safe return from New Zealand, after having, under Providence, brought hostilities to an honorable and we trust a final issue, and we request you to convey to the Officers and Soldiers of all arms, as well as to Commodore Seymour and the Naval Forces under his command engaged in that harassing warfare, the high sense which this House entertains of their bravery, and its deep sympathy for the widows and children of those who have fallen during the war.

The Honorable A. Fraser moved, That the Address be now adopted.

Question—put and passed.

Ordered—That the Address be presented to His Excellency Major-General Pratt by the Acting President and such other members as choose to attend.

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

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act concerning Weights and Measures*," in which they desire the concurrence of the Legislative Council.

FRANS. MURPHY,
Speaker.

WEIGHTS AND MEASURES BILL (2).—The Honorable A. Fraser moved, That this Bill now brought from the Legislative Assembly be read a first time, printed, and read a second time this day week.

Question—put and passed.

Bill read a first time.

PAPERS.—The Honorable A. Fraser, in the absence of the Honorable T. T. a'Beckett, presented to the Council the following Papers:—

- (1.) Electric Telegraph.—Revised Scale of Charges (11th March, 1861).
- (2.) Treaty of Commerce between Great Britain and France. Signed at Paris, 23rd January, 1860.

Ordered severally to lie on the Table.

REPRESENTATIVE OF THE GOVERNMENT IN THE COUNCIL.—The Honorable J. B. Bennett, with leave of the Council, moved without notice, That in the opinion of this Council it is expedient that there should be at all times a representative of the Government in this House, and that the President be requested to enquire of the Chief Secretary whether it is the intention of the Executive to supply the place of the Honorable T. T. a'Beckett, absent on temporary leave.

Question—put and passed.

PAPERS.—The Honorable A. Fraser, in the absence of the Honorable T. T. a'Beckett, presented to the Council the following Papers:—

- (1.) Crown Lands Alienated (1st July to 1st October, 1860).
- (2.) Crown Lands Alienated (1st November to 31st December, 1860).

Ordered to lie on the Table.

PUBLIC CEMETERIES ACT AMENDMENT BILL.—The Honorable A. Fraser, on behalf of the Honorable T. T. a'Beckett, moved for leave to bring in a Bill to amend an Act for the establishment and maintenance of Public Cemeteries in Victoria.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable A. Fraser, read a first time, ordered to be printed, and read a second time on Tuesday next.

ADMINISTRATION OF LAW (JUSTICES) BILL.—The Honorable T. H. Fellows, in accordance with notice, moved for leave to bring in a Bill intituled "*An Act for the better administration of the Law by Justices of the Peace and Wardens of the Gold Fields and for other purposes in connection therewith.*"

Question—put and passed.

Bill brought in, and, on the motion of the Honorable T. H. Fellows, read a first time, ordered to be printed, and read a second time this day fortnight.

LIBRARY (JOINT) COMMITTEE.—FIRST PROGRESS REPORT.—The Honorable T. H. Power moved, That the First Progress Report of the Joint Committee of both Houses to manage the Library be adopted.

Question—put and passed.

VOTES AND PROCEEDINGS.—The Honorable J. McCrae, in accordance with notice, moved, That a copy of the "Votes and Proceedings" and printed Papers of the two preceding Sessions of this Parliament (if in print), be supplied on application to each Member of this House who may not have received the same.

Debate ensued.

Question—put and passed.

ADAMSON'S ACTS AND ACTS OF THE LAST SESSION.—The Honorable J. McCrae, in accordance with notice, moved, That such of the present Members of this House as have not been supplied with a copy of Adamson's Acts of Council, and with copies of the Acts of the Legislature of Victoria of the two last Sessions (if in print), be furnished with copies thereof on application.

Amendment moved by the Honorable J. B. Bennett, That the words "and not required for the public service" be inserted after the word "print."

Debate ensued.

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

Question—That such of the present Members of this House as have not been supplied with a copy of Adamson's Acts of Council, and with copies of the Acts of the Legislature of Victoria of the two last Sessions (if in print), be furnished with copies thereof on application—put and passed.

STANDING ORDERS COMMITTEE—APPOINTMENT OF MEMBER OF.—The Honorable A. Fraser, on behalf of the Honorable T. T. a'Beckett, moved, in accordance with notice, That the Honorable T. H. Fellows be a member of the Standing Orders Committee, in the room of the Honorable Sir James Palmer, absent on leave.

Question—put and passed.

PARLIAMENT BUILDINGS (JOINT) COMMITTEE AND LIBRARY (JOINT) COMMITTEE—APPOINTMENT OF MEMBER OF.—The Honorable A. Fraser, on behalf of the Honorable T. T. a'Beckett, moved, in accordance with notice, That the Acting President be a member of the Parliament Buildings Committee and the Library Committee, in the room of the Honorable Sir James Palmer, absent on leave.

Question—put and passed.

REVENUES RECEIVED AT PORTLAND, BELFAST, AND WAIRNAMBOOL.—The Honorable A. Fraser laid on the Table a Return to an Order of the Council, made on the 19th March last, on the motion of the Honorable S. G. Henty.

PAPERS.—The Honorable A. Fraser presented to the Council the following Paper :—
Farmers' Commons.—Proclamation—(4th April, 1861).

Ordered to lie on the Table.

PLEURO-PNEUMONIA IN CATTLE BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. H. Fellows moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable T. H. Fellows moved, That the bill be now considered in Committee of the whole Council.

Question—put and passed.

Question—That the Acting President do now leave the Chair—put and passed.

The Acting President left the Chair.

The Chairman of Committees reported that the Committee had gone through the Bill and had agreed to the same with amendments.

The Honorable T. H. Fellows moved, That the adoption of the Report of the Committee be made an Order of the Day for to-morrow.

Question—put and passed.

CONTRACTORS AND WORKMEN LIEN BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable G. S. Coppin moved, That the Bill be now read a second time.

Amendment moved by the Honorable J. B. Bennett, That the word “now” be omitted with a view to add the words “this day six months” after the word “time.”

Debate ensued.

Question—That the word “now,” proposed to be omitted, be so omitted—put and passed.

Question—That the words “this day six months,” proposed to be added, be so added—put and passed.

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

POSTPONEMENT.—The Order of the Day for the further consideration of the Children's Crime Prevention Bill in Committee of the whole Council was postponed until to-morrow.

The Council adjourned at twenty-five minutes to seven o'clock until four o'clock on Wednesday, the 17th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 17TH APRIL, 1861.

1. The Hon. G. S. COPPIN: To ask the Acting President if any understanding exists for the division of the salary attached to the office of President of the Legislative Council.
2. The Hon. W. HULL: To ask the reason why, although the Royal Engineers have been in the colony since 14th June, 1860, so little has been done in compliance with the several reports and recommendations of the Royal Defence Commissioners, of Commodore Seymour, of the Harbor Master, the special report of Captain Scratchley, and of the admonitory memorandum (November 8, 1861) of the Head of the Government of this colony.

NOTICES OF MOTION:—

1. The Hon. G. ROLFE: To move for Returns of all Moneys paid to the several Religious Denominations for Religious Worship from the commencement of State Aid to Religion, that is to say :—
 - (1.) The amount appropriated annually for Church building in Melbourne and suburbs, for each denomination.
 - (2.) The amount appropriated for Church building in the country districts, for each denomination.
 - (3.) The amount appropriated for building Parsonages in Melbourne and suburbs, for each denomination.
 - (4.) The amount appropriated for Stipends, for Melbourne and its suburbs, to each denomination.
 - (5.) The amount for Stipends for the country districts for each denomination.
 - (6.) The amount appropriated to the building the Episcopal Church at Toorak.
 - (7.) The amount appropriated for the Episcopal Church at the corner of the Reserve in the Dandenong road, Prahran.
 - (8.) The amount paid for building the Church of England Denominational School, Prahran.
 - (9.) The amount appropriated to the Roman Catholic Church on the Reserve in the Dandenong road; also the amount paid for erecting a Denominational Schoolroom on the same ground.
 - (10.) The amount appropriated to the Roman Catholic Church at Eastern hill.
 - (11.) The amount appropriated for building the Episcopal Church at Castlemaine; also the amount for building Denominational Schoolroom.

2. The Hon. T. H. FELLOWS: To move for leave to bring in a Bill intituled "*An Act to prevent the pollution of Streams and Rivers.*"
3. The Hon. W. HULL: To move, That this Honorable House has observed with peculiar satisfaction and confidence the emulation both of officers and men of the volunteers of all arms, recently encamped on the River Werribee—thus indicating a just sense of the loyal objects for which they have enrolled themselves, and their firm determination to defend their own liberties (and the honor of the Crown) in this their adopted land, and under Providence to transmit them to posterity; and further, that this expression of feeling be transmitted to the officer commanding the volunteers, with a request that he will communicate the same to the respective corps.
4. The Hon. W. HULL: To move for a Return of the defensive works undertaken under Captain Scratchley's superintendence, distinguishing those which have been completed, and showing the state of those which are in progress at this moment.

ORDERS OF THE DAY:—

1. PLEURO-PNEUMONIA IN CATTLE BILL—Adoption of Report.
2. CHILDREN'S CRIME PREVENTION BILL.—To be further considered in Committee.

TUESDAY, 23RD APRIL.

NOTICE OF MOTION:—

1. The Hon J. F. STRACHAN: To move, That there be laid on the Table of this House the opinion of the Law Officers of the Crown, stating upon what Constitutional Law that opinion was based which justified the Government, on a resolution of one branch of the Legislature, to issue tickets authorising Members of Parliament to travel free on the Victorian Railways.

ORDERS OF THE DAY:—

1. WEIGHTS AND MEASURES BILL (2).—To be read a second time.
2. PUBLIC CEMETERIES ACT AMENDMENT BILL.—To be read a second time.

TUESDAY, 30TH APRIL.

ORDER OF THE DAY:—

1. ADMINISTRATION OF LAW (JUSTICES) BILL.—To be read a second time.

MEETING
OF
SELECT COMMITTEE.

Wednesday, 17th April.

WASTE LANDS—at 2 o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 17TH APRIL, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

MONEY PAID TO RELIGIOUS DENOMINATIONS.—The Honorable G. Rolfe, in accordance with notice, moved, That there be laid upon the Table of the House Returns of all Money paid to the several Religious Denominations for Religious Worship from the commencement of State Aid to Religion, that is to say :—

- (1.) The amount appropriated annually for Church building in Melbourne and suburbs, for each denomination.
- (2.) The amount appropriated for Church building in the country districts, for each denomination.
- (3.) The amount appropriated for building Parsonages in Melbourne and suburbs, for each denomination.
- (4.) The amount appropriated for Stipends, for Melbourne and its suburbs, to each denomination.
- (5.) The amount for Stipends for the country districts for each denomination.
- (6.) The amount appropriated to the building the Episcopal Church at Toorak.
- (7.) The amount appropriated for the Episcopal Church at the corner of the Reserve in the Dandenong road, Prahran.
- (8.) The amount paid for building the Church of England Denominational School, Prahran.
- (9.) The amount appropriated to the Roman Catholic Church on the Reserve in the Dandenong road ; also the amount paid for erecting a Denominational Schoolroom on the same ground.
- (10.) The amount appropriated to the Roman Catholic Church at Eastern hill.
- (11.) The amount appropriated for building the Episcopal Church at Castlemaine ; also the amount for building Denominational Schoolroom.

Question—put and passed.

POLLUTION OF STREAMS AND RIVERS.—The Honorable T. H. Fellows, in accordance with notice, moved for leave to bring in a Bill intituled "*A Bill to prevent the pollution of Streams and Rivers.*"

Question—put and passed.

Bill brought in, and, on the motion of the Honorable T. H. Fellows, read a first time, ordered to be printed, and read a second time to-morrow.

VOLUNTEERS IN VICTORIA.—The Honorable W. Hull, in accordance with notice, moved, That this Honorable House has observed with peculiar satisfaction and confidence the emulation both of officers and men of the volunteers of all arms, recently encamped on the River Werribee—thus indicating a just sense of the loyal objects for which they have enrolled themselves, and their firm determination to defend their own liberties (and the honor of the Crown) in this their adopted land, and under Providence to transmit them to posterity; and further, that this expression of feeling be transmitted to the officer commanding the volunteers, with a request that he will communicate the same to the respective corps.

Question—put and passed.

DEFENSIVE WORKS.—The Honorable W. Hull, in accordance with notice, moved for a Return of the defensive works undertaken under Captain Scratchley's superintendence, distinguishing those which have been completed, and showing the state of those which are in progress at this moment.

Question—put and passed.

DEFENCES OF THE COLONY.—The Honorable A. Fraser, in the absence of the Honorable T. T. a'Beckett, laid on the Table of the House a Return to an Order of the Council made on the 12th March last.

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

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend the Laws relating to the Registration of Legally Qualified Medical Practitioners*,” in which they desire the concurrence of the Legislative Council.

FRANS. MURPHY,
Speaker.

Legislative Assembly Chambers,
Melbourne, 17th April, 1861.

MEDICAL PRACTITIONERS REGISTRATION BILL.—The Honorable Dr. Hope moved, That this Bill be now read a first time, printed, and read a second time on Tuesday week.

Question—put and passed.

Bill read a first time.

PAPERS.—The Honorable A. Fraser, in the absence of the Honorable T. T. a’Beckett, laid on the Table the following Papers :—

(1.) Crown Lands Sales Act.—Despatch from the Right Honorable the Secretary of State (Victoria, No. 22, 26th February, 1861).

(2.) Divorce Bill.—Despatch from the Right Honorable the Secretary of State (Victoria, No. 16, 19th February, 1861).

Ordered severally to lie on the Table.

PLEURO-PNEUMONIA IN CATTLE BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable T. H. Fellows moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable T. H. Fellows moved, That the title of the Bill be, “*An Act to prevent the further spread of the disease in Cattle called Pleuro-pneumonia.*”

Question—put and passed.

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

CHILDREN’S CRIME PREVENTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported that the Committee had gone through the Bill and had agreed to the same with amendments.

The Honorable T. H. Fellows moved, That the adoption of the Report of the Committee be made an Order of the Day for Wednesday next.

Question—put and passed.

ADJOURNMENT.—The Honorable A. Fraser, with leave of the Council, moved, That the Council at its rising this day adjourn until Wednesday next.

Question—put and passed.

POSTPONEMENTS.—The Honorable T. H. Fellows, with leave of the Council, moved, without notice, That all business set down for intermediate days be postponed until Wednesday next.

Question—put and passed.

The Council adjourned at twenty minutes past five o’clock until four o’clock on Wednesday, the 24th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 24TH APRIL, 1861.

Government Business.

ORDER OF THE DAY :—

1. WEIGHTS AND MEASURES BILL (2).—To be read a second time.

General Business.

NOTICE OF MOTION :—

1. The Hon J. F. STRACHAN: To move, That there be laid on the Table of this House the opinion of the Law Officers of the Crown, stating upon what Constitutional Law that opinion was based which justified the Government, on a resolution of one branch of the Legislature, to issue tickets authorising Members of Parliament to travel free on the Victorian Railways.

ORDERS OF THE DAY :—

1. PUBLIC CEMETERIES ACT AMENDMENT BILL.—To be read a second time.
2. POLLUTION OF RIVERS BILL.—To be read a second time.
3. CHILDREN'S CRIME PREVENTION BILL.—Adoption of Report.

TUESDAY, 30TH APRIL.

ORDERS OF THE DAY :—

1. ADMINISTRATION OF LAW (JUSTICES) BILL.—To be read a second time.
2. MEDICAL PRACTITIONERS REGISTRATION BILL.—To be read a second time.

G. W. RUSDEN,
Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 24TH APRIL, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.
The Acting President read the Prayer.

ADAMSON'S ACTS AND ACTS OF THE LAST SESSION.—The Acting President informed the Council that a letter had been received from the office of the Chief Secretary, stating that the Government Printer has been instructed to supply these Acts in compliance with the Order of the House of the 16th instant.

VOTES AND PROCEEDINGS.—The Acting President informed the Council that a letter had been received from the office of the Chief Secretary, stating that the Order of the Council of the 16th instant has been transmitted to the Parliamentary Librarian, the custodian of the Votes and Proceedings and Printed Papers of past Sessions of Parliament.

ADDRESS TO MAJOR-GENERAL PRATT, C.B.—The Acting-President announced to the House that discussion having arisen as to the proper mode of approaching Major-General Pratt with the Address adopted by the House on the 16th instant, he had deferred its presentation until the House might again meet.

THANKS OF THE HOUSE TO MAJOR-GENERAL PRATT, C.B.—The Honorable J. F. Strachan, with leave of the Council, moved, without notice, That a copy of the resolution expressing the thanks of this House to Major-General Pratt and the Officers serving in New Zealand be transmitted to him by the President.

Question—put and passed.

ADJOURNMENT.—The Honorable J. B. Bennett moved, That the House do now adjourn.
Debate ensued.

Question—put and passed.

The Council adjourned at ten minutes to five o'clock until four o'clock on Thursday, the 25th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 25TH APRIL.

NOTICE OF MOTION:—

1. The Hon. J. B. BENNETT: To move, That in consequence of the absence of any member representing the Government, this House do now adjourn till this day week.

TUESDAY, 30TH APRIL.

ORDERS OF THE DAY:—

1. ADMINISTRATION OF LAW (JUSTICES) BILL.—To be read a second time.
2. MEDICAL PRACTITIONERS REGISTRATION BILL.—To be read a second time.

MEETINGS
OF
SELECT COMMITTEES.

Thursday, 25th April.

WASTE LANDS—at two o'clock.

PRINTING—at half-past three o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 25TH APRIL, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

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

MR. ACTING PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to prevent the further spread of the Disease in Cattle called Pleuro-pneumonia,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made therein by the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 24th April, 1861.

FRANS. MURPHY,
Speaker.

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the compensation of Members of the Legislative Assembly,*" in which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 24th April, 1861.

FRANS. MURPHY,
Speaker.

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a copy of an Address to Her Most Gracious Majesty the Queen which has been adopted by the Legislative Assembly, praying Her Majesty to grant that a Branch of Her Majesty's Royal Mint may be established in Victoria, in which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 24th April, 1861.

FRANS. MURPHY,
Speaker.

ROYAL ASSENT TO BILLS.—The Acting President announced to the Council that he had received intimation to the effect that it is the intention of His Excellency the Governor to proceed to the Council Chamber on Tuesday next, at half-past four o'clock, to assent to certain Bills passed by the Legislative Council and Legislative Assembly.

PAPERS.—The Honorable A. Fraser, in the absence of the Honorable T. T. a'Beckett, presented to the Council the following papers :—

1. St. Kilda—Proclamation of, as a Town (25th March, 1861).
2. Town Common at St. Kilda—Proclamation of (25th March, 1861).
3. Immigrants—Regulations respecting (15th April, 1861).
4. Gold Fields Statistics, 1860.
5. Exhibition—Victorian, 1861, London International, 1862. First Report of Exhibition Commissioners (12th April, 1861).

Ordered severally to lie on the Table.

HARBOR RETURNS AND CORRESPONDENCE.—The Honorable A. Fraser laid on the Table a Return to an Order of the House of the 12th March, 1861.

LAPSED BUSINESS.—The Honorable A. Fraser, with leave of the Council, moved, without notice, That all business which lapsed by the adjournment of the House yesterday be restored to the paper for Tuesday next.

Question—put and passed.

ADJOURNMENT.—The Honorable J. B. Bennett, in accordance with *amended* notice, moved, That, in consequence of the absence of any member representing the Government, this House do now adjourn till Tuesday next.

Debate ensued.

Amendment moved by the Honorable T. H. Fellows, That the word “any” be omitted, with a view to insert the word “the” instead thereof.

Debate ensued.

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

Question—That, in consequence of the absence of any member representing the Government, this House do now adjourn till Tuesday next—put and passed.

The Council adjourned at five minutes to five o'clock until four o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 30TH APRIL, 1861.

1. The Hon. G. ROLFE: To ask the Honorable Member representing the Government if the Government intend to bring in a Measure this session similar to Torrens's Real Property Act now in operation in South Australia.

NOTICES OF MOTION:—

1. The Hon. W. HULL: To move, That the Correspondence between the Government and the Chief Engineer Officer be printed.
2. The Hon. J. F. STRACHAN: To move, That there be laid upon the Table of this House the opinion of the Law Officers of the Crown, stating upon what Constitutional Law that opinion was based which justified the Government, on a resolution of one Branch of the Legislature, to issue tickets authorizing Members of Parliament to travel free on the Victorian Railways.

ORDERS OF THE DAY:—

1. ADMINISTRATION OF LAW (JUSTICES) BILL.—To be read a second time.
2. MEDICAL PRACTITIONERS REGISTRATION BILL.—To be read a second time.
3. WEIGHTS AND MEASURES BILL (2).—To be read a second time.
4. PUBLIC CEMETERIES ACT AMENDMENT BILL.—To be read a second time.
5. POLLUTION OF RIVERS BILL.—To be read a second time.
6. CHILDREN'S CRIME PREVENTION BILL.—Adoption of Report.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 30TH APRIL, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

REPLY OF MAJOR-GENERAL PRATT, C.B.—The Acting President laid on the Table the Reply of Major-General Pratt, C.B., to the resolution of the Council expressing the thanks of the House.

The Reply was read at the Table by the Clerk, as follows :—

Head Quarters, Melbourne, 27th April, 1861.

SIR,

I have the honor to acknowledge the receipt of a Resolution of the Legislative Council conveying their congratulations on my return from New Zealand, and their thanks for having under Providence brought hostilities to an honorable end and it may be hoped a final issue; and farther requesting me to convey to Commodore Seymour and the naval persons under his command, and to the officers and soldiers of all arms, the high sense the House entertains of their bravery, and of its deep sympathy for the widows and children of those who have fallen during the war.

I beg that you will express to the Honorable House my most sincere thanks for the honor which has been conferred upon me, and the pleasure that it will give me to convey to the troops of all arms and services the opinion which it entertains regarding them.

I have the honor to be,

Sir,

Your most obedient humble Servant,

T. S. PRATT,

Major-General Commanding.

The Honorable the Acting President
of the Legislative Council.

PAPERS.—The Honorable A. Fraser presented to the Council the following Papers :—

1. Disorderly Meetings Act.—Despatch from the Right Honorable the Secretary of State (20th February, 1861).
2. Friendly Societies, Return of, registered in 1860.
3. Return of the number of Free Passes issued by the Government Railway Authorities during the year 1860.

Ordered severally to lie on the Table.

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

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, His Excellency was pleased to assent, in the name of Her Majesty the Queen, to the following Bills—

“An Act to continue an Act, intituled ‘An Act to amend the Law relating to the more easy Recovery of certain Debts and Demands.’”

“An Act to prevent the further spread of the Disease in Cattle called Pleuro-pneumonia.”

The Royal Assent being read severally by the Clerk of the Parliaments in the following words :—

“In the name and on behalf of Her Majesty I assent to this Act.

“HENRY BARKLY,

“Governor.”

The Clerk of the Parliaments delivered to Mr. Speaker a Schedule of the Acts assented to. Mr. Speaker and the Legislative Assembly withdrew. His Excellency the Governor left the Council Chamber.

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

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to Abolish State Aid to Religion*," in which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 30th April, 1861.

FRANS. MURPHY,
Speaker.

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorise the Melbourne and Essendon Railway Company to make a Branch Railway to the Race Course and for other purposes*," in which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 30th April, 1861.

FRANS. MURPHY,
Speaker.

MELBOURNE AND ESSENDON RAILWAY BILL.—The Honorable J. B. Bennett, with leave of the Council, moved, without notice, That a Message be carried to the Legislative Assembly, requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings from the Select Committee of that House, appointed in the present session of Parliament on this Bill, together with the Minutes of Evidence taken before the said Committee.

Question—put and passed.

PETITIONS.—The Honorable J. P. Fawkner presented a Petition from Richard Osburne and others, inhabitants of Warrnambool, praying that the House will give its sanction to any Bill which has for its object the repeal of State Aid to Religion.

Petition received.

The Honorable G. W. Cole presented a similar Petition from Rev. W. C. Robinson and others, inhabitants of Williamstown.

Petition received.

STATE AID TO RELIGION ABOLITION BILL.—The Honorable A. Fraser moved, That this Bill be now read a first time, printed, and read a second time this day fortnight.

The Honorable J. B. Bennett moved, That the House do now adjourn.

Debate ensued.

Question—That the House do now adjourn—put.

Council divided.

Contents, 11.
The Hon. G. W. Cole
N. Black
J. F. Strachan
W. Highett
J. Sutherland
R. Thomson
G. S. Coppin
W. Degraives
J. B. Bennett
J. P. Fawkner
S. G. Henty (*Teller*).

Not Contents, 9.
The Hon. T. H. Fellows
G. Rolfe
Dr. Hope
H. Miller
D. Kennedy
F. Robertson
J. Henty
W. Hull
A. Fraser (*Teller*).

The question was therefore passed.

The Council adjourned at twenty minutes past five o'clock until four o'clock on Wednesday, the 1st proximo.

NOTICES OF MOTION.

WEDNESDAY, 1ST MAY.

1. The Hon. W. HULL: To ask the Honorable A. Fraser if any communication has been received by the Government from the Governor with reference to the defenceless state of the Colony, subsequent to his Excellency's admonitory memorandum to the late Chief Secretary, (dated 9th October, 1860,) and if so, is there any objection to lay a copy of the same before this House.

NOTICE OF MOTION :—

1. The Hon. J. B. BENNETT: To move, That the House adjourn till Tuesday next.

TUESDAY, 7TH MAY.

NOTICE OF MOTION:—

1. The Hon. J. HENTY: To move for a Return of the quantity of Tobacco on which no duty has been paid, cleared from the Customs' warehouse and direct from import ships at the ports of Melbourne, Geelong, and the outports of the Colony respectively, for the year ended 30th September, 1860; such Return not to include Tobacco cleared under bond for exportation.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 1ST MAY, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

LAPSED BUSINESS.—The Honorable A. Fraser, with leave of the Council, moved, without notice, That the notices of motion, which lapsed by the adjournment of the House yesterday, be restored to the business paper for the next day of meeting, together with the following Orders of the Day which then lapsed:—

“Administration of Law (Justices) Bill”—to be read a second time.

“Medical Practitioners Registration Bill”—to be read a second time.

“Weights and Measures Bill (2)”—to be read a second time.

“Public Cemeteries Act Amendment Bill”—to be read a second time.

“Children’s Crime Prevention Bill”—Adoption of Report.

Question—put and passed.

PETITIONS.—The Honorable Dr. Hope presented to the Council a Petition from John Brebner and others, inhabitants of Geelong, praying that the Council will give its sanction to any Bill which has for its object the Abolition of State Aid to Religion in Victoria.

Petition received.

The Honorable A. Fraser presented a similar Petition signed by Edwin Day and others, inhabitants of Castlemaine.

Petition received.

DEFENSIVE WORKS.—The Honorable A. Fraser presented to the Council a Return to the Order of the Council of the 17th April.

PAPERS.—The Honorable A. Fraser, in the absence of the Honorable T. T. a’Beckett, by command of His Excellency the Governor, presented to the Council the following paper:—

Telegraphic Communication between Europe and Australia.—Despatch from the Right Honorable the Secretary of State, with inclosure. (19th February 1861.)

Ordered to lie on the Table.

ADJOURNMENT.—The Honorable A. Fraser moved, That the House do now adjourn.

Debate ensued.

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

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council copies of the Report of Proceedings from the Select Committee of the Legislative Assembly, on the Bill intituled “An Act to authorize the Melbourne and Essendon Railway Company to make a Branch Railway to the Melbourne Race Course and for other purposes,” together with the Minutes of Evidence taken before such Committee, as requested by the Legislative Council.

FRANS. MURPHY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 1st May, 1861.

ADJOURNMENT.—Debate resumed.

Question—That the House do now adjourn—put and negatived.

ADJOURNMENT TILL TUESDAY NEXT.—The Honorable J. B. Bennett, in accordance with notice, moved, That the House adjourn till Tuesday next.

Debate ensued.

Question put.
Council divided.

Contents, 13.
The Hon. R. Thomson
G. W. Cole
J. F. Strachan
J. B. Bennett
W. Highett
J. McCrae
Dr. Hope
D. Kennedy
G. S. Coppin
W. Degraives
J. Henty
S. G. Henty
J. Sutherland (*Teller*).

Not Contents, 4.
The Hon. T. H. Fellows
G. Rolfe
F. Robertson
A. Fraser (*Teller*).

The question was therefore passed.

The Council adjourned at five minutes to five o'clock until four o'clock on Tuesday, the 7th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 7TH MAY.

1. The Hon. G. ROLFE: To ask the Honorable Member representing the Government if the Government intend to bring in a measure this Session similar to "Torrens's Real Property Act," now in operation in South Australia.
2. The Hon. W. HULL: To ask the Honorable A. Fraser if any communication has been received by the Government from the Governor with reference to the defenceless state of the Colony, subsequent to his Excellency's admonitory memorandum to the late Chief Secretary, (dated 9th October, 1860,) and if so, is there any objection to lay a copy of the same before this House.

NOTICES OF MOTION:—

1. The Hon. J. HENTY: To move for a Return of the quantity of Tobacco on which no duty has been paid, cleared from the Customs' warehouse and direct from import ships at the ports of Melbourne, Geelong, and the outports of the Colony respectively, for the year ended 30th September, 1860; such Return not to include Tobacco cleared under bond for exportation.
2. The Hon. W. HULL: To move, That the Correspondence between the Government and the Chief Engineer Officer be printed.
3. The Hon. J. STRACHAN: To move, That there be laid upon the table of this House the opinion of the Law Officers of the Crown, stating upon what constitutional law that opinion was based which justified the Government, on a resolution of one branch of the Legislature, to issue tickets authorising Members of Parliament to travel free on the Victorian Railways.

ORDERS OF THE DAY:—

1. ADMINISTRATION OF LAW (JUSTICES) BILL.—To be read a second time.
2. MEDICAL PRACTITIONERS REGISTRATION BILL.—To be read a second time.
3. WEIGHTS AND MEASURES BILL (2).—To be read a second time.
4. PUBLIC CEMETERIES ACT AMENDMENT BILL.—To be read a second time.
5. CHILDREN'S CRIME PREVENTION BILL.—Adoption of Report.

TUESDAY, 14TH MAY.

NOTICE OF MOTION:—

1. The Hon. G. W. COLE: To move—
 - (1.) That it is unconstitutional to make payments from the Public Treasury, except in some manner specially provided for by an Act of the Legislature.
 - (2.) That the only proper mode of anticipating the sanction of the Act known as the *Appropriation Act* in making necessary payments from the Treasury is by means of Acts authorizing the Treasury to pay out of the Consolidated Fund, and to issue and apply from time to time all such sums of money as shall be raised by Exchequer Bills to such services as shall have been then voted by the Legislative Assembly in the current session of Parliament.

TUESDAY, 21ST MAY.

NOTICE OF MOTION:—

1. The Hon. G. W. COLE: To move—

- (1.) That it is the opinion of this Council that there should be a complete revision of the Tariff.
- (2.) That, in fixing duties for revenue, every consideration should be given to encourage skill and capital to be invested in agricultural and manufacturing industry of every description.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 7TH MAY, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

PAPERS.—The Honorable A. Fraser, in the absence of the Honorable T. T. a'Beckett, by command of His Excellency the Governor, presented to the Council the following papers:—

1. Treaties between Her Majesty and the Emperor of China.—Despatch from the Right Honorable the Secretary of State (31st January, 1861).
2. Treaty of Commerce with France—Second Supplementary Convention.—Despatch from the Right Honorable the Secretary of State (15th December, 1860).

The Honorable A. Fraser also presented to the Council the following papers:—

1. Farmers' Commons—Proclamation of, at Bradford and other places (22nd April, 1861).
2. Towns Commons—Proclamation of, at Hotspur and Terang (15th April, 1861).
3. Gold Fields Commons—Proclamation of, at Durham and other places (22nd April, 1861).
4. Gold Fields Commons—Proclamation of, at Raglan and other places (22nd April, 1861).
5. Wyndham Town Common—Proclamation of (22nd April, 1861).
6. Carisbrook Town Common Alteration—Proclamation of (15th April, 1861).
7. Farmers' Commons Regulations—Proclamation of (16th April, 1861).
8. Towns Commons not within or adjoining Municipal Districts—Proclamation of (16th April, 1861).

Ordered severally to lie on the Table.

PARLIAMENT BUILDINGS (JOINT) SELECT COMMITTEE—PROGRESS REPORT OF.—The Honorable G. Rolfe brought up the First Progress Report of the Joint Select Committee of both Houses of Parliament appointed to manage and superintend the Parliament Buildings.

PETITION.—The Honorable W. Highett presented a Petition signed by G. B. Kerford and others, praying that the House will give its sanction to any Bill which has for its object the abolition of State Aid to Religion in Victoria.

Petition received.

TOBACCO IMPORTED.—The Honorable J. Henty, in accordance with notice, moved, That there be laid on the Table of the House a Return of the quantity of Tobacco on which no duty has been paid, cleared from the Customs' warehouse and direct from import ships at the Ports of Melbourne and Geelong, and the outports of the Colony respectively for the year ended 30th September, 1860; such Return not to include Tobacco cleared under bond for exportation.

Question—put and passed.

RAILWAY FREE PASS TICKETS.—The Honorable J. F. Strachan, in accordance with *amended* notice, moved, That there be laid upon the Table of this House the opinion (if any) of the Law Officers of the Crown, stating upon what constitutional law that opinion was based which justified the Government, on a resolution of one branch of the Legislature, to issue tickets authorising Members of Parliament to travel free on the Victorian Railways.

Question—put and passed.

PRINTING COMMITTEE.—The Honorable A. Fraser, with leave of the Council, moved, without notice, That the Printing Committee have power to sit on any day during this week.

Question—put and passed.

ADJOURNMENT.—The Honorable J. B. Bennett, with leave of the Council, moved, without notice, That the House do now adjourn until Tuesday next.

Debate ensued.

Question—put and passed.

The Council adjourned at five minutes past five o'clock until four o'clock on Tuesday, the 14th instant.

NOTICE OF MOTION.

TUESDAY, 14TH MAY.

1. The Hon. G. ROLFE: To ask Mr. Fellows to explain the cause of delay in proceeding with the Admission of Attorneys Bill, introduced by him on the 22nd January last; and when he intends to move the second reading, and proceed with the measure.

NOTICE OF MOTION:—

1. The Hon. J. P. FAWKNER: To move, That an Address be prepared and presented from this Council to His Excellency the Governor, embracing the resolution of this House in the matter of the disposition of the salary of the President; also to communicate to His Excellency the concurrence of the President before his departure as to the propriety of consulting the Council with regard to the disposal of the said salary: and that the Honorables W. Hull, G. S. Coppin, A. Fraser, J. Henty, and the Mover, be a Committee to prepare the said Address.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 8th May.

PRINTING—at 1 o'clock.

Tuesday, 14th May.

WASTE LANDS—at 2 o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 14TH MAY, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

PAPERS.—The Honorable A. Fraser presented to the Council the following papers :—

1. Farmers' Commons (Seymour and Tallarook), Proclamation of (29th April, 1861).
2. Town Commons (Belmont, Newton, and Chilwell), Proclamation of (29th April, 1861).

Ordered severally to lie on the Table.

PRINTING COMMITTEE.—THIRD REPORT.—The Honorable T. H. Power brought up the Third Report of the Printing Committee, and moved, That the same be printed.

Question—put and passed.

LAPSED BUSINESS—RESTORATION OF.—The Honorable A. Fraser, with leave of the Council, moved, without notice, That all business which lapsed by the adjournment of the House on Tuesday last, be restored to the Business Paper.

Question—put and passed.

TOBACCO IMPORTED.—The Honorable A. Fraser laid on the Table a Return to the Order of the House of the 7th instant.

ADJOURNMENT.—The Honorable A. Fraser, with leave of the Council, moved, without notice, That the House at its rising this day adjourn until Thursday next.

Question—put and passed.

The Council adjourned at twenty minutes past four o'clock until four o'clock on Thursday, the 16th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 16TH MAY.

1. The Hon. G. ROLFE : To ask Mr. Fellows to explain the cause of delay in proceeding with the Admission of Attorneys Bill, introduced by him on the 22nd January last ; and when he intends to move the second reading, and proceed with the measure.
2. The Hon. W. HULL : To ask—
 - (1.) At what date Captain Clarke resigned his Imperial appointment and commenced to devote himself exclusively to the work entrusted to him by this Colony, and what is his salary, exclusive of his pension from this Colony.
 - (2.) What number of Enfield rifles for volunteer service have actually been received through Captain Clarke's intervention or orders, together with the invoice cost of such arms ; distinguishing the short Enfield with sword complete, and the long Enfield with bayonet complete.
3. The Hon. W. HULL : To ask if any note with reference to our Defences, from General Sir John Burgoyne to the Chief Engineer Officer in this Colony, accompanied by a communication from His Excellency the Governor, has been received by the Government since January last ; and if so, is there any objection to lay copies of the same before this Honorable House.

NOTICES OF MOTION:—

1. The Hon. G. W. COLE: To move—

- (1.) That it is unconstitutional to make payments from the Public Treasury, except in some manner specially provided for by an Act of the Legislature.
- (2.) That the only proper mode of anticipating the sanction of the Act known as the *Appropriation Act* in making necessary payments from the Treasury is by means of Acts authorizing the Treasury to pay out of the Consolidated Fund, and to issue and apply from time to time all such sums of money as shall be raised by Exchequer Bills to such services as shall have been then voted by the Legislative Assembly in the current session of Parliament.

2. The Hon. G. S. COPPIN: To move for a return on account of the Revenue and Expenditure of the Court of Insolvency in the several years ending 1855, 1856, 1857, 1858, 1859, 1860, distinguishing the particular items of such revenue and expenditure; also for a return of the number of estates placed under sequestration in the several years ending 1855, 1856, 1857, 1858, 1859, 1860, and number of creditors and amount due in Melbourne and the country districts and remuneration received by official assignees in respect of such estates.

3. The Hon. J. P. FAWKNER: To move, That an Address be prepared and presented from this Council to His Excellency the Governor, embracing the resolution of this House in the matter of the disposition of the salary of the President; also to communicate to His Excellency the concurrence of the President before his departure as to the propriety of consulting the Council with regard to the disposal of the said salary: and that the Honorables W. Hull, G. S. Coppin, A. Fraser, J. Henty, and the Mover, be a Committee to prepare the said Address.

ORDERS OF THE DAY:—

1. ADMINISTRATION OF LAW (JUSTICES) BILL.—To be read a second time.
2. MEDICAL PRACTITIONERS REGISTRATION BILL.—To be read a second time.
3. WEIGHTS AND MEASURES BILL (2).—To be read a second time.
4. PUBLIC CEMETERIES ACT AMENDMENT BILL.—To be read a second time.
5. CHILDREN'S CRIME PREVENTION BILL.—Adoption of Report.

TUESDAY, 21ST MAY.

NOTICES OF MOTION:—

1. The Hon. G. W. COLE: To move—

- (1.) That it is the opinion of this Council that there should be a complete revision of the Tariff.
- (2.) That, in fixing duties for revenue, every consideration should be given to encourage skill and capital to be invested in agricultural and manufacturing industry of every description.

MEETING
OF
SELECT COMMITTEE.

Tuesday, 21st May.

WASTE LANDS—at 2 o'clock.

G. W. RUSDEN,
Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 16TH MAY, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.
The Acting President read the Prayer.

PAPERS.—The Honorable T. T. a'Beckett, by command of His Excellency the Governor, presented to the Council the following paper :—

Death of Her Royal Highness the Duchess of Kent—Circular Despatch from the Right Honorable the Secretary of State (18th March, 1861).

Ordered to lie on the Table.

CONSTITUTIONAL PAYMENTS FROM PUBLIC TREASURY.—The Honorable G. W. Cole, in accordance with notice, moved—

- (1.) That it is unconstitutional to make payments from the Public Treasury, except in some manner specially provided for by an Act of the Legislature.
- (2.) That the only proper mode of anticipating the sanction of the Act known as the *Appropriation Act* in making necessary payments from the Treasury is by means of Acts authorizing the Treasury to pay out of the Consolidated Fund, and to issue and apply from time to time all such sums of money as shall be raised by Exchequer Bills to such services as shall have been then voted by the Legislative Assembly in the current session of Parliament.

Debate ensued.

Question—That it is unconstitutional to make payments from the Public Treasury, except in some manner specially provided for by an Act of the Legislature—put and passed.

The Honorable G. S. Coppin moved, That the debate on the second resolution be adjourned until Tuesday next.

Question—That the debate be adjourned—put and passed.

INSOLVENCY STATISTICS.—The Honorable G. S. Coppin, in accordance with *amended* notice, moved, That there be laid on the Table of the House a Return of the number of Estates placed under sequestration in the several years ending 1855, 1856, 1857, 1858, 1859, 1860, the number of creditors and amount due in Melbourne and the country districts severally, and remuneration received by official assignees in respect of such estates.

Debate ensued.

Question—put and passed.

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

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the Law relating to the Erection and Licensing of Abattoirs in Municipal Districts*" also, a Bill, intituled, "*An Act to amend the Law relating to Divorce and Matrimonial Causes*," in which they desire the concurrence of the Legislative Council.

FRANS. MURPHY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 16th May, 1861.

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to enable the St. Kilda and Brighton Railway Company to extend their Railway to the shore of Port Phillip Bay to make a deviation in their main line to construct a pier and other works to raise further sums of money to issue preference shares and for other purposes*," in which they desire the concurrence of the Legislative Council.

FRANS. MURPHY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 16th May, 1861.

- ABATTOIRS BILL.—The Honorable T. T. a'Beckett moved, That this Bill be now read a first time, printed, and read a second time on Wednesday next.
Question—put and passed.
Bill read a first time.
- DIVORCE BILL.—The Honorable J. P. Fawkner moved, That this Bill be now read a first time, printed, and read a second time on Tuesday, the 28th instant.
Question—put and passed.
Bill read a first time.
- ST. KILDA AND BRIGHTON RAILWAY ACT AMENDMENT BILL.—The Honorable J. B. Bennett, with leave of the Council, moved, without notice, That a Message be carried to the Legislative Assembly, requesting that they will be pleased to communicate to this House copies of the Report and Proceedings from the Select Committee of that House appointed in the present session of Parliament on this Bill, together with the Minutes of Evidence taken before the said Committee.
Question—put and passed.
- SALARY OF PRESIDENT.—ADDRESS TO THE GOVERNOR.—The Honorable J. P. Fawkner, in accordance with notice, moved, That an Address be prepared and presented from this Council to His Excellency the Governor, embracing the resolution of this House in the matter of the disposition of the salary of the President; also to communicate to His Excellency the concurrence of the President before his departure as to the propriety of consulting the Council with regard to the disposal of the said salary: and that the Honorables W. Hull, G. S. Coppin, A. Fraser, J. Henty, and the Mover, be a Committee to prepare the said Address.
Debate ensued.
Question—put and passed.
- ADMINISTRATION OF LAW (JUSTICES) BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. H. Fellows moved, That the Bill be now read a second time.
Debate ensued.
Question—put and passed.
Bill read a second time.
The Honorable T. H. Fellows moved, That the Bill be now considered in Committee of the whole Council.
Question—put and passed.
Question—That the Acting President do now leave the Chair—put and passed.
The Acting President left the Chair.
The Chairman of Committees reported progress and asked leave to sit again on Tuesday next.
Ordered.
- MEDICAL PRACTITIONERS REGISTRATION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable Dr. Hope moved, That the Bill be now read a second time.
Question—put and passed.
Bill read a second time.
The Honorable Dr. Hope moved, That the Bill be now considered in Committee of the whole Council.
Question—put and passed.
Question—That the Acting President do now leave the Chair—put and passed.
The Acting President left the Chair.
The Chairman of Committees reported progress and asked leave to sit again on Tuesday next.
Ordered.
- WEIGHTS AND MEASURES BILL (2).—The Order of the Day for the second reading of this Bill being read, the Honorable T. T. a'Beckett moved, That the Bill be now read a second time.
Question—put and passed.
Bill read a second time.
The Honorable T. T. a'Beckett moved, That the Bill be now considered in Committee of the whole Council.
Debate ensued.
Question—put and passed.
Question—That the Acting President do now leave the Chair—put and passed.
The Acting President left the Chair.
The Chairman of Committees reported progress and asked leave to sit again on Wednesday next.
Ordered.
- PUBLIC CEMETERIES ACT AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. T. a'Beckett moved, That the Bill be now read a second time.
The motion, not being seconded, lapsed.

CHILDREN'S CRIME PREVENTION BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable T. T. a'Beckett moved, That the Report be now adopted.

Question—put and passed.

The Acting President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable T. T. a'Beckett, was read a third time and *passed*.

The Honorable T. T. a'Beckett moved, That the title of the Bill be "*An Act for the Prevention of Crime by Children.*"

Question—put and passed.

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

The Council adjourned at a quarter to seven o'clock until four o'clock on Tuesday the 21st instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 21ST MAY.

NOTICES OF MOTION:—

1. The Hon. G. W. COLE: To move—

- (1.) That it is the opinion of this Council that there should be a complete revision of the Tariff.
- (2.) That, in fixing duties for revenue, every consideration should be given to encourage skill and capital to be invested in agricultural and manufacturing industry of every description.

2. The Hon. J. B. BENNETT: To move, That the Melbourne and Essendon Railway Bill be now read a first time.

3. The Hon. A. FRASER: To move, That the Bill to abolish State Aid to Religion be now read a first time.

4. The Hon. A. FRASER: To move: That there be a call of the House on this day fortnight.

5. The Hon. T. T. A'BECKETT: To move, That the Message from the Legislative Assembly with an Address to the Queen on the subject of the Royal Mint in Victoria be now taken into consideration.

6. The Hon. J. B. BENNETT: (*Contingent* on the receipt of the Report and Proceedings of the Select Committee of the Legislative Assembly on the Bill) To move, That the St. Kilda and Brighton Railway Act Extension Bill be now read a first time.

ORDERS OF THE DAY:—

1. CONSTITUTIONAL PAYMENTS FROM PUBLIC TREASURY.—Adjourned debate on resolution.
2. ADMINISTRATION OF LAW (JUSTICES) BILL.—To be further considered in Committee.
3. MEDICAL PRACTITIONERS REGISTRATION BILL.—To be further considered in Committee.

WEDNESDAY, 22ND MAY.

Government Business:—

ORDERS OF THE DAY:—

1. ABATTOIRS BILL.—To be read a second time.
2. WEIGHTS AND MEASURES BILL (2).—To be further considered in Committee.

TUESDAY, 28TH MAY.

ORDER OF THE DAY:—

1. DIVORCE BILL.—To be read a second time.

MEETINGS

OF

SELECT COMMITTEES.

Tuesday, 21st May.

WASTE LANDS—at 2 o'clock.

PRINTING—at 3 o'clock.

PRESIDENT'S SALARY—Address—at 3 o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 21ST MAY, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.
The Acting President read the Prayer.

PAPERS.—The Honorable T. T. a'Beckett presented to the Council the following Paper :—
Heathcote Town Common enlarged—Proclamation (22nd April, 1861).
Ordered to lie on the Table.

SALARY OF PRESIDENT.—ADDRESS TO THE GOVERNOR.—The Honorable J. P. Fawkner, as Chairman of the Select Committee appointed on the 16th instant to prepare an Address to His Excellency the Governor, embracing the resolution of the House in the matter of the disposition of the salary of the President, brought up the Address agreed upon by the Committee.

The Address was read at the Table as follows :—

We, Her Majesty's most dutiful and loyal subjects, the members of the Legislative Council of Victoria, in Parliament assembled, beg to inform your Excellency that, on the occasion of leave of absence being given to the Honorable Sir James Frederick Palmer, President of the Council, the Council was assured by him that he would leave the question of salary, altogether, to be disposed of according to the wish of the Council; that, in order to ascertain the wish of the Council, a Select Committee was appointed on the 13th March, 1861, to take the subject into consideration, and that the Committee unanimously resolved "that nothing less than the whole salary attached to the office of President should be paid over to the gentleman holding that office during the absence of Sir J. F. Palmer;" and that the Report of the said Committee was unanimously adopted by the Council on the 19th March, 1861.

The Honorable J. P. Fawkner moved, That the Address be now adopted.

Question—put and passed.

PRINTING COMMITTEE—THIRD AND FOURTH REPORTS.—The Honorable T. H. Power brought up the Fourth Report of the Printing Committee, and moved that the Third Report and the Fourth Report of the Committee be adopted, and that the Fourth Report be printed.
Question—put and passed.

PETITION.—The Honorable W. Highett presented a Petition, signed by Godfrey Howitt, M.D., and other members of the Medical Profession, praying the Council to refuse assent to any clause having for its object the obliteration of the recognized distinctions between physicians and surgeons, which still continue to be maintained in the United Kingdom.

Petition received.

ESSENDON RAILWAY.—The Honorable J. B. Bennett produced a certificate of the payment of the amount required to be paid to the Colonial Treasurer for the public uses of the Colony, and moved, in accordance with notice, That the Melbourne and Essendon Railway Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable J. B. Bennett moved, That the second reading of the Bill be made an Order of the Day for this day week.

Question—put and passed.

STATE AID TO RELIGION ABOLITION BILL.—The Honorable A. Fraser, in accordance with amended notice, moved, That this Bill be now read a first time, printed, and read a second time this day fortnight.

Question—put and passed.

Bill read a first time.

CALL OF THE COUNCIL.—The Honorable A. Fraser, in accordance with notice, moved, That there be a Call of the House on this day fortnight.

Question—put and passed.

MINT, BRANCH OF ROYAL, IN VICTORIA.—The Honorable T. T. a'Beckett moved, That the Council agree with the Address to Her Most Gracious Majesty the Queen, adopted by the Legislative Assembly, praying Her Majesty to grant that a branch of Her Majesty's Royal Mint may be established in Victoria.

The Address was read at the Table by the Clerk, as follows :—

To Her Most Gracious Majesty the Queen.

MAY IT PLEASE YOUR MAJESTY,

We, your Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of Victoria in Parliament assembled, desire to thank your Majesty for the very gracious reception which your Majesty was pleased to accord to our Address on the 16th December, 1859, praying for the establishment in Victoria of a branch of the Royal Mint, and at the same time to express our regret that your Majesty has not been advised to issue any instructions in compliance with the prayer of that Address.

And whereas it would appear, from the despatches accompanying the intimation of your Majesty's royal pleasure, that the principal objection of your Majesty's advisers was to the request that the coinage issued from such Branch Mint should have currency throughout the British Empire, and that there are no grounds on which your Majesty's Government could refuse compliance with an application for the establishment of a local Mint, subject to the same limitations as the establishment now existing in the Colony of New South Wales, and in accordance with the conditions stated by the Lords Commissioners of your Majesty's Treasury, in the Minute dated the 22nd day of March, 1853.

And as we are of opinion that, for the reasons set forth in our former Address, the existence of such an establishment in this colony would be a direct benefit to the gold producing interest, and also of great advantage to the general prosperity of this your Majesty's loyal Colony of Victoria, we now humbly beseech that your Majesty will be graciously pleased to grant that instructions may be issued for the establishment of a branch of the Royal Mint in the said Colony of Victoria upon the same terms as in New South Wales, and in conformity with the intimation conveyed in the Treasury Minute of the 5th November, 1860.

Debate ensued.

The Honorable J. F. Strachan moved, That the debate be adjourned until this day fortnight.

Question—That the debate be adjourned until this day fortnight—put and passed.

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

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council copy of an Address to Her Most Gracious Majesty the Queen, which has been adopted by the Legislative Assembly, expressive of their sympathy in the loss sustained by Her Majesty in the death of Her illustrious Mother the Duchess of Kent, in which they desire the concurrence of the Legislative Assembly.

Legislative Assembly Chamber,
Melbourne, 21st May, 1861.

FRANS. MURPHY,
Speaker.

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council copies of the Report and Evidence taken before the Select Committee on the Bill intituled "*An Act to enable the St. Kilda and Brighton Railway Company to extend their Railway to the shore of Port Phillip Bay to make a deviation in their main line to construct a pier and other works to raise further sums of money to issue preference shares and for other purposes,*" as requested by the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 21st May, 1861.

FRANS. MURPHY,
Speaker.

DEATH OF HER ROYAL HIGHNESS THE DUCHESS OF KENT.—MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The Honorable T. T. a'Beckett moved, That the Address adopted by the Legislative Assembly be agreed to by the Council with the addition of the words "The President and Members of the Legislative Council, and" after the word "subjects."

The Address was read at the Table by the Clerk.

To Her Most Gracious Majesty the Queen.

MAY IT PLEASE YOUR MAJESTY,

We, Your Majesty's dutiful and loyal subjects, the Speaker and Members of the Legislative Assembly of the Colony of Victoria, in Parliament assembled, desire to assure your Majesty of our continued respect and attachment for Your Majesty's person, and loyalty to the throne.

We desire to express to your Majesty our deep regret at the loss your Majesty has sustained by the death of your Majesty's illustrious Mother, Her Royal Highness the Duchess of Kent; and to assure your Majesty of our sincere and heart-felt sympathy in your Majesty's bereavement.

Question—That the words proposed to be inserted be so inserted—put and passed.

Question—That the Address, as amended, be adopted—put and passed.

Ordered—That the Address be returned to the Legislative Assembly with a message acquainting them that the Council have agreed to the same with an addition, and desiring their concurrence with the same.

CONSTITUTIONAL PAYMENTS FROM PUBLIC TREASURY.—ADJOURNED DEBATE.—Debate resumed on the following resolution:—“That the only proper mode of anticipating the sanction of the Act known as the *Appropriation Act* in making necessary payments from the Treasury is by means of Acts authorizing the Treasury to pay out of the Consolidated Fund, and to issue and apply from time to time all such sums of money as shall be raised by Exchequer Bills to such services as shall have been then voted by the Legislative Assembly in the current Session of Parliament.”

Amendment moved by the Honorable J. B. Bennett—That a Select Committee be appointed to search for precedents and report to this House as to the best mode of anticipating the sanction of the Act known as the *Appropriation Act* and warranting payments from the Treasury, necessary for carrying on the services of the Government, previous to the passing of such Act: such Committee to consist of the Honorables G. W. Cole, T. T. a'Beckett, T. H. Fellows, H. Miller, and the Mover.

Original motion by leave withdrawn.

Question—That a Select Committee be appointed to search for precedents and report to this House as to the best mode of anticipating the sanction of the Act known as the *Appropriation Act* and warranting payments from the Treasury, necessary for carrying on the services of the Government, previous to the passing of such Act: such Committee to consist of the Honorables G. W. Cole, T. T. a'Beckett, T. H. Fellows, H. Miller, and the Mover—put and passed.

ADMINISTRATION OF LAW (JUSTICES) BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again this day week.
Ordered.

MEDICAL PRACTITIONERS' REGISTRATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again on Tuesday next.
Ordered.

ST. KILDA AND BRIGHTON RAILWAY ACT AMENDMENT BILL.—The Honorable J. B. Bennett, produced a certificate of the payment of the amount required to be paid to the Colonial Treasurer for the public uses of the Colony, and moved, in accordance with notice, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable J. B. Bennett moved, That the second reading of the Bill be made an Order of the Day for this day week.

Question—put and passed.

The Council adjourned at six o'clock until four o'clock on Wednesday, the 22nd instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 22ND MAY.

Government Business:—

ORDERS OF THE DAY:—

1. ABATTOIRS BILL.—To be read a second time.
2. WEIGHTS AND MEASURES BILL (2).—To be further considered in Committee.

General Business.

NOTICE OF MOTION:—

1. The Hon. T. H. FELLOWS: To move, That the Payment of Members Bill be now read a first time.

TUESDAY, 28TH MAY.

NOTICE OF MOTION:—

1. The Hon. G. W. COLE: To move—
 - (1.) That in the opinion of this Council there should be a complete revision of the Tariff.
 - (2.) That, in fixing duties for revenue, every consideration should be given to encourage skill and capital to be invested in agricultural and manufacturing industry of every description.

ORDERS OF THE DAY:—

1. DIVORCE BILL.—To be read a second time.
2. MELBOURNE AND ESSENDON RAILWAY BILL.—To be read a second time.
3. ADMINISTRATION OF LAW (JUSTICES) BILL.—To be further considered in Committee.
4. MEDICAL PRACTITIONERS' REGISTRATION BILL.—To be further considered in Committee.
5. ST. KILDA AND BRIGHTON EXTENSION RAILWAY ACT AMENDMENT BILL.—To be read a second time.

TUESDAY, 4TH JUNE.

ORDERS OF THE DAY:—

1. CALL OF THE HOUSE.
2. STATE AID TO RELIGION ABOLITION BILL.—To be read a second time.
3. ROYAL MINT IN VICTORIA.—Adjourned debate on consideration of message from Legislative Assembly.

NOTICE OF MOTION:—

The Hon. G. S. COPPIN : To move (*contingent* on the rejection of the Bill to abolish State Aid to Religion), That in the opinion of this House it is desirable that the Government should prepare and bring in a Bill to amend the constitution by reducing the amount secured for public worship under Schedule D to such sum as may be deemed sufficient for country districts, and for the discontinuance of State Aid to Religion in all cities, towns, and municipalities after the 31st day of December, 1861.

MEETING
OF
SELECT COMMITTEE.

Wednesday, 28th May.

CONSTITUTIONAL PAYMENTS—at 2 o'clock.

G. W. RUSDEN,
Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 22ND MAY, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

PETITION.—The Honorable G. W. Cole presented a petition under the common seal of the Corporation of Melbourne, signed by the Mayor, praying that the House will be pleased to refuse its assent to "The Abattoirs Bill."

The petition was read at the Table by the Clerk.

Petition received.

ABATTOIRS BILL.—The Order of the Day for the Second Reading of this Bill being read, the Honorable T. T. a'Beckett moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable T. T. a'Beckett moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

Question—That the Acting President do now leave the Chair—put and passed.

The Acting President left the Chair.

The Chairman of Committees reported progress and asked leave to sit again this day fortnight.

Ordered.

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

MR. ACTING PRESIDENT—

The Legislative Assembly return to the Legislative Council the Address to Her Most Gracious Majesty the Queen, expressive of the sympathy of the Legislative Assembly in the loss sustained by Her Majesty in the death of Her illustrious Mother the Duchess of Kent, and acquaint the Legislative Council that the Legislative Assembly have decided to present their own Address to Her Most Gracious Majesty the Queen, and therefore that the Legislative Assembly do not deem it necessary to assent to the amendment proposed to be made by the Legislative Council in the accompanying Address.

FRANS. MURPHY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 22nd May, 1861.

ADDRESS OF CONDOLENCE TO HER MAJESTY THE QUEEN.—The Honorable T. T. a'Beckett, with leave of the Council, moved, without notice, That a Select Committee be appointed to prepare an Address to Her Majesty the Queen, expressing the sympathy of this Council with Her Majesty on the occasion of the Death of Her Royal Highness the Duchess of Kent; such Committee to consist of the Honorables the Acting President, T. H. Power, J. F. Strachan, J. P. Fawkner, and the Mover.

Question—put and passed.

The Honorable J. P. Fawkner moved, That the Council do now adjourn during pleasure, in order that the Committee may prepare the Address.

Question—put and passed.

The Council adjourned during pleasure.

The Acting President having resumed the Chair, the Honorable T. T. a'Beckett brought up the Address prepared by the Select Committee.

The Address was read at the Table by the Clerk as follows :—

We, your Majesty's dutiful and loyal subjects, the President and Members of the Legislative Council of the Colony of Victoria, in Parliament assembled, desire to convey to your Majesty the assurance of our sincere attachment to your Majesty's throne and person.

We have learned with deep regret the loss sustained by your Majesty in the death of your Majesty's illustrious Mother Her Royal Highness the Duchess of Kent, and beg to express to your Majesty our fullest sympathy on the occasion of such a bereavement.

We doubt not that your Majesty has found in your deep affliction that consolation which is the portion of those who acknowledge and reverence the hand of Almighty God in the dispensations of His Providence.

The Honorable T. T. a'Beckett moved, That the Address be now adopted.

Question—put and passed.

The Honorable T. T. a'Beckett moved, That the Address be presented to His Excellency the Governor for transmission to England, by the Acting President and such other members as may wish to accompany him.

Question—put and passed.

WEIGHTS AND MEASURES BILL (2).—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported progress and asked leave to sit again this day fortnight.

Ordered.

PAYMENT OF MEMBERS BILL.—The Honorable T. H. Fellows, in accordance with notice, moved, That this Bill be read a first time, printed, and read a second time this day week.

Question—put and passed.

Bill read a first time.

ADJOURNMENT.—The Honorable T. T. a'Beckett, with leave of the Council, moved, without notice, That the House at its rising this day adjourn until Tuesday next.

Question—put and passed.

The Council adjourned at twenty minutes past six o'clock until four o'clock on Tuesday, the 28th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 28TH MAY.

NOTICE OF MOTION :—

1. The Hon. G. W. COLE: To move—

(1.) That in the opinion of this Council there should be a complete revision of the Tariff.

(2.) That, in fixing duties for revenue, every consideration should be given to encourage skill and capital to be invested in agricultural and manufacturing industry of every description.

ORDERS OF THE DAY :—

1. DIVORCE BILL.—To be read a second time.
2. MELBOURNE AND ESSENDON RAILWAY BILL.—To be read a second time.
3. ADMINISTRATION OF LAW (JUSTICES) BILL.—To be further considered in Committee.
4. MEDICAL PRACTITIONERS' REGISTRATION BILL.—To be further considered in Committee.
5. ST. KILDA AND BRIGHTON EXTENSION RAILWAY ACT AMENDMENT BILL.—To be read a second time.

WEDNESDAY, 29TH MAY.

General Business :—

ORDER OF THE DAY :—

1. PAYMENT OF MEMBERS BILL.—To be read a second time.

TUESDAY, 4TH JUNE.

ORDERS OF THE DAY:—

1. CALL OF THE HOUSE.
2. STATE AID TO RELIGION ABOLITION BILL.—To be read a second time.
3. ROYAL MINT IN VICTORIA.—Adjourned debate on consideration of message from Legislative Assembly.

NOTICE OF MOTION:—

The Hon. G. S. COPPIN : To move (*contingent* on the rejection of the Bill to abolish State Aid to Religion), That in the opinion of this House it is desirable that the Government should prepare and bring in a Bill to amend the constitution by reducing the amount secured for public worship under Schedule D to such sum as may be deemed sufficient for country districts, and for the discontinuance of State Aid to Religion in all cities, towns, and municipalities after the 31st day of December, 1861.

WEDNESDAY, 5TH JUNE.

Government Business :—

ORDERS OF THE DAY:—

1. ABATTOIRS BILL.—To be further considered in Committee.
2. WEIGHTS AND MEASURES BILL (2).—To be further considered in Committee.

MEETING
OF
SELECT COMMITTEE.

Tuesday, 28th May.

CONSTITUTIONAL PAYMENTS—at 2 o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 28TH MAY, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

ADDRESS OF CONDOLENCE TO HER MAJESTY THE QUEEN.—The Acting President announced to the Council that he had presented to His Excellency the Governor the Address of Condolence to Her Majesty the Queen, adopted by the House on the 22nd instant, and that His Excellency had been pleased to address him in the following words:—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL—

I will take care that your loyal and dutiful Address of Condolence on the occasion of the Death of Her Royal Highness the Duchess of Kent is presented, in the most acceptable way, to Her Most Gracious Majesty the Queen, who cannot fail to be gratified by this fresh proof of the attachment and sympathy of Her subjects in this important though distant portion of Her vast Empire.

HENRY BARKLY.

Government Offices,
Melbourne, 23rd May, 1861.

REVISION OF TARIFF.—The Honorable G. W. Cole, in accordance with notice, moved—
That in the opinion of this Council there should be a complete revision of the Tariff.
That, in fixing duties for revenue, every consideration should be given to encourage skill and capital to be invested in agricultural and manufacturing industry of every description.

Debate ensued.

The Honorable T. T. a'Beckett moved the previous question.

Question—That this question be now put—put and negatived.

PETITION.—The Honorable J. P. Fawkner presented a Petition, signed by W. Thomson, M.R.C.S., and another, praying that certain amendments may be made in the Medical Practitioners' Registration Bill.

Petition received.

DIVORCE BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable J. P. Fawkner moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

Ordered—That the Bill be now considered in Committee of the whole Council.

Question—That the Acting President do now leave the Chair—put and passed.

The Acting President left the Chair.

The Chairman of Committees reported progress and asked leave to sit again to-morrow.

Ordered.

MELBOURNE AND ESSENDON RAILWAY BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. T. a'Beckett moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable T. T. a'Beckett moved, That the committal of the Bill be made an Order of the Day for to-morrow.

Question—put and passed.

ADMINISTRATION OF LAW (JUSTICES) BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported that the Committee had gone through the Bill, and had agreed to the same with amendments.

The Honorable T. H. Fellows moved, That the Bill be now re-committed to the consideration of a Committee of the whole Council.

Question—put and passed.

Question—That the Acting President do now leave the Chair—put and passed.

The Acting President left the Chair.

The Chairman of Committees reported that the Committee had gone through the Bill, and had agreed to the same with amendments, and had amended the title of the Bill by striking out the words “and Wardens of the Gold Fields” therefrom.

The Honorable T. H. Fellows moved, That the adoption of the Report be made an Order of the Day for Tuesday next.

Question—put and passed.

MEDICAL PRACTITIONERS' REGISTRATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again on Tuesday next.

Ordered.

ST. KILDA AND BRIGHTON EXTENSION RAILWAY ACT AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable G. S. Coppin moved, That the Bill be now read a second time.

The President stated that the Standing Order, No. CXV., had not been complied with by the promoters of the Bill.

The Honorable G. S. Coppin, with leave of the Council, moved, without notice, That the Standing Order, No. CXV., be suspended, in order that the Bill may now be read a second time.

Question—put and passed.

Question—That the Bill be now read a second time—put and passed.

Bill read a second time.

The Honorable G. S. Coppin moved, That the committal of the Bill be made an Order of the Day for Tuesday next.

Question—put and passed.

ADJOURNMENT.—The Honorable T. T. a'Beckett, with leave of the Council, moved, without notice, That the House at its rising this day adjourn until Tuesday next.

Question—put and passed.

POSTPONEMENTS.—The Honorable T. T. a'Beckett moved, That the business set down on the paper for the remainder of the week be postponed until Wednesday next.

Question—put and passed.

The Council adjourned at five minutes to seven o'clock until four o'clock on Tuesday, the 4th proximo.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 4TH JUNE.

ORDERS OF THE DAY:—

1. CALL OF THE HOUSE.
2. STATE AID TO RELIGION ABOLITION BILL.—To be read a second time.
3. ROYAL MINT IN VICTORIA.—Adjourned debate on consideration of Message from Legislative Assembly.
4. ADMINISTRATION OF LAW (JUSTICES) BILL.—Adoption of Report.
5. MEDICAL PRACTITIONERS' REGISTRATION BILL.—To be further considered in Committee.
6. ST. KILDA AND BRIGHTON EXTENSION RAILWAY ACT AMENDMENT BILL.—To be considered in Committee.

NOTICE OF MOTION:—

The Hon. G. S. COPPIN: To move (*contingent* on the rejection of the Bill to abolish State Aid to Religion), That in the opinion of this House it is desirable that the Government should prepare and bring in a Bill to amend the constitution by reducing the amount secured for public worship under Schedule D to such sum as may be deemed sufficient for country districts, and for the discontinuance of State Aid to Religion in all cities, towns, and municipalities after the 31st day of December, 1861.

WEDNESDAY, 5TH JUNE.

Government Business.

ORDERS OF THE DAY :—

1. ABATTOIRS BILL.—To be further considered in Committee.
2. WEIGHTS AND MEASURES BILL (2).—To be further considered in Committee.

General Business.

NOTICES OF MOTION :—

1. The Hon. G. ROLFE : To move for leave to introduce a Bill to authorise the Solicitors or Procurators of the Sheriff Courts of Scotland, and their Articled Clerks, to be admitted Attorneys, Solicitors, and Proctors of the Supreme Court of the Colony of Victoria.
2. The Hon. G. ROLFE : To move for leave to introduce a Bill to confer on Notaries Public of Ireland and Scotland the same rights and privileges in the Colony of Victoria as Notaries Public appointed in England, and now officiating in this Colony.

ORDERS OF THE DAY :—

1. PAYMENT OF MEMBERS BILL.—To be read a second time.
2. DIVORCE BILL.—To be further considered in Committee.
3. MELBOURNE AND ESSENDON RAILWAY BILL.—To be considered in Committee.

M E E T I N G

OF

S E L E C T C O M M I T T E E .

Tuesday, 4th June.

WASTE LANDS—at 3 o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 4TH JUNE, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

PAPERS.—The Honorable T. T. a'Beckett presented to the Council the following papers:—

1. Langi Ghiran—Farmers' Commons, Proclamation of (21st May, 1861).
2. Greenfield—Farmers' Commons, Proclamation of (6th May, 1861).
3. Red Bank—Gold Fields Common, Proclamation of (6th May, 1861).
4. Waranga and Woolshed—Gold Fields Commons alteration, Proclamation of (6th May 1861).
5. Farmers' Commons (Cut-paw-paw, Doutta Galla, Derrimut, Gisborne, Bullengarook), Proclamation of (13th May, 1861).
6. Wedderburne—Gold Fields Common enlarged, Proclamation (6th May, 1861).
7. Emerald Hill—a Town, Proclamation of (13th May 1861).
8. Bowman's Forest—Farmers' Common, Proclamation of (13th May, 1861).
9. Yarra Bend Lunatic Asylum, Report for 1860.

Ordered severally to lie on the Table.

PETITIONS.—The Honorable W. H. F. Mitchell presented a Petition, signed by J. J. Casey and others at Bendigo, praying that the Council will give its assent to a District Insolvent Courts Bill.

Petition received.

The Honorable B. Williams presented two similar Petitions, signed by G. B. Kerforth, Chairman of the Municipality of Beechworth, and by A. K. Sheppard and others, respectively.

Petitions received.

The Honorable J. F. Strachan presented a Petition signed by John Lowe and others, inhabitants of Geelong, praying that the House will strike out of the Abattoirs Bill so much as relates to Geelong, and will neither affirm the principle that the granting of Slaughtering Licences should be removed from the control of the Colonial Magistracy and placed in the hands of any corporate body whatever, nor permit the extension of any corporation jurisdiction beyond the defined boundary of any such city or town.

Petition received.

The Honorable J. F. Strachan moved, That the Petition be referred to the Committee of the whole Council on the Bill.

Question—put and passed.

The Honorable A. Fraser presented a Petition, signed by Joseph Beer and others, at Dunolly, praying that the Council will give its sanction to any Bill which has for its object the repeal of the provision of State Aid to Religion in the Constitution Act, and the abolition of State aid to Religion throughout Victoria.

Petition received.

The Honorable J. P. Fawcner presented a similar Petition, signed by Robert Hamilton and others, resident in Fitz Roy.

Petition received.

The Honorable J. P. Fawcner moved, That the Petition be referred to the Committee of the whole Council to which the Bill to abolish State Aid may be referred.

Question—put and passed.

The Honorable J. F. Strachan presented a Petition, signed by C. H. Lyon and others, inhabitants of Ballan, praying the House to pause ere it pass a Bill, in the opinion of the Petitioners, so opposed to the diffusion of Christianity and the best interests of the country as the Bill to abolish State Aid to Religion.

Petition received.

The Petition was read at the Table by the clerk.

The Honorable J. P. Fawkner presented a Petition, signed by T. Townend and others, inhabitants of Collingwood, praying for the abolition of State Aid to Religion.

Petition received.

The Honorable J. P. Fawkner moved, That the Petition be referred to the Committee of the whole Council to which the Bill to abolish State Aid may be referred.

Question—put and passed.

The Honorable G. S. Coppin presented a similar Petition, signed by James Oddie, of Ballaarat.

Petition received.

The Honorable G. S. Coppin moved, That the Petition be referred to the Committee of the whole Council to which the Bill to abolish State Aid may be referred.

Question—put and passed.

The Honorable J. Sutherland presented a similar Petition, signed by Richard Fletcher and others of St. Kilda.

Petition received.

The Honorable J. Sutherland moved, That the Petition be referred to the Committee of the whole Council to which the Bill to abolish State Aid may be referred.

Question—put and passed.

The Honorable J. P. Fawkner presented a Petition signed by Alexander Cattach and others, praying that the Council will pass the Abattoirs Bill.

Petition received.

The Honorable J. P. Fawkner moved, That the Petition be referred to the Committee on the Bill.

Question—put and passed.

The Honorable J. B. Bennett presented a Petition signed by James Scott and others, inhabitants of Melbourne, praying that the House will refuse its assent to the Bill to abolish State Aid, until the opinion of the people of the Colony may have been taken upon the question, or to do otherwise on the premises as to the House may seem meet.

Petition received.

The Petition was read at the Table by the Clerk.

The Honorable W. Hull presented a Petition, signed by Charles Britten and others, of Richmond, praying that the House will give its sanction to abolish State Aid to Religion.

Petition received.

The Honorable T. T. a'Beckett presented a similar Petition, signed by William Kidney and others, inhabitants of Collingwood.

Petition received.

The Honorable T. T. a'Beckett moved, That the Petition be referred to the Committee of the whole Council to which the Bill may be referred.

Question—put and passed.

The Honorable G. Rolfe presented similar Petitions, from Andrew Macarthur and other inhabitants at Northcote; from James Mackintosh and other inhabitants at Broadmeadows; from J. L. Poore and others, at Victoria-parade, Melbourne; from George Beeston and others, at Hawthorn; from Walter Adamson and other inhabitants of Queenscliff; from William Moss and others, at Prahran; from S. Stephens and others, at Footscray; from J. C. McMichael and others, at Geelong; from Francis Tunstall and others, at Chewton; from W. Robinson and others, at Williamstown; from H. Langlands and others, of Melbourne; from W. B. Landells and others, at Collingwood; from Thomas Odell and others of the Congregational Union and Mission in Victoria.

Petitions received.

The Petitions were severally, on the motion of the Honorable G. Rolfe, referred to the Committee of the whole Council to which the Bill may be referred.

The Honorable F. Robertson presented a similar Petition from J. W. Healey and others at Gisborne.

Petition received.

The Honorable C. Vaughan presented similar Petitions from R. Hamilton and others of Melbourne, from Richard Connebee and others of Kew, from Kerr Johnston and others of Sandridge.

Petitions received.

The Petitions were severally, on the motion of the Honorable C. Vaughan, referred to the Committee of the whole Council to which the Bill may be referred.

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

MR. ACTING PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to appoint Commissioners of Insolvent Estates for Circuit Districts*," in which they desire the concurrence of the Legislative Council.

FRANS. MURPHY,
Speaker.

Legislative Assembly Chambers,
Melbourne, 4th June, 1861.

DISTRICT INSOLVENT COURTS BILL.—The Honorable T. T. a'Beckett moved, That this Bill be now read a first time, printed, and read a second time on Tuesday next.
Question—put and passed.
Bill read a first time.

PETITIONS IN FAVOR OF ABOLITION OF STATE AID.—The Honorable A. Fraser, with leave of the Council moved, without notice, That the Petitions received by the Council before this day during this session, praying for the abolition of State Aid to Religion, be referred to the Committee of the whole Council to which the Bill to abolish State Aid to Religion may be referred.

Question—put and passed.

CALL OF THE HOUSE.—The Order of the Day for a Call of the House being called on, the names of the Members of the House were called over by the Clerk.

It appeared that the only Member absent was the Honorable Sir James F. Palmer, absent on leave.

STATE AID TO RELIGION ABOLITION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable A. Fraser moved, That the Bill be now read a second time.

Debate ensued.

The Council adjourned for one hour, at half-past six o'clock.

The Acting President left the Chair.

At half-past seven o'clock the Acting President resumed the Chair.

The Honorable J. P. Fawcner moved, That the debate on the second reading of the State Aid to Religion Abolition Bill be now adjourned.

Debate ensued.

Motion for the adjournment of the debate, by leave, withdrawn.

Question—That the Bill be now read a second time—put.

Council divided.

Contents, 9.
The Hon. J. McCrae
J. Henty
G. Rolfe
J. Stewart
J. P. Fawcner
A. Fraser
G. S. Coppin
Dr. Wilkie
Dr. Hope (*Teller*).

Not Contents, 15.
The Hon. R. Thomson
S. G. Henty
G. W. Cole
B. Williams
W. Hull
W. Degraives
F. Robertson
W. Highett
H. Miller
J. Sutherland
J. F. Strachan
W. H. F. Mitchell
N. Black
J. B. Bennett
T. T. a'Beckett (*Teller*).

The question was therefore negatived.

POSTPONEMENT.—The Order of the Day for the resumption of the adjourned debate on the Message from the Legislative Assembly, with an Address on the subject of a Branch of the Royal Mint in Victoria, was postponed until to-morrow.

ADMINISTRATION OF LAW (JUSTICES) BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read—The Honorable T. T. a'Beckett moved, That the Report be now adopted.

Question—put and passed.

The Acting President having reported that the Chairman of Committees had certified that the fair copy of the Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable T. T. a'Beckett, was read a third time and *passed*.

The Honorable T. T. a'Beckett moved, That the title of the Bill be, "*An Act for the better Administration of the Law by Justices of the Peace and for other purposes in connection therewith.*"

Question—put and passed.

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

MEDICAL PRACTITIONERS' REGISTRATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again to-morrow.

Ordered.

POSTPONEMENT.—The following Order of the Day was postponed until Wednesday, the 5th instant, then to take precedence of all other business:—

"*St. Kilda and Brighton Railway Extension Bill*"—to be considered in Committee.

The Council adjourned at a quarter past nine o'clock until four o'clock on Wednesday, the 5th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 5TH JUNE.

General Business.

ORDER OF THE DAY :—

1. ST. KILDA AND BRIGHTON RAILWAY ACT EXTENSION BILL.—To be considered in Committee.

Government Business.

ORDERS OF THE DAY :—

1. ABATTOIRS BILL.—To be further considered in Committee.
2. WEIGHTS AND MEASURES BILL (2).—To be further considered in Committee.
3. ROYAL MINT IN VICTORIA.—Adjourned debate on consideration of Message from Legislative Assembly.

General Business.

NOTICES OF MOTION :—

1. The Hon. G. ROLFE : To move for leave to introduce a Bill to authorise the Solicitors or Procurators of the Sheriff Courts of Scotland, and their Articled Clerks, to be admitted Attorneys, Solicitors, and Proctors of the Supreme Court of the Colony of Victoria.
2. The Hon. G. ROLFE : To move for leave to introduce a Bill to confer on Notaries Public of Ireland and Scotland the same rights and privileges in the Colony of Victoria as Notaries Public appointed in England, and now officiating in this Colony.
3. The Hon. G. S. COPPIN : To move, That in the opinion of this House it is desirable that the Government should prepare and bring in a Bill to amend the constitution by reducing the amount secured for public worship under Schedule D to such sum as may be deemed sufficient for country districts, and for the discontinuance of State Aid to Religion in all cities, towns, and municipalities after the 31st day of December, 1861.

ORDERS OF THE DAY :—

1. PAYMENT OF MEMBERS BILL.—To be read a second time.
2. DIVORCE BILL.—To be further considered in Committee.
3. MELBOURNE AND ESSENDON RAILWAY BILL.—To be considered in Committee.
4. MEDICAL PRACTITIONERS' REGISTRATION BILL.—To be further considered in Committee.

TUESDAY, 11TH JUNE.

ORDER OF THE DAY :—

1. DISTRICT INSOLVENT COURTS BILL.—To be read a second time.

M E E T I N G
OF
S E L E C T C O M M I T T E E .

Thursday, 6th June.

STANDING ORDERS—at half-past 3 o'clock.

G. W. RUSDEN,
Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 5TH JUNE, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

PETITIONS.—The Honorable J. P. Fawkner presented a Petition from Thomas Wilkinson and others, resident at Brunswick, praying that the Council will pass the Abattoirs Bill without alteration.

Petition received.

The Honorable J. P. Fawkner presented a Petition under the Seal of the Corporation of the Municipal District of Fitz Roy, praying that certain alterations may be made in the Abattoirs Bill.

Petition received.

The Honorable J. P. Fawkner moved, That the Petitions be referred to the Committee on the Abattoirs Bill.

Question—put and passed.

The Honorable Dr. Hope presented a Petition from John Atkin and others, inhabitants of Geelong, praying that the Council will pass the Abattoirs Bill.

Petition received.

The Honorable Dr. Hope moved, That the Petition be referred to the Committee on the Bill.

Question—put and passed.

The Honorable A. Fraser presented a Petition from Benjamin Williams and others, inhabitants of St. Kilda, praying that the Council will pass the Abattoirs Bill.

Petition received.

The Honorable A. Fraser moved, That the Petition be referred to the Committee on the Bill.

Question—put and passed.

The Honorable W. Hull presented a Petition from H. G. Cameron and others, inhabitants of Richmond, praying that the Council will pass the Abattoirs Bill.

Petition received.

The Honorable W. Hull moved, That the Petition be referred to the Committee on the Bill.

Question—put and passed.

The Honorable W. Hull presented a Petition, signed by J. K. Freyer and others, members of the Municipal Council of Williamstown, praying that the Weights and Measures Bill (2) may be passed by the Council.

Petition received.

The Honorable W. Hull moved, That the Petition be referred to the Committee on the Bill.

Question—put and passed.

The Honorable T. T. a'Beckett presented a Petition from Thomas Greenwood and others, inhabitants of Collingwood, praying that the Abattoirs Bill may be passed by the Council.

Petition received.

The Honorable T. T. a'Beckett moved, That the Petition be referred to the Committee on the Bill.

Question—put and passed.

The Honorable G. Rolfe presented a Petition under the Seal of the Municipal Council of Maldon, praying that the Council will pass the District Insolvent Courts Bill.

Petition received.

ST. KILDA AND BRIGHTON RAILWAY ACT EXTENSION BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council being read, the Honorable J. B. Bennett moved, That the Acting President do now leave the Chair.

Question—put and passed.

The Acting President left the Chair.

The Chairman of Committees reported that the Committee had gone through the Bill, and had agreed to the same without amendment.

The Honorable J. B. Bennett, with leave of the Council, moved, without notice, That the Standing Order CXIII. be suspended, in order that the Report of the Committee may be now adopted.

Question—put and passed.

The Honorable J. B. Bennett moved, That the Report of the Committee on the Bill be now adopted.

Question—put and passed.

Ordered—That the third reading of the Bill be made an Order of the Day for to-morrow.

The Council adjourned for one hour at half-past six o'clock.

The Acting President left the Chair.

At half-past seven o'clock the Acting President resumed the Chair.

ABATTOIRS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again on Tuesday next. Ordered.

WEIGHTS AND MEASURES BILL (2).—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again to-morrow.

Ordered.

WEIGHTS AND MEASURES BILL.—The Honorable T. H. Fellows, with leave of the Council, moved, without notice, That the adoption of the Report of the Committee of the whole Council on this Bill be made an Order of the Day for to-morrow.

Question—put and passed.

ROYAL MINT IN VICTORIA—BRANCH OF.—The Order of the Day for the resumption of the debate on the Message from the Legislative Assembly with an Address to Her Majesty the Queen, being read, the debate was resumed.

Question—That the Council agree to the Address to Her Most Gracious Majesty the Queen, transmitted to the Council in a Message from the Legislative Assembly on the 25th April last—put.

Council divided.

Contents, 12.

The Hon. G. W. Cole
B. Williams
G. Rolfe
W. H. F. Mitchell
J. McCrae
F. Robertson
Dr. Wilkie
Dr. Hope
J. Stewart
A. Fraser
G. S. Coppin
T. T. a'Beckett (*Teller*).

Not Contents, 13.

The Hon. J. P. Fawcner
D. Kennedy
T. H. Power
J. B. Bennett
S. G. Henty
W. Degraives
W. Hull
J. Sutherland
J. F. Strachan
W. Highett
J. Henty
R. Thomson
T. H. Fellows (*Teller*).

The question was therefore negatived.

The Honorable T. H. Fellows moved, That a Message be sent to the Legislative Assembly to acquaint them that the Council think it unadvisable to agree to an Address to Her Most Gracious Majesty, praying for the establishment of a Branch of the Royal Mint in the Colony, until statutory provision shall have been made for defraying the charges of such Mint, and for fixing the seigniori to be paid to the Crown.

Question—put and passed.

STATE AID TO RELIGION.—The Honorable G. S. Coppin, in accordance with notice, moved, That in the opinion of this House it is desirable that the Government should prepare and bring in a Bill to amend the Constitution by reducing the amount secured for public worship under Schedule D to such sum as may be deemed sufficient for country districts, and for the discontinuance of State Aid to Religion in all cities, towns, and municipalities after the 31st day of December, 1861.

Debate ensued.

Amendment moved by the Honorable W. H. F. Mitchell, That all the words after the second word "that" be omitted, with a view to insert the words "whenever there shall be one thousand adults within a radius of three miles, and of one denomination, that they shall be debarred from receiving any portion of the grant for advancing the Christian religion; to take effect from the 31st December, 1862."

Debate ensued.

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

Debate ensued.

Question—put.
Council divided.

Contents, 11.
The Hon. W. Highett
J. B. Bennett
W. Degraives
S. G. Henty
W. Hull
J. Sutherland
W. H. F. Mitchell
B. Williams
G. W. Cole
T. H. Fellows
T. T. a'Beckett (*Teller*).

Not Contents, 14.
The Hon. T. H. Power
D. Kennedy
G. S. Coppin
J. F. Strachan
Dr. Hope
Dr. Wilkie
F. Robertson
R. Thomson
A. Fraser
J. Stewart
J. Henty
J. P. Fawkner
G. Rolfe
J. McCrae (*Teller*).

The question was therefore negatived.

The Honorable W. H. F. Mitchell moved, That the House do now adjourn.

Debate ensued.

Question—put and negatived.

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

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

The Honorable J. F. Strachan moved, That the following words be inserted after the second word "that," viz., "a Bill should be brought in by the Government to amend the Constitution, by providing, under the head of Public Worship, in Schedule D, so as to exclude, in the distribution of the vote, the city, town of Geelong, and all municipalities from any participation in the vote, having a population of one thousand inhabitants."

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

Council divided.

Contents, 13.
The Hon. T. H. Fellows
G. S. Coppin
T. H. Power
D. Kennedy
G. Rolfe
J. P. Fawkner
J. Stewart
J. F. Strachan
Dr. Hope
R. Thomson
Dr. Wilkie
J. Henty
J. McCrae (*Teller*).

Not Contents, 11.
The Hon. G. W. Cole
S. G. Henty
W. Degraives
F. Robertson
W. Highett
J. Sutherland
B. Williams
W. Hull
W. H. F. Mitchell
J. B. Bennett
T. T. a'Beckett (*Teller*).

The question was therefore passed.

Question—That in the opinion of this House it is desirable that a Bill should be brought in by the Government to amend the Constitution, by providing, under the head of Public Worship, in Schedule D, so as to exclude, in the distribution of the vote, the city, town of Geelong, and all municipalities from any participation in the vote, having a population of one thousand inhabitants—put and passed.

POSTPONEMENT.—The following Order of the Day was postponed until Wednesday, the 12th instant.

"*Payment of Members Bill*"—to be read a second time.

DIVORCE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again to-morrow.

Ordered—And that the said Order of the Day do take precedence of all other Orders of the Day.

MELBOURNE AND ESSENDON RAILWAY BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council being read, the Honorable J. B. Bennett moved, That the Acting President do now leave the Chair.

Question—put and passed.

The Acting President left the Chair.

The Chairman of Committees reported that the Committee had gone through the Bill, and had agreed to the same, without amendment.

The Honorable J. B. Bennett moved, That the Standing Order CXIII. be suspended, in order that the Report of the Committee may be now adopted.

Question—put and passed.

The Honorable J. B. Bennett moved, That the Report be now adopted.

Question—put and passed.

Ordered—That the third reading of the Bill be made an Order of the Day for to-morrow.

MEDICAL PRACTITIONERS' REGISTRATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again to-morrow. Ordered.

The Council adjourned at five minutes to eleven until four o'clock on Thursday, the 6th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 6TH JUNE.

1. The Hon. T. H. POWER: To ask on what conditions the Government granted Crown Land to the Melbourne and Suburban Railway Company, and if, under the conditions, the Company have the power to stop the line now opened to Hawthorn.

NOTICES OF MOTION:—

1. The Hon. J. F. STRACHAN: To move—
 - (1.) That this House is of opinion that important Bills and Measures should not be pressed on its consideration at the close of a session.
 - (2.) That, in consequence of the late period of the present session, and with the view of bringing the sittings of Parliament as much as possible within the Winter months, and in order that the Estimates for 1862 may be prepared and passed before the expiration of the current year, this House is of opinion that no business except that now on the paper and the Appropriation Bill should be taken up or receive its consideration this session.
2. The Hon. G. ROLFE: To move for leave to introduce a Bill to authorise the Solicitors or Procurators of the Sheriff Courts of Scotland, and their Articled Clerks, to be admitted Attorneys, Solicitors, and Proctors of the Supreme Court of the Colony of Victoria.
3. The Hon. G. ROLFE: To move for leave to introduce a Bill to confer on Notaries Public of Ireland and Scotland the same rights and privileges in the Colony of Victoria as Notaries Public appointed in England, and now officiating in this Colony.

ORDERS OF THE DAY:—

1. DIVORCE BILL.—To be further considered in Committee.
2. ST. KILDA AND BRIGHTON RAILWAY ACT EXTENSION BILL.—To be read a third time.
3. WEIGHTS AND MEASURES BILL (2).—To be further considered in Committee.
4. WEIGHTS AND MEASURES BILL.—Adoption of Report.
5. MELBOURNE AND ESSENDON RAILWAY BILL.—To be read a third time.
6. MEDICAL PRACTITIONERS' REGISTRATION BILL.—To be further considered in Committee.

TUESDAY, 11TH JUNE.

ORDERS OF THE DAY:—

1. DISTRICT INSOLVENT COURTS BILL.—To be read a second time.
2. ABATTOIRS BILL.—To be further considered in Committee.

WEDNESDAY, 12TH JUNE.

General Business.

ORDER OF THE DAY:—

1. PAYMENT OF MEMBERS BILL.—To be read a second time.

M E E T I N G S

OF

S E L E C T C O M M I T T E E S .

Thursday, 6th June.

PARLIAMENT BUILDINGS (JOINT)—at 3 o'clock.

STANDING ORDERS—at half-past 3 o'clock.

Tuesday, 11th June.

REFRESHMENT ROOMS (JOINT)—at half-past 3 o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 6TH JUNE, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

WASTE LANDS.—REPORT OF SELECT COMMITTEE.—The Honorable G. Rolfe brought up the Report from the Select Committee of the Council, appointed on the 13th March last, to take into consideration certain Resolutions on Waste Lands, and moved that the same be printed.

Question—put and passed.

MONEY PAID TO RELIGIOUS DENOMINATIONS.—The Honorable T. T. a'Beckett laid on the Table a Return to an Order of the Council made on the 17th April last.

PAPERS.—The Honorable T. T. a'Beckett presented to the Council the following Paper:—
Amherst—Mining Operations on Reserved Land authorized.—Order in Council
(21st May, 1861).

Ordered to lie on the Table.

BILLS AND MEASURES OF THE SESSION.—The Honorable J. F. Strachan, in accordance with amended notice, moved—

- (1.) That this House is of opinion that important Bills and Measures should not be pressed on its consideration at the close of a session.
- (2.) That, in consequence of the late period of the present session, and with the view of bringing the sittings of Parliament as much as possible within the Winter months, and in order that the Estimates for 1862 may be prepared and passed before the expiration of the current year, this House is of opinion that, after the expiration of one week from this date, no public business except that then on the paper and the Appropriation Bill should be taken up or receive its consideration this session; and further, this House pledges itself not to undertake any fresh business in any year after the 1st of December until the Appropriation Bill for the ensuing year shall have been sent to this House.

Debate ensued.

Question—put.

Council divided.

Contents, 15.
The Hon. T. H. Fellows
T. H. Power
G. Rolfe
J. F. Strachan
S. G. Henty
J. Sutherland
W. H. F. Mitchell
W. Highett
Dr. Hope
D. Kennedy
A. Fraser
J. B. Bennett
G. S. Coppin
J. P. Fawkner
R. Thomson (*Teller*).

Not Contents, 2.
The Hon. G. W. Cole
T. T. a'Beckett (*Teller*).

The question was therefore passed.

DIVORCE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported that the Committee had gone through the Bill, and had agreed to the same without amendment.

The Honorable J. P. Fawcner moved, That the report of the Committee be now adopted.

Question—put and passed.

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

The Honorable J. P. Fawcner moved, That the title of the Bill be “*An Act to amend the Law relating to Divorce and Matrimonial Causes.*”

Question—put and passed.

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

ST. KILDA AND BRIGHTON RAILWAY ACT EXTENSION BILL.—The Acting President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable J. B. Bennett, was read a third time and *passed*.

The Honorable J. B. Bennett moved, That the title of the Bill be “*An Act to enable the St. Kilda and Brighton Railway Company to extend their Railway to the shore of Port Phillip Bay to make a deviation in their main line to construct a pier and other works to raise further sums of money to issue preference shares and for other purposes.*”

Question—put and passed.

Ordered—That a Message be sent to the Legislative Assembly to acquaint them that the Council have agreed to the Bill without any amendment.

POSTPONEMENT.—The Order of the Day for the further consideration of the Weights and Measures Bill (2) was postponed until this day week.

WEIGHTS AND MEASURES BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable T. H. Fellows moved, That the Report be now adopted.

Question—put and passed.

Ordered—That the third reading of the Bill be made an Order of the Day for Tuesday next.

MELBOURNE AND ESSENDON RAILWAY BILL.—The Acting President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable J. B. Bennett, was read a third time and *passed*.

The Honorable J. B. Bennett moved, That the title of the Bill be “*An Act to authorise the Melbourne and Essendon Railway Company to make a branch railway to the Race course and for other purposes.*”

Question—put and passed.

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

MEDICAL PRACTITIONERS' REGISTRATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported that the Committee had gone through the Bill, and had agreed to the same with amendments.

The Honorable Dr. Hope moved, That the adoption of the Report of the Committee be made an Order of the Day for Tuesday next.

Question—put and passed.

The Council adjourned at a quarter to seven o'clock until four o'clock on Tuesday, the 11th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 11TH JUNE.

NOTICE OF MOTION :—

1. The Hon. G. ROLFE: To move, That the Report of the Select Committee, to which were referred the Resolutions on the Waste Lands of the Colony, be taken into consideration.

ORDERS OF THE DAY :—

1. DISTRICT INSOLVENT COURTS BILL.—To be read a second time.
2. ABATTOIRS BILL.—To be further considered in Committee.
3. WEIGHTS AND MEASURES BILL.—To be read a third time.
4. MEDICAL PRACTITIONERS' REGISTRATION BILL.—Adoption of Report.

WEDNESDAY, 12TH JUNE.

General Business.

ORDER OF THE DAY:—

1. PAYMENT OF MEMBERS BILL.—To be read a second time.
-

THURSDAY, 13TH JUNE.

ORDER OF THE DAY:—

1. WEIGHTS AND MEASURES BILL (2).—To be further considered in Committee.
-

M E E T I N G S

OF

S E L E C T C O M M I T T E E S .

Tuesday, 11th June.

CONSTITUTIONAL PAYMENTS—at 2 o'clock.

PARLIAMENT BUILDINGS (JOINT)—at 3 o'clock.

REFRESHMENT ROOMS (JOINT)—at half-past 3 o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 11TH JUNE, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.
The Acting President read the Prayer.

PAPERS.—The Honorable T. T. a'Beckett presented to the Council the following Papers:—

1. Wendouree Swamp—Order in Council authorising Mining Operations at (27 May, 1861).
2. Camperdown Town Common enlarged—Proclamation of (27 May, 1861).
3. Williamstown Common enlarged—Proclamation of (13 May, 1861).

Ordered severally to lie on the Table.

PETITIONS.—The Honorable W. H. F. Mitchell presented a Petition, under the Seal of the Municipal Council of Sandhurst, praying that the District Insolvent Courts Bill may be passed into law.

Petition received.

The Honorable W. H. F. Mitchell moved, That the Petition be referred to the Committee of the whole Council to which the Bill may be referred.

Question—put and passed.

The Honorable W. H. F. Mitchell presented a Petition with a similar Prayer, signed by Francis Brothers and others of the Town of Sandhurst and District of Bendigo.

Petition received.

The Honorable W. H. F. Mitchell moved, That the Petition be referred to the Committee of the whole Council to which the Bill may be referred.

Question—put and passed.

The Honorable Dr. Hope presented a Petition, under the Seal of the Corporation of Geelong, praying that the Abattoirs Bill may be passed into law.

Petition received.

The Honorable Dr. Hope moved, That the Petition be referred to the Committee on the Bill.

Question—put and passed.

The Honorable J. P. Fawcner presented three Petitions, severally signed by Henry Chambers and others, by William Gillbee and others, and by C. Stewart and others, on the subject of the Medical Practitioners' Registration Bill.

Petitions received.

The Honorable J. P. Fawcner moved, That the Petitions be referred to the Committee of the whole Council, to which the Bill may be referred.

Question—put and passed.

DISTRICT INSOLVENT COURTS BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. T. a'Beckett moved, That the Bill be now read a second time.

Debate ensued.

Amendment moved by the Honorable T. H. Fellows, That the word "now" be omitted, with a view to insert the words "this day fortnight" after the word "time."

Debate ensued.

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

Contents, 14.
The Hon. R. Thomson
J. F. Strachan
G. W. Cole
G. Rolfe
B. Williams
N. Black
W. H. F. Mitchell
J. Henty
F. Robertson
Dr. Hope
Dr. Wilkie
G. S. Coppin
A. Fraser
T. T. a'Beckett (*Teller*).

Not Contents, 11.
The Hon. T. H. Fellows
T. H. Power
J. B. Bennett
S. G. Henty
W. Degraives
J. Sutherland
J. Stewart
J. P. Fawkner
W. Highett
W. Hull
J. McCrae (*Teller*).

The question was therefore passed.

Question—That the Bill be now read a second time—put and passed.

Bill read a second time.

The Honorable T. T. a'Beckett moved, That the Bill be now considered in Committee of the whole Council.

Debate ensued.

Amendment moved by the Honorable J. P. Fawkner, That the word “now” be omitted, with a view to add the words “this day week” after the word “Council.”

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

Question—That the Bill be considered in Committee of the whole Council this day week—put and passed.

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

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to alter an Enactment respecting the opening with a double line of rails of the Melbourne and Suburban Railway, and to substitute another provision in lieu thereof;*” in which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 11th June, 1861.

FRANS. MURPHY,
Speaker.

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend an Act intituled ‘An Act for granting duties of Customs upon Gold exported from Victoria;’*” also a Bill intituled “*An Act to amend the law relating to Pawnbrokers in the Colony of Victoria,*” in which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 11th June, 1861.

FRANS. MURPHY,
Speaker.

MELBOURNE AND SUBURBAN RAILWAY.—The Honorable T. T. a'Beckett, with leave of the Council, moved, without notice, That a Message be carried to the Legislative Assembly, requesting that they will be pleased to communicate to this House copies of the Report and Proceedings of the Select Committee of that House appointed in the present session of Parliament on this Bill, together with the Minutes of Evidence taken before the said Committee.

Question—put and passed.

GOLD EXPORT DUTY.—The Honorable T. H. Fellows moved, That this Bill be now read a first time and printed.

Question—put and passed.

Bill read a first time.

PAWNBROKERS BILL.—The Honorable T. T. a'Beckett moved, That this Bill be now read a first time, printed, and read a second time this day week.

Question—put and passed.

Bill read a first time.

PETITION.—The Honorable T. H. Fellows presented a Petition, signed by Heape Brothers, and others of Melbourne, praying that the District Insolvent Courts Bill may not pass into law. Petition received.

ABATTOIRS BILL.—The Honorable T. H. Fellows moved, That the Order of the Day for the further consideration of this Bill in Committee of the whole Council be discharged from the Paper.

Debate ensued.

Question—put,

Council divided.

Contents, 9.

The Hon. T. H. Fellows
G. W. Cole
J. F. Strachan
W. H. F. Mitchell
J. Henty
J. B. Bennett
W. Highett
W. Degraes
T. T. a'Beckett (*Teller*).

Not Contents, 12.

The Hon. J. McCrae
T. H. Power
Dr. Hope
J. P. Fawkner
J. Stewart
G. S. Coppin
F. Robertson
W. Hull
Dr. Wilkie
G. Rolfe
A. Fraser
R. Thomson (*Teller*).

The question was therefore negatived.

The Order of the Day for the further consideration of the Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again on Thursday next.

Ordered.

ADJOURNMENT.—The Honorable T. T. a'Beckett, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn till Thursday next.

Question—put and passed.

WEIGHTS AND MEASURES BILL.—The Order of the Day for the third reading of this Bill was discharged from the business paper, on the motion of the Honorable T. H. Fellows.

MEDICAL PRACTITIONERS' REGISTRATION BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill was discharged from the business paper on the motion of the Honorable Dr. Hope.

The Honorable Dr. Hope moved, That the Bill be now re-considered in Committee of the whole Council.

Question—put and passed.

The Chairman of Committees reported that the Committee had gone through the Bill, and had agreed to the same with further amendments.

The Honorable Dr. Hope moved, That the adoption of the Report of the Committee be made an Order of the Day for Thursday next.

Question—put and passed.

The Council adjourned at ten minutes to seven o'clock until four o'clock on Thursday, the 13th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 13TH JUNE.

NOTICE OF MOTION:—

1. The Hon. T. T. A'BECKETT: To move (*contingent* on the receipt of the Report and Proceedings of the Legislative Assembly on the Bill), That the Melbourne and Suburban Railway Amendment Bill be read a first time.

ORDERS OF THE DAY:—

1. WEIGHTS AND MEASURES BILL (2).—To be further considered in Committee.
2. ABATTOIRS BILL.—To be further considered in Committee.
3. MEDICAL PRACTITIONERS' REGISTRATION BILL.—Adoption of Report.

TUESDAY, 18TH JUNE.

NOTICE OF MOTION:—

The Hon. G. ROLFE: To move the following resolutions—

- (1.) In order that an accurate knowledge of the area and boundaries of the present runs, as well as the unoccupied waste lands of the Colony, may be obtained, there shall be a general survey, each licensee to have a measurement made of the Crown land occupied by him, by a sworn surveyor.

- (2.) All unoccupied waste lands shall be surveyed into runs of from five to twenty square miles.
- (3.) All waste or pastoral lands, whether occupied or not, shall be valued, and a rental or assessment determined upon, according to their stock-bearing and fattening capabilities, as well as their proximity to centres of population and ports; such value to be according to clause 4.
- (4.) That the present assessment of eightpence per head for sheep, and three shillings per head for cattle, be adhered to.
- (5.) After a run shall have been surveyed, the Government shall appoint a valuator, who shall estimate the number of sheep or cattle the said run will carry; the amount of the assessment upon such number shall be the rent at which the run shall be offered to the occupier. If he shall object to such estimate, he may appoint one arbitrator, the Government another, and they two a third—the judgment of two of them to be final. The expense of such arbitration to be borne by the person claiming it.
- (6.) All persons holding runs when these regulations come into operation shall be allowed to have their improvements valued (such improvements being no more than are required for pastoral purposes) by valutors appointed as hereinbefore specified, which valuation shall be added to the ascertained value of the run; then, if sold to other than the present holder or lessee, the value of the improvements to be handed over to him, provided he claim such value within two months from the day of sale.
- (7.) Leases shall be granted for seven years, to date from
subject to all taxes or assessment which may be imposed by the Legislature of the Colony, and to such conditions as the Government shall think necessary to insert therein, for the protection of the Aborigines or for securing to the public the right of passing over any part of the said land, and to the Government the right of searching therein for minerals; subject also to any mining regulations, or for purpose of public defence, safety, improvement, convenience or utility; provided always that in no case shall lands held under such lease be used for agricultural purposes, except in so far as is required for supplying the station.
- (8.) Every person having a lease for seven years shall, at the expiration of five years of such lease, have it in his power to demand from the Government a declaration whether or not it will renew his lease for a further period of seven years, subject of course to the like conditions as his present lease, or on any other conditions which may be specified.
- (9.) If, at the commencement of the second year, any run be not stocked to the extent of two thirds, at least, of cattle or sheep, according to its stock-bearing capabilities, the lease of such run shall be forfeited.
- (10.) The whole, or any portion of any run, may be at any time resumed by Government for public purposes, or for agricultural requirements, whether for sale or otherwise. In case of resumption, the proportionate rent paid or to be paid in respect of quantity or quality of land so resumed, and such payment for improvements as would be allowed in ordinary cases between landlord and tenant, will be returned or allowed for to lessee.

ORDERS OF THE DAY:—

1. DISTRICT INSOLVENT COURTS BILL.—To be considered in Committee.
2. PAWNBROKERS BILL.—To be read a second time.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 13TH JUNE, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

PAPER.—The Honorable T. T. a'Beckett presented to the Council the following Paper :—

Diseases—Return of, for 1860.

Ordered to lie on the Table.

REFRESHMENT ROOMS (JOINT) SELECT COMMITTEE.—SECOND PROGRESS REPORT.—The Honorable W. Highett brought up the Second Progress Report of the Joint Select Committee for the management of the Refreshment Rooms, and moved that the same be now adopted.

The Report was read at the Table by the Clerk.

Debate ensued.

Motion, by leave, withdrawn.

The Honorable J. P. Fawkner moved, That the consideration of the Report be made an Order of the Day for Tuesday next.

Question—put and passed.

RESTORATION OF LAPSED ORDER OF THE DAY.—The following Order of the Day was restored to the Business Paper for Wednesday, the 19th instant, on the motion of the Honorable G. Rolfe :—

“*Payment of Members Bill*”—To be read a second time.

PETITION.—The Honorable J. McCrae presented a Petition, signed by Robert Gray and others in the Steiglitz District, praying that the Gold Export Duty Reduction Bill may be passed into law.

Petition received.

The Petition was read at the Table by the Clerk.

REFRESHMENT ROOMS (JOINT) SELECT COMMITTEE.—SECOND PROGRESS REPORT.—The Honorable W. Highett moved, That the Report of the Committee be printed.

Question—put and passed.

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

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council copies of the Report and Proceedings from the Select Committee of the Legislative Assembly on the Bill intituled “*An Act to alter an enactment respecting the opening with a double line of Rails of the Melbourne and Suburban Railway and to substitute another provision in lieu thereof,*” as requested by the Legislative Council.

FRANS. MURPHY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 13th June, 1861.

MELBOURNE AND SUBURBAN RAILWAY ACT AMENDMENT BILL.—The Honorable T. T. a'Beckett produced a certificate of the payment of the sum of twenty pounds into the hands of the Colonial Treasurer for the public uses of the Colony, and moved, in accordance with *contingent* notice, That this Bill be now read a first time, and that the second reading be made an Order of the Day for Tuesday next.

Question—put and passed.

Bill read a first time.

WEIGHTS AND MEASURES BILL (2).—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again after the disposal of the other Orders of the Day.

Ordered.

ABATTOIRS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported progress and asked leave to sit again on Tuesday next.

Ordered.

MEDICAL PRACTITIONERS' REGISTRATION BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable Dr. Hope moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable Dr. Hope moved, That the title of the Bill be "*An Act to amend the Laws relating to the Registration of Legally Qualified Medical Practitioners.*"

Question—put and passed.

Ordered—That the Bill be carried to the Legislative Assembly, with a Message acquainting them that the Council have agreed to the Bill with amendments, and to desire their concurrence therewith.

WEIGHTS AND MEASURES BILL (2).—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting-President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again on Tuesday next.

Ordered.

The Council adjourned at twenty minutes past six o'clock until four o'clock on Tuesday, the 18th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 18TH JUNE.

1. The Hon. W. HULL : To ask at what date Captain Clarke resigned his appointment in the Royal Engineers to devote himself entirely to the performance of certain duties connected with this colony.

NOTICE OF MOTION:—

1. The Hon. G. ROLFE : To move the following resolutions—

- (1.) In order that an accurate knowledge of the area and boundaries of the present runs, as well as the unoccupied waste lands of the Colony, may be obtained, there shall be a general survey, each licensee to have a measurement made of the Crown land occupied by him, by a sworn surveyor.
- (2.) All unoccupied waste lands shall be surveyed into runs of from five to twenty square miles.
- (3.) All waste or pastoral lands, whether occupied or not, shall be valued, and a rental or assessment determined upon, according to their stock-bearing and fattening capabilities, as well as their proximity to centres of population and ports ; such value to be according to clause 4.
- (4.) That the present assessment of eightpence per head for sheep, and three shillings per head for cattle, be adhered to.
- (5.) After a run shall have been surveyed, the Government shall appoint a valuator, who shall estimate the number of sheep or cattle the said run will carry ; the amount of the assessment upon such number shall be the rent at which the run shall be offered to the occupier. If he shall object to such estimate, he may appoint one arbitrator, the Government another, and they two a third—the judgment of two of them to be final. The expense of such arbitration to be borne by the person claiming it.
- (6.) All persons holding runs when these regulations come into operation shall be allowed to have their improvements valued (such improvements being no more than are required for pastoral purposes) by valutors appointed as hereinbefore specified, which valuation shall be added to the ascertained value of the run ; then, if sold to other than the present holder or lessee, the value of the improvements to be handed over to him, provided he claim such value within two months from the day of sale.

- (7.) Leases shall be granted for seven years, to date from subject to all taxes or assessment which may be imposed by the Legislature of the Colony, and to such conditions as the Government shall think necessary to insert therein, for the protection of the Aborigines or for securing to the public the right of passing over any part of the said land, and to the Government the right of searching therein for minerals; subject also to any mining regulations, or for purpose of public defence, safety, improvement, convenience or utility; provided always that in no case shall lands held under such lease be used for agricultural purposes, except in so far as is required for supplying the station.
- (8.) Every person having a lease for seven years shall, at the expiration of five years of such lease, have it in his power to demand from the Government a declaration whether or not it will renew his lease for a further period of seven years, subject of course to the like conditions as his present lease, or on any other conditions which may be specified.
- (9.) If, at the commencement of the second year, any run be not stocked to the extent of two thirds, at least, of cattle or sheep, according to its stock-bearing capabilities, the lease of such run shall be forfeited.
- (10.) The whole, or any portion of any run, may be at any time resumed by Government for public purposes, or for agricultural requirements, whether for sale or otherwise. In case of resumption, the proportionate rent paid or to be paid in respect of quantity or quality of land so resumed, and such payment for improvements as would be allowed in ordinary cases between landlord and tenant, will be returned or allowed for to lessee.

ORDERS OF THE DAY :—

1. DISTRICT INSOLVENT COURTS BILL.—To be considered in Committee.
2. PAWNBROKERS BILL.—To be read a second time.
3. REFRESHMENT ROOMS.—Consideration of Second Progress Report of Joint Committee.
4. MELBOURNE AND SUBURBAN RAILWAY ACT AMENDMENT BILL.—To be read a second time.
5. ABATTOIRS BILL.—To be further considered in Committee.
6. WEIGHTS AND MEASURES BILL (2).—To be further considered in Committee.

WEDNESDAY, 19TH JUNE.

ORDER OF THE DAY :—

1. PAYMENT OF MEMBERS BILL.—To be read a second time.

M E E T I N G S

OF

S E L E C T C O M M I T T E E S .

Tuesday, 18th June.

PARLIAMENT BUILDINGS (JOINT)—at 3 o'clock.

PRINTING—at half-past 3 o'clock.

G. W. RUSDEN,
Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 18TH JUNE, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

PAPERS.—The Honorable T. T. a'Beckett presented to the Council the following Papers:—

1. Mountain Creek Gold Fields Common—Proclamation of (3rd June, 1861).
2. Farmers' Commons at Bet Bet and other places—Proclamation of (3rd June, 1861).
3. Maldon Gold Fields Common—Alteration of (3rd June, 1861).
4. Footscray Town Common—Alteration of (3rd June, 1861).
5. Newtown and Chilwell Town Common—Enlargement of (3rd June, 1861).
6. Morrison's Diggings Gold Fields Common—Alteration of (10th June, 1861).

Ordered severally to lie on the Table.

PRINTING COMMITTEE.—FIFTH REPORT.—The Honorable T. T. a'Beckett brought up the Fifth Report of the Printing Committee, and moved that the Report be adopted and printed.

Question—put and passed.

PETITIONS.—The Honorable J. P. Fawkner presented a Petition, signed by Geo. Alexander and others, Pawnbrokers in Melbourne and suburbs, praying that certain alterations may be made in the Pawnbrokers Bill.

Petition received.

The Honorable J. P. Fawkner moved, That the Petition be referred to the Committee of the whole House on the Bill.

Question—put and passed.

The Honorable G. S. Coppin presented a Petition, signed by William Smith and others, at Ballarat, praying that the District Insolvent Courts Bill may pass into law.

Petition received.

The Honorable G. S. Coppin moved, That the Petition be referred to the Committee of the whole House to which the Bill may be referred.

Question—put and passed.

PETITIONS PRESENTED ON THE 4TH JUNE.—The Honorable B. Williams moved, That the two Petitions presented by him on the 4th instant, praying that the House will pass the District Insolvent Courts Bill, be referred to the Committee of the whole House on the Bill.

Question—put and passed.

POSTPONEMENTS.—The following Orders of the Day were severally postponed until Wednesday, the 19th instant:—

“*District Insolvent Courts Bill*”—to be considered in Committee.

“*Pawnbrokers Bill*”—to be read a second time.

REFRESHMENT ROOMS (JOINT) SELECT COMMITTEE—SECOND PROGRESS REPORT OF.—The Honorable W. Highett moved, That the Second Progress Report of the Joint Committee of both Houses of Parliament, appointed to manage the Refreshment Rooms, be adopted.

Question—put and passed.

MELBOURNE AND SUBURBAN RAILWAY ACT AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. T. a'Beckett moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable T. T. a'Beckett moved, That so much of the Standing Orders be suspended as will enable the Bill to pass through all its stages this day.

Question—put and passed.

The Honorable T. T. a'Beckett moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

Question—That the Acting President do now leave the Chair—put and passed.

The Acting President left the Chair.

The Chairman of Committees reported that the Committee had gone through the Bill and had agreed to the same without amendment.

The Honorable T. T. a'Beckett moved, That the Report be now adopted.

Question—put and passed.

The Acting President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable T. T. a'Beckett, was read a third time and *passed*.

The Honorable T. T. a'Beckett moved, That the title of the Bill be "*An Act to alter an enactment respecting the opening with a double line of rails of the Melbourne and Suburban Railway and to substitute another provision in lieu thereof.*"

Question—put and passed.

The Honorable T. T. a'Beckett moved, That a Message be carried to the Legislative Assembly, acquainting them that the Council have agreed to the Bill without amendment.

Question—put and passed.

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

MR. ACTING PRESIDENT—

The Legislative Assembly return to the Legislative Council a Bill intituled "*An Act to amend the Act intituled 'An Act to limit the number of persons holding office under the Crown who may sit and vote in the Legislative Council and Legislative Assembly of Victoria,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment made therein by the Legislative Council.

FRANS. MURPHY,
Speaker.

Legislative Assembly Chambers,
Melbourne, 18th June, 1861.

REFRESHMENT ROOMS—SECOND PROGRESS REPORT.—The Honorable W. Highett moved, That a Message be sent to the Legislative Assembly to acquaint them that the Council have adopted this Report.

Question—put and passed.

ABATTOIRS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again to-morrow. Ordered.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday the 25th instant :—

"*Weights and Measures Bill*" (2)—to be further considered in Committee.

The Council adjourned at a quarter to five o'clock until four o'clock on Wednesday, the 19th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 19TH JUNE.

NOTICES OF MOTION :—

1. The Hon. G. ROLFE : To move the following resolutions—

- (1.) In order that an accurate knowledge of the area and boundaries of the present runs, as well as the unoccupied waste lands of the Colony, may be obtained, there shall be a general survey, each licensee to have a measurement made of the Crown land occupied by him, by a sworn surveyor.

- (2.) All unoccupied waste lands shall be surveyed into runs of from five to twenty square miles.
 - (3.) All waste or pastoral lands, whether occupied or not, shall be valued, and a rental or assessment determined upon, according to their stock-bearing and fattening capabilities, as well as their proximity to centres of population and ports; such value to be according to clause 4.
 - (4.) That the present assessment of eightpence per head for sheep, and three shillings per head for cattle, be adhered to.
 - (5.) After a run shall have been surveyed, the Government shall appoint a valuator, who shall estimate the number of sheep or cattle the said run will carry; the amount of the assessment upon such number shall be the rent at which the run shall be offered to the occupier. If he shall object to such estimate, he may appoint one arbitrator, the Government another, and they two a third—the judgment of two of them to be final. The expense of such arbitration to be borne by the person claiming it.
 - (6.) All persons holding runs when these regulations come into operation shall be allowed to have their improvements valued (such improvements being no more than are required for pastoral purposes) by valuers appointed as hereinbefore specified, which valuation shall be added to the ascertained value of the run; then, if sold to other than the present holder or lessee, the value of the improvements to be handed over to him, provided he claim such value within two months from the day of sale.
 - (7.) Leases shall be granted for seven years, to date from subject to all taxes or assessment which may be imposed by the Legislature of the Colony, and to such conditions as the Government shall think necessary to insert therein, for the protection of the Aborigines or for securing to the public the right of passing over any part of the said land, and to the Government the right of searching therein for minerals; subject also to any mining regulations, or for purpose of public defence, safety, improvement, convenience or utility; provided always that in no case shall lands held under such lease be used for agricultural purposes, except in so far as is required for supplying the station.
 - (8.) Every person having a lease for seven years shall, at the expiration of five years of such lease, have it in his power to demand from the Government a declaration whether or not it will renew his lease for a further period of seven years, subject of course to the like conditions as his present lease, or on any other conditions which may be specified.
 - (9.) If, at the commencement of the second year, any run be not stocked to the extent of two thirds, at least, of cattle or sheep, according to its stock-bearing capabilities, the lease of such run shall be forfeited.
 - (10.) The whole, or any portion of any run, may be at any time resumed by Government for public purposes, or for agricultural requirements, whether for sale or otherwise. In case of resumption, the proportionate rent paid or to be paid in respect of quantity or quality of land so resumed, and such payment for improvements as would be allowed in ordinary cases between landlord and tenant, will be returned or allowed for to lessee.
2. The Hon. T. T. A'BECKETT: To move, That the House at its rising to-day do adjourn until Tuesday, 25th instant.

ORDERS OF THE DAY :—

1. PAYMENT OF MEMBERS BILL.—To be read a second time.
2. DISTRICT INSOLVENT COURTS BILL.—To be considered in Committee.
3. PAWNBROKERS BILL.—To be read a second time.
4. ABATTOIRS BILL.—To be further considered in Committee.

TUESDAY, 25TH JUNE.

ORDER OF THE DAY :—

1. WEIGHTS AND MEASURES BILL (2).—To be further considered in Committee.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 19TH JUNE, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

PETITION.—The Honorable T. T. a'Beckett presented a Petition, under the Seal of the Corporation of the City of Melbourne, praying that the Petitioners may be heard at the bar of the House against the passing of the Abattoirs Bill.

The Honorable T. T. a'Beckett moved, That the Petition be received.

Debate ensued.

Question—put and passed.

ADJOURNMENT.—The Honorable T. T. a'Beckett, in accordance with notice, moved, That the House, at its rising this day, adjourn until Tuesday, the 25th instant.

Question—put and passed.

POSTPONEMENT.—The following Orders of the Day were severally postponed until Tuesday next:—

“Payment of Members Bill”—to be read a second time.

“District Insolvent Courts Bill”—to be considered in Committee.

“Pawnbrokers Bill”—to be read a second time.

“Abattoirs Bill”—to be further considered in Committee.

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

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council copy of the Report of the Select (Joint) Committee on Parliament Buildings, with amendments, in which they desire the concurrence of the Legislative Council.

FRANS. MURPHY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 19th June, 1861.

The amendments were read at the Table by the Clerk, as follows:—

Paragraph 10, omit all the words after “placed,” in first line, and insert “that of Her Majesty in the South Library Room, and that of Sir William Stawell in the North Library Room.”

Insert new paragraph as follows:—

That the large north room be used as a smoking room.

Paragraph 18, line 1, omit “second” and also 12 feet 7 inches by 10 feet 8 inches.

Line 3, omit “Clerk of the Assembly and the.”

At end of Report insert new paragraph as follows:—

That no strangers be admitted to the new Library Buildings, except as hereinbefore stated, whilst the House is sitting, on any pretence whatever.

The Honorable W. Highett moved, That the consideration of the Message be made an Order of the Day for Tuesday next.

Question—put and passed.

The Council adjourned at ten minutes to five o'clock until four o'clock on Tuesday, the 25th instant.

TUESDAY, 25TH JUNE.

NOTICES OF MOTION:—

1. The Hon. G. ROLFE: To move the following resolutions—
 - (1.) In order that an accurate knowledge of the area and boundaries of the present runs, as well as the unoccupied waste lands of the Colony, may be obtained, there shall be a general survey, each licensee to have a measurement made of the Crown land occupied by him, by a sworn surveyor.
 - (2.) All unoccupied waste lands shall be surveyed into runs of from five to twenty square miles.
 - (3.) All waste or pastoral lands, whether occupied or not, shall be valued, and a rental or assessment determined upon, according to their stock-bearing and fattening capabilities, as well as their proximity to centres of population and ports; such value to be according to clause 4.
 - (4.) That the present assessment of eightpence per head for sheep, and three shillings per head for cattle, be adhered to.
 - (5.) After a run shall have been surveyed, the Government shall appoint a valuator, who shall estimate the number of sheep or cattle the said run will carry; the amount of the assessment upon such number shall be the rent at which the run shall be offered to the occupier. If he shall object to such estimate, he may appoint one arbitrator, the Government another, and they two a third—the judgment of two of them to be final. The expense of such arbitration to be borne by the person claiming it.
 - (6.) All persons holding runs when these regulations come into operation shall be allowed to have their improvements valued (such improvements being no more than are required for pastoral purposes) by valuers appointed as hereinbefore specified, which valuation shall be added to the ascertained value of the run; then, if sold to other than the present holder or lessee, the value of the improvements to be handed over to him, provided he claim such value within two months from the day of sale.
 - (7.) Leases shall be granted for seven years, to date from
subject to all taxes or assessment which may be imposed by the Legislature of the Colony, and to such conditions as the Government shall think necessary to insert therein, for the protection of the Aborigines or for securing to the public the right of passing over any part of the said land, and to the Government the right of searching therein for minerals; subject also to any mining regulations, or for purpose of public defence, safety, improvement, convenience or utility; provided always that in no case shall lands held under such lease be used for agricultural purposes, except in so far as is required for supplying the station.
 - (8.) Every person having a lease for seven years shall, at the expiration of five years of such lease, have it in his power to demand from the Government a declaration whether or not it will renew his lease for a further period of seven years, subject of course to the like conditions as his present lease, or on any other conditions which may be specified.
 - (9.) If, at the commencement of the second year, any run be not stocked to the extent of two thirds, at least, of cattle or sheep, according to its stock-bearing capabilities, the lease of such run shall be forfeited.
 - (10.) The whole, or any portion of any run, may be at any time resumed by Government for public purposes, or for agricultural requirements, whether for sale or otherwise. In case of resumption, the proportionate rent paid or to be paid in respect of quantity or quality of land so resumed, and such payment for improvements as would be allowed in ordinary cases between landlord and tenant, will be returned or allowed for to lessee.
2. The Hon. T. T. A'BECKETT: To move, That the Petition from the Corporation of the Mayor, Aldermen, Councillors and Citizens of the City of Melbourne, praying to be heard at the Bar of this House, and to be permitted to produce witnesses and documents in relation to the Bill intituled "*An Act to amend the Law relating to the erection and licensing of public Abattoirs in Municipal Districts,*" be taken into consideration.

ORDERS OF THE DAY:—

1. WEIGHTS AND MEASURES BILL (2).—To be further considered in Committee.
2. PAYMENT OF MEMBERS BILL.—To be read a second time.
3. DISTRICT INSOLVENT COURTS BILL.—To be considered in Committee.
4. PAWNBROKERS BILL.—To be read a second time.
5. ABATTOIRS BILL.—To be further considered in Committee.
6. PARLIAMENT BUILDINGS (JOINT COMMITTEE REPORT).—To be taken into consideration.

G. W. RUSDEN,
Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 25TH JUNE, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

PETITION.—The Honorable J. P. Fawkner presented a Petition under the Seal of the Municipal Council of FitzRoy, praying that the petitioners may be heard by counsel at the bar of the House, in support of the Abattoirs Bill.

Petition received.

PAPERS.—The Honorable T. T. a'Beckett presented to the Council the following Papers:—
Fyansford, Town of.—Alteration of limits (3 June, 1861).

Forest Creek.—Mining operations authorised on Reserved Land (21 May, 1861).

Ordered severally to lie on the Table.

MELBOURNE CORPORATION.—The Honorable T. T. a'Beckett, in accordance with *amended* notice, moved, That the Corporation of the City of Melbourne be heard by counsel at the bar of the House, and be permitted to produce witnesses and documents in relation to the Abattoirs Bill.

Debate ensued.

Question—put and passed.

SUSPENSION OF STANDING ORDERS.—The Honorable J. P. Fawkner moved, That so much of the Standing Orders be suspended as prevented him from moving, without notice, That the FitzRoy Municipal Council be heard by counsel at the bar of the House in favor of the Abattoirs Bill.

Question—put and passed.

FITZROY MUNICIPAL COUNCIL.—The Honorable J. P. Fawkner moved, That the Municipal Council of FitzRoy be heard by counsel at the bar of the House to-morrow, in relation to the Abattoirs Bill.

Question—put and passed.

MELBOURNE CORPORATION.—The Honorable T. T. a'Beckett moved, That the Melbourne Corporation be heard by counsel at the bar of the House to-morrow, in relation to the Abattoirs Bill.

Question—put and passed.

ADJOURNMENT.—The Honorable J. P. Fawkner, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until twelve o'clock to-morrow.

Question—put and passed.

WEIGHTS AND MEASURES BILL (2).—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported that the Committee had gone through the Bill, and had agreed to the same with amendments.

The Honorable T. T. a'Beckett moved, That the adoption of the Report of the Committee be made an Order of the Day for Thursday next.

Ordered.

POSTPONEMENTS.—The following Orders of the Day were severally postponed until Wednesday, the 26th instant:—

“*Payment of Members Bill*”—to be read a second time.

“*District Insolvent Courts Bill*”—to be considered in Committee.

PAWNBROKERS BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. T. a'Beckett moved, That the Bill be now read a second time.
 Question—put and passed.
 Bill read a second time.
 The Honorable T. T. a'Beckett moved, That the Bill be now considered in Committee of the whole Council.
 Question—put and passed.
 Question—That the Acting President do now leave the Chair—put and passed.
 The Acting President left the Chair.
 The Chairman of Committees reported that the Committee had gone through the Bill and had agreed to the same with amendments.
 The Honorable T. T. a'Beckett moved, That the adoption of the Report of the Committee be made an Order of the Day for to-morrow.
 Ordered.

POSTPONEMENT.—The following Order of the Day was postponed until to-morrow, then to take precedence:—

“*Abattoirs Bill*”—to be further considered in Committee.

PARLIAMENT BUILDINGS (JOINT COMMITTEE REPORT).—The Order of the Day for the consideration of the First Progress Report of the Joint Committee of both Houses of Parliament, appointed to manage the Parliament Buildings, with the amendments made therein by the Legislative Assembly being read, the Honorable W. Highett moved, That all the amendments made by the Legislative Assembly be agreed to with the exception of the following:—“That the large North Room be used as a Smoking Room.”

Question—put and passed.

The Honorable W. Highett moved, That the Council disagree with the following amendment:—That the large North Room be used as a Smoking Room.

Debate ensued.

Question—put and negatived.

The Honorable T. H. Fellows moved, That the Council agree with the amendment.

Question—put and passed.

The Honorable W. Highett moved, That the following new paragraph be added to the Report:—That the second room, 12 ft. 7 in. × 10 ft. 3 in., named in paragraph 18, be appropriated as a store room for the use of the contractor.

Question—put and passed.

The Honorable W. Highett moved, That a Message be carried to the Legislative Assembly to acquaint them that the Legislative Council have adopted the Report as amended by the Legislative Assembly with a further amendment, with which they desire the concurrence of the Legislative Assembly.

Question—put and passed.

The Council adjourned at ten minutes past six o'clock until twelve o'clock on Wednesday, 26th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 26TH JUNE.

NOTICE OF MOTION:—

1. The Hon. T. H. FELLOWS: To move, That an Address be presented to His Excellency the Governor representing “That the Fees for the occupation of Crown Lands for other than pastoral purposes,” notified in the *Government Gazette* of the 23rd day of May last, are illegal so far as regards the Fee for Residence and Cultivation on the Gold Fields; that the granting of such licenses is impolitic, and works injustice to persons who have purchased small portions of Crown Lands for garden purposes, by bringing into competition with them a class of persons not contemplated at the time they so purchased or at the time of the passing of the Crown Lands Sales Act, and praying His Excellency to take such steps as may be necessary to prevent the issue of such licenses.

ORDERS OF THE DAY:—

1. ABATTOIRS BILL.—To be further considered in Committee.
2. PAYMENT OF MEMBERS BILL.—To be read a second time.
3. DISTRICT INSOLVENT COURTS BILL.—To be considered in Committee.
4. PAWNBROKERS BILL.—Adoption of Report.

THURSDAY, 27TH JUNE.

1. WEIGHTS AND MEASURES BILL (2).—Adoption of Report.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 26TH JUNE, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

POSTPONEMENT.—The Honorable T. T. a'Beckett moved, That the Notice of Motion on the Paper be postponed until after the disposal of the Orders of the Day.

Question—put and passed.

MELBOURNE CORPORATION HEARD BY COUNSEL.—The Honorable T. T. a'Beckett moved, That the Melbourne Corporation be now heard by Counsel at the Bar of the House.

Question—put and passed.

Counsel was thereupon heard on behalf of the Corporation of Melbourne.

FITZ ROY MUNICIPAL COUNCIL HEARD BY COUNSEL.—The Honorable J. P. Fawcner moved, That the Municipal Council of Fitz Roy be now heard by Counsel at the Bar of the House.

Question—put and passed.

Counsel was thereupon heard on behalf of the Municipal Council of Fitz Roy.

Counsel were directed to withdraw.

ADJOURNMENT.—The Honorable W. H. F. Mitchell moved, That the House do now adjourn until four o'clock on this day.

Question—put and passed.

The Council adjourned at two o'clock for the space of two hours.

At four o'clock the Acting President resumed the Chair.

ABATTOIRS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the Acting President left the Chair.

The Chairman of Committees reported progress.

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

MR. ACTING PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor, proposing an amendment to be made in the Bill, intituled, "*An Act to alter an enactment respecting the opening with a double line of rails of the Melbourne and Suburban Railway and to substitute another provision in lieu thereof,*" and acquaint the Legislative Council that they have agreed to the amendment suggested by the Governor in this Bill, in which they desire the concurrence of the Legislative Council.

FRANS. MURPHY,

Speaker.

Legislative Assembly Chamber,
Melbourne, 26th June, 1861.

HENRY BARKLY,
Governor.

Message No. 10.

In pursuance of the provisions of the 36th section of the Constitution Act, the Governor transmits to the Legislative Assembly "*A Bill to alter an enactment respecting the opening with a double line of rails of the Melbourne and Suburban Railway and to substitute another provision in lieu thereof,*" and recommends that the first clause be amended by the addition of the following words:—

"And all the property which by virtue of the said sixty-seventh section has vested in Her Majesty shall again vest in the Melbourne and Suburban Railway Company as fully as if such section had never been enacted."

Government Offices,
Melbourne, 25th June, 1861.

The Honorable T. T. a'Beckett moved, That the Council agree with the amendment suggested by His Excellency the Governor in the Bill, and agreed to by the Legislative Assembly.

The amendment was read at the Table by the Clerk.

Question—put and passed.

The Honorable T. T. a'Beckett moved, That a Message be carried to the Legislative Assembly to acquaint them that the Council have agreed to the amendment.

Question—put and passed.

PAPERS.—The Honorable T. T. a'Beckett presented to the Council the following Papers :—

(1.) Crown Lands offered for Sale and Lease and alienated—Return of (1st January, 1861, to 31st March, 1861).

(2.) National Education Board—Rule of (10th June, 1861).

Ordered severally to lie on the Table.

POSTPONEMENT.—The following Order of the Day was postponed until after the consideration of the remaining Orders of the Day :—

“*Payment of Members Bill*”—to be read a second time.

DISTRICT INSOLVENT COURTS BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council being read, the Honorable T. T. a'Beckett moved, That the Acting President do now leave the Chair.

Debate ensued.

Question—put and negated.

PAWNBROKERS BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable T. T. a'Beckett moved, That the Report be now adopted.

Question—put and passed.

The Acting President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable T. T. a'Beckett, was read a third time and *passed*.

The Honorable T. T. a'Beckett moved, That the title of the Bill be “*An Act to amend the law relating to Pawnbrokers in the colony of Victoria.*”

Question—put and passed.

The Honorable T. T. a'Beckett moved, That the Bill be carried to the Legislative Assembly with a Message acquainting them that the Council have agreed to the Bill, with amendments, and desiring their concurrence therewith.

Question—put and passed.

PAYMENT OF MEMBERS BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable F. Robertson moved, That the Order of the Day be discharged.

Question—put and passed.

FEES FOR OCCUPATION OF CROWN LANDS.—The Honorable T. H. Fellows, in accordance with notice, moved, That an Address be presented to His Excellency the Governor representing “That the Fees for the occupation of Crown Lands for other than pastoral purposes,” notified in the *Government Gazette* of the 23rd day of May last, are illegal so far as regards the Fee for Residence and Cultivation on the Gold Fields; that the granting of such licenses is impolitic, and works injustice to persons who have purchased small portions of Crown Lands for garden purposes, by bringing into competition with them a class of persons not contemplated at the time they so purchased or at the time of the passing of the Crown Lands Sales Act, and praying His Excellency to take such steps as may be necessary to prevent the issue of such licenses.

Debate ensued.

Question put.

Council divided.

Contents, 12.

The Hon. R. Thomson
T. H. Fellows
J. B. Bennett
W. H. F. Mitchell
S. G. Henty
J. Sutherland
W. Hull
W. Highett
D. Kennedy
Dr. Hope
W. Degraives
T. H. Power (*Teller*).

Not Contents, 5.

The Hon. G. Rolfe
G. W. Cole
J. P. Fawkner
F. Robertson
G. S. Coppin (*Teller*).

The question was therefore passed.

The Honorable T. H. Fellows moved, That a Select Committee, consisting of the following members, be appointed to prepare the Address, and that the Committee retire immediately for that purpose, viz.: the Honorables W. H. F. Mitchell, T. H. Power, Dr. Hope, J. B. Bennett, and the Mover.

Question—put and passed.

The Committee retired.

The Honorable T. H. Fellows brought up the Address prepared by the Committee. The Address was read at the Table by the Clerk as follows :—

To His Excellency SIR HENRY BARKLY, Knight Commander of the Most Honorable Order of the Bath, Captain-General and Governor-in-Chief of the Colony of Victoria, and Vice-Admiral of the same, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY—

We, Her Majesty's most dutiful and loyal subjects, the Members of the Legislative Council of Victoria, in Parliament assembled, beg respectfully to represent to your Excellency that "the Fees for the occupation of Crown Lands for other than pastoral purposes," notified in the *Government Gazette* of the 23rd day of May last, are illegal so far as regards the fee for residence and cultivation on the gold fields.

2. That, as the Legislature has already made provision (inadequate perhaps) for residence on the gold fields by the Act 21 Vict. No. 32, s. 3, and has moreover by the Crown Lands Sales Act expressly declared that "nothing in that Act contained shall be deemed or taken to repeal the former Act," it is not in the power of the Board of Land and Works to license occupation as they propose.

3. That the Legislature, in the Crown Lands Sales Act (sec. 68), having specifically mentioned certain objects for which licenses may be granted, has thereby plainly shown the "other purposes" for which such licenses may undoubtedly be granted, must be purposes of a nature similar to those expressly enumerated; for, had it been intended that licenses should be issued for "any" purpose which might "appear to the said Board to be for the public advantage," it would have been clearly unnecessary to give specific instances.

4. That, even if the issue of licenses for residence and cultivation on the gold fields were within the letter of the Crown Lands Sales Act, it would be highly unconstitutional, during the session of the Legislature, to introduce so great a change in the management of Crown Lands without the concurrence of Parliament.

5. That the issue of such licenses is impolitic, inasmuch as it may give rise to claims for compensation to licensees whose occupation may hereafter be judicially determined to be unauthorized.

6. That, for the foregoing reasons, we respectfully pray your Excellency to take such steps as may be necessary to prevent the issue of such licenses until the next Parliament shall have had an opportunity of dealing with the question.

The Honorable T. H. Fellows moved, That the Address be now adopted.

Debate ensued.

The Honorable J. B. Bennett moved, That the word "represent" in the second line be omitted, with a view to insert the word "submit" in lieu thereof.

Question—That the word proposed to be omitted be so omitted—put and passed.

Question—That the word "submit," proposed to be inserted, be so inserted—put and passed.

Question—That the Address be now adopted—put.

The Honorable G. W. Cole moved, That all the words after the word "That" be omitted with a view to insert the words, "the consideration of the Address be made an Order of the Day for to-morrow."

Debate ensued.

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

Question—That the Address be now adopted—put and passed.

ADJOURNMENT.—The Honorable J. B. Bennett, with leave of the Council, moved, without notice, That the House at its rising this day adjourn until Tuesday next.

Question—put and passed.

The Council adjourned at six o'clock until four o'clock on Tuesday, the 2nd proximo.

NOTICE OF MOTION.

TUESDAY, 2ND JULY.

NOTICE OF MOTION :—

1. The Hon. F. ROBERTSON : To move, That the Gold Export Duty Act Repeal Bill be now read a second time.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 2ND JULY, 1861.

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

ROYAL ASSENT TO BILLS.—The Acting President announced to the Council that a letter had been received from the Private Secretary to His Excellency the Governor, stating that it is His Excellency's intention to proceed to the Legislative Council Chamber on Wednesday, the 3rd day of July, at half-past four o'clock, to assent, in Her Majesty's name, to certain Bills passed by the Legislative Council and the Legislative Assembly.

FEES FOR OCCUPATION OF CROWN LANDS.—REPLY OF HIS EXCELLENCY THE GOVERNOR.—The Honorable G. W. Cole laid on the Table a Reply from His Excellency the Governor to the Address adopted by the Council on the 26th ultimo, together with an Opinion of the Attorney-General on the subject.

The Address and Opinion were read at the Table by the Clerk.

The Honorable G. W. Cole moved, That the Reply of His Excellency the Governor and the accompanying Opinion be printed.

Question—put and passed.

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

MR. ACTING PRESIDENT—

The Legislative Assembly return to the Legislative Council the Report of the Select (Joint) Committee on Parliament Buildings, and acquaint the Legislative Council that they have disagreed to the amendment made therein by the Legislative Council.

FRANS. MURPHY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 2nd July, 1861.

MR. ACTING PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to appropriate the Consolidated Revenue to the service of the year One thousand eight hundred and sixty-one and for other purposes,*" in which they desire the concurrence of the Legislative Council.

FRANS. MURPHY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 2nd July, 1861.

APPROPRIATION BILL.—The Honorable T. T. a'Beckett moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

SUSPENSION OF STANDING ORDERS.—The Honorable T. T. a'Beckett moved, That the Standing Orders be suspended, in order that the Appropriation Bill may pass through its various stages this day.

Question—put and passed.

APPROPRIATION BILL.—The Honorable T. T. a'Beckett moved, That this Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable T. T. a'Beckett moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

Question—That the Acting President do now leave the Chair—put and passed.

The Acting President left the Chair.

The Chairman of Committees reported that the Committee had gone through the Bill, and had agreed to the same without amendment.

The Honorable T. T. a'Beckett moved, That the Report be now adopted.

Question—put and passed.

The Acting President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable T. T. a'Beckett, was read a third time and *passed*.

The Honorable T. T. a'Beckett moved, That the title of the Bill be "*An Act to appropriate the Consolidated Revenue to the service of the year One thousand eight hundred and sixty-one and for other purposes.*"

Question—put and passed.

The Honorable T. T. a'Beckett moved, That a Message be carried to the Legislative Assembly to acquaint them that the Council have agreed to the Bill without amendment.

Question—put and passed.

PAPERS.—The Honorable T. T. a'Beckett presented to the Council the following Paper :—

Health Officer—Report of, for year ending 31st December, 1860.

Ordered to lie on the Table.

GOLD EXPORT DUTY BILL.—The Honorable F. Robertson, in accordance with notice, moved, That this Bill be now read a second time.

Debate ensued.

Amendment moved by the Honorable J. P. Fawcner, That the word "now" be omitted, with a view to insert the words "this day six months" after the word "time."

Debate ensued.

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

Question—That the words "this day six months," proposed to be inserted, be so inserted—put and passed.

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

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

MR. ACTING PRESIDENT,—

The Legislative Assembly return to the Legislative Council a Bill intituled "*An Act to amend the Law relating to Pawnbrokers in the Colony of Victoria,*" and acquaint the Legislative Council that they have agreed to the amendments made therein by the Legislative Council.

FRANS. MURPHY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 2nd July, 1861.

The Council adjourned at twenty minutes to six o'clock until four o'clock on Wednesday, the 3rd instant.

NOTICE OF MOTION.

WEDNESDAY, 3RD JULY, 1861.

NOTICE OF MOTION :—

1. The Hon. T. T. a'BECKETT : To move, That the Order of the Day—Weights and Measures Bill (2)—Adoption of Report—be restored to the paper.

G. W. RUSDEN,
Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 3RD JULY, 1861.*

The Council met in accordance with adjournment.—The Acting President took the Chair.

The Acting President read the Prayer.

PAPERS.—The Honorable G. W. Cole presented to the Council the following Paper:—
Public Worship—Regulations respecting Grants in aid of (12th January, 1861).

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

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, Mr. Speaker, after a speech to His Excellency, delivered the Appropriation Bill to the Clerk, who brought it to the Table.

His Excellency was then pleased to assent, in the name of Her Majesty the Queen, to the following Bills:—

“An Act to appropriate the Consolidated Revenue to the service of the year

“One thousand eight hundred and sixty-one and for other purposes.”

“An Act to amend the Law relating to Divorce and Matrimonial Causes.”

“An Act to authorise the Melbourne and Essendon Railway Company to make a
“branch Railway to the Racecourse and for other purposes.”

“An Act to enable the St. Kilda and Brighton Railway Company to extend their
“railway to the shore of Port Phillip Bay to make a deviation in their main
“line to construct a pier and other works to raise further sums of money to
“issue preference shares and for other purposes.”

“An Act to amend the Act intituled ‘An Act to limit the number of persons
“holding offices under the Crown who may sit and vote in the Legislative
“Council and Legislative Assembly of Victoria.’”

“An Act to alter an enactment respecting the opening with a double line of rails of
“the Melbourne and Suburban Railway and to substitute another provision in
“lieu thereof.”

“An Act to amend the Law relating to Pawnbrokers in the Colony of Victoria.”

The Royal Assent being read severally by the Clerk of the Parliaments in the following words:—

“In the name and on behalf of Her Majesty I assent to this Act.

“HENRY BARKLY,
“Governor.”

The Clerk of the Parliaments delivered to Mr. Speaker a Schedule of the Acts 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:

The recent action taken by a majority of the Legislative Assembly having rendered an appeal to the country desirable, as the only constitutional course available for a solution of the difficulties created by the many changes of Government that have taken place since the present Parliament was elected, I feel justified in releasing you from your Legislative duties.

The altered circumstances of the country having necessitated a more economical expenditure of the revenue, estimates, showing a large reduction in the cost of the public service, were submitted for the consideration of the Legislative Assembly, and after protracted discussions, they were, in the main, agreed to. I trust that the effect of these alterations will be not merely to diminish the cost of conducting the Government during the present year, but to render possible still further economy in the various departments without in any way impairing their efficiency.

With the object of developing the great mineral, agricultural, and pastoral resources of the Colony, it was deemed advisable that some assistance should be afforded by the State to persons desirous of making this country their home, but whose means were inadequate to meet the expense of their passage from the mother country. It was also desirable for many reasons that the disparity in the relative proportions of the sexes should be decreased. I rejoiced to find that the system of assisted immigration proposed by my advisers received your sanction, and that under its operation the re-union of families will be promoted, while all the advantages accruing from the accession of population will be obtained in the highest degree. There is every reason for believing, had the finances of the country permitted a larger appropriation for this object, that the working classes would have taken advantage of it with satisfaction to themselves and benefit to the country.

I regret to learn that the Land Sales Act of last session, from which so much was hoped, has failed in its practical operation, to realise the object, as expressed in its preamble, of affording "greater facilities than had hitherto existed to persons desirous of engaging in agricultural pursuits." My advisers have, however, endeavored so to administer its provisions as to secure to the industrial classes as many advantages as are compatible with the powers conferred by the Act. The proclamation of extensive areas of the waste lands of the Crown as commons for farmers, miners, and others, has greatly assisted those important classes of the community, and must largely conduce to the general prosperity of the Colony.

The migratory character of a large portion of the inhabitants, has rendered it advisable to encourage cultivation and settlement, with a view to ultimate purchase, by the issue of occupation and cultivation licenses. For the present this arrangement is specially intended to obviate obstacles peculiarly experienced in the neighborhood of the gold fields, but if the new regulations are found to work beneficially, there is no reason why they should not have a more extended operation; and it is hoped, that pending such an alteration of the law as will render the land more accessible than it now is to the *bonâ fide* cultivator, these annual licenses will be the means eventually of securing homesteads for the people, and that in thus attaching them to the soil, they will tend to promote the peace, happiness, and contentment of this portion of Her Majesty's dominions.

I regret to say that the course of events has prevented the enactment of many measures of the first importance. I had hoped, with some degree of confidence, that such objects of practical legislation as the Transfer of Land, the extension of Local Government, the better administration of Justice on the Gold Fields, Mining on Private Property, the Management of the Gold Fields, the establishment of Local Insolvency Courts, and others, to promote the welfare of the country, might, after benefiting by your deliberations, have received the assent of the Crown. These, however, together with some other measures submitted by my advisers, are now postponed for a brief period, and will merit the early attention of the Parliament about to be elected.

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

I thank you on behalf of Her Majesty for your liberality in voting the supplies for the current year. The amount will, I trust, prove adequate to the exigencies of the public service. The condition attached to the vote for Roads and Bridges, by which power is taken for the first time, to transfer any of the items to duly constituted local authorities, will, I trust, be accepted as an earnest of the policy of decentralization, which my present advisers deem of primary importance to secure the economical and efficient government of the country districts.

I am bound, however, as the Queen's Representative, to protest against the limitation you have imposed on the issue of the supplies after the close of next month "unless Parliament be then sitting."

Conditions of this sort are totally at variance with the usage of the mother country, since the true principles of Constitutional Government were settled at the Revolution nearly two centuries ago; and looking to the assurances you have received on the point in question, both from myself and my advisers, no political necessity can be pleaded for the introduction here of so obsolete yet dangerous an expedient.

Mindful of the shock to the financial credit of the country; of the injury to its public establishments; and of the wide spread distress among the laboring classes, which the rejection of the Appropriation Act would entail, I have refrained from adopting an alternative, which the strict line of duty would have justified.

But I confidently trust, that the good sense of this community will not suffer such an attempt to coerce the Executive to be drawn into a precedent, for disastrous as its failure might have been, as already pointed out, its success would ultimately prove not more fatal to the prerogative of the Crown, than to the liberties of the people.

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL AND LEGISLATIVE
ASSEMBLY :

I now release you from your duty in Parliament. Steps have already been initiated with a view to prepare for a dissolution of the Assembly, which will take place when the necessary arrangements have been completed. In accordance with my already expressed intention, it is the wish of my advisers that the new Parliament should be summoned to address itself to the business of the country at as early a period as may be found practicable, so that the consideration of the measures of great urgency and utility left over from this Parliament may not be delayed to the detriment of the interests of all classes of the community.

I now, in Her Majesty's name, declare this Parliament to be prorogued to Wednesday, the 17th day of July next: and it is hereby prorogued accordingly.

HENRY BARKLY.

Government Offices,
Melbourne, 3rd July, 1861.

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

His Excellency the Governor left the Council Chamber.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

SELECT COMMITTEES

APPOINTED DURING THE SESSION 1860-1.

1.—ADDRESS IN REPLY TO GOVERNOR'S SPEECH.

Appointed 20th November, 1860.

The Hon. G. W. Cole	The Hon. H. Miller
„ W. H. F. Mitchell	„ Dr. Wilkie
„ G. S. Coppin	„ T. H. Fellows
„ T. H. Power	„ W. Hull (<i>Mover</i>).

2.—STANDING ORDERS.

Appointed 21st November, 1860.

The Hon. The President	The Hon. H. Miller
„ T. T. a'Beckett	„ W. H. F. Mitchell*
„ M. Hervey	„ T. H. Fellows.†

* Appointed 8th January, 1861.

† Appointed 16th April, 1861, *vice* Sir James F. Palmer, absent on leave.

3.—PARLIAMENT BUILDINGS (JOINT).

Appointed 21st November, 1860.

The Hon. The President	The Hon. G. W. Cole
„ W. Highett	„ F. Robertson
„ G. Rolfe	„ The Acting President.*

* Appointed 16th April, 1861, *vice* Sir James F. Palmer, absent on leave.

4.—LIBRARY (JOINT).

Appointed 21st November, 1860.

The Hon. The President	The Hon. Dr. Hope
„ J. B. Bennett	„ J. P. Fawkner
„ T. H. Power	„ The Acting President.*

* Appointed 16th April, 1861, *vice* Sir James F. Palmer, absent on leave.

5.—REFRESHMENT ROOMS (JOINT).

Appointed 21st November, 1860.

The Hon. S. G. Henty	The Hon. G. W. Cole
„ A. Fraser	„ W. Highett (<i>Mover</i>).
„ James Stewart	

6.—PRINTING.

Appointed 21st November, 1860.

The Hon. J. P. Fawkner	The Hon. C. Vaughan
„ T. H. Power	„ W. Degraives
„ T. T. a'Beckett	„ M. Hervey (<i>Mover</i>).

7.—ELECTIONS AND QUALIFICATIONS.

Appointed (by President's Warrant) 4th December, 1860.

The Hon. George Ward Cole	The Hon. James Henty
„ William Degraives	„ Matthew Hervey
„ Thomas Howard Fellows	„ William Hull.
„ Alexander Fraser	

8.—SOUTH PROVINCE ELECTION.

Appointed 22nd January, 1861.

The Hon. G. W. Cole	The Hon. J. Henty
„ W. Degraives	„ M. Hervey
„ T. H. Fellows	„ W. Hull.
„ A. Fraser	

9.—SALARY OF PRESIDENT.

Appointed 13th March, 1861.

The Hon. W. Hull	The Hon. G. S. Coppin
„ C. Vaughan	„ J. P. Fawkner (<i>Mover</i>).
„ A. Fraser	

10.—WASTE LANDS (RESOLUTIONS).

Appointed 13th March, 1861.

The Hon. J. P. Fawkner	The Hon. J. F. Strachan
„ M. Hervey	„ J. Sutherland
„ W. H. F. Mitchell	„ T. T. a'Beckett
„ T. H. Power	„ N. Black
„ J. Henty	„ G. Rolfe (<i>Mover</i>).

11.—ADDRESS TO MAJOR-GENERAL PRATT.

Appointed 16th April, 1861.

The Hon. T. H. Fellows	The Hon. G. W. Cole
„ J. B. Bennett	„ Dr. Hope
„ J. Stewart	„ H. Miller
„ G. Rolfe	„ A. Fraser (<i>Mover</i>).
„ W. Hull	

12.—SALARY OF PRESIDENT (ADDRESS TO GOVERNOR).

Appointed 16th May, 1861.

The Hon. W. Hull	|	The Hon. J. Henty
„ G. S. Coppin	|	„ J. P. Fawkner (<i>Mover</i>).
„ A. Fraser	|	

13.—CONSTITUTIONAL PAYMENTS FROM PUBLIC TREASURY.

Appointed 21st May, 1861.

The Hon. G. W. Cole	|	The Hon. H. Miller
„ T. T. a'Beckett	|	„ J. B. Bennett (<i>Mover</i>).
„ T. H. Fellows	|	

14.—ADDRESS OF CONDOLENCE TO HER MAJESTY THE QUEEN.

Appointed 22nd May, 1861.

The Hon. The Acting President	|	The Hon. J. P. Fawkner
„ T. H. Power	|	„ T. T. a'Beckett (<i>Mover</i>).
„ J. F. Strachan	|	

15.—FEES FOR OCCUPATION OF CROWN LANDS (ADDRESS TO GOVERNOR).

Appointed 26th June, 1861.

The Hon. W. H. F. Mitchell	|	The Hon. J. B. Bennett
„ T. H. Power	|	„ T. H. Fellows (<i>Mover</i>).
„ Dr. Hope	|	

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1860-1.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 1.

Extracted from the Minutes.

WEDNESDAY, 26TH JUNE, 1861.

No. 1.—ABATTOIRS BILL.—Clause III.—No abattoirs shall be erected hired licensed or established within the limits or jurisdiction of any corporate body or municipal council without the consent of such body or council.

Motion made and question put—That the Chairman report progress.

Committee divided.

Contents, 12.
The Hon. Dr. Wilkie
W. Hull
T. H. Fellows
S. G. Henty
W. H. F. Mitchell
W. Highett
Dr. Hope
J. Henty
J. B. Bennett
W. Degraives
J. Sutherland
G. W. Cole (*Teller*).

Not Contents, 9.
The Hon. G. Rolfe
T. H. Power
D. Kennedy
B. Williams
F. Robertson
J. P. Fawkner
A. Fraser
G. S. Coppin
T. T. a'Beckett (*Teller*).

1860-1.

VICTORIA.

INSOLVENCIES IN COUNTRY DISTRICTS.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.
THE HONORABLE G. ROLFE.—24TH JULY, 1860.

LAID ON THE COUNCIL TABLE BY THE HONORABLE T. H. FELLOWS, 18TH SEPTEMBER,
1860, AND ORDERED BY THE COUNCIL TO BE PRINTED, 19TH MARCH, 1861.

RETURN OF INSOLVENCIES which have taken place in the COUNTRY DISTRICTS, the
Liabilities of which range from FIVE HUNDRED POUNDS and downwards, and in
which Estates there have been no Melbourne Creditors, with the Liabilities and
Assets in each Estate, from the 1st January, 1860, to the 24th July, 1860.

Name.	Address.	Debts.			Assets.		
		£	s.	d.	£	s.	d.
Henry Allen	Allan's Flat	280	13	9	88	0	0
John Hayard	Sandhurst	34	18	0	25	0	0
John McCallum	Sandhurst	234	17	8	122	16	0
Matthew Chapel	Beechworth	181	10	4	339	0	0
John Hens	Malmesbury	283	18	1	103	18	0
Maria Jones	Back Creek	60	3	8	56	10	0
Edward Simcock	Smythesdale	296	7	2	6	8	0
Edward Petherbridge	Ballaarat	270	1	2	65	0	0
M. A. Mason	Ballaarat	163	13	6	99	0	0
Andrew Gray	Sandhurst	85	17	0	11	0	0
E. C. Brown	Castlemaine	168	6	8	60	0	0
Ah Kwang	Indigo	84	0	0	13	15	6
James Chisholm	Ballaarat	220	0	5	34	0	0
Robert Evans	Ballaarat	56	14	0	34	1	0
Samuel Matthews	Ballaarat	137	3	9	16	7	9½
Wishart and Lyle	Indigo	288	8	0	50	0	0
George Curneck	Ballaarat	135	0	5	69	1	8
Robert Bremner	Ballaarat	147	3	0	78	10	8
J. J. Clancy	Iron Bark Gully	433	8	0	549	1	11
G. Knoblock	Sandhurst	378	14	0	113	18	0
E. W. Watmore	Kyneton	267	11	9	51	19	0
William Malin	Ballaarat	331	13	1	181	9	0
J. R. Burn	Amherst	259	10	0	29	0	0
Joseph George	Sandhurst	184	15	0	70	5	6
William Francis	Sandhurst	145	9	3	21	4	0
John Yuile	Sandhurst	64	8	4	26	13	4
William Ackeroyd	Indigo	215	5	6	86	4	7
John Lyle	Ballaarat	49	16	8	6	0	0
George Foulds	Ballaarat	159	10	6	21	10	0
Charles Andrews	Sandhurst	391	17	6	159	11	4
R. S. Ingham	Sandhurst	164	2	6	134	12	0
Joseph Perrin	Indigo	115	18	10	8	7	0
William Lucas	Indigo	90	14	0	24	0	0
James Hooker	Buninyong	42	7	0	12	0	0

RETURN OF INSOLVENCIES—*continued.*

Name.	Address.	Debts.			Assets.		
		£	s.	d.	£	s.	d.
Elias Siddale	Castlemaine	237	3	8	139	5	0
James Spencer	Black Forest	48	0	0	3	0	0
William Savage	Lamplough	291	19	0	147	0	0
William Hayes	Hepburn	240	0	0	35	0	0
William Griffiths	Clunes	56	14	5	15	10	0
John M. Downs	Ballaarat	349	9	0	3	0	0
J. W. Burns	Creswick	217	0	0	121	16	0
Allan Divens	Ballaarat	347	11	4	66	6	2
William Davidson	Brown's	187	19	9	54	0	6
J. H. A. Tomkins	Indigo	477	0	0	117	19	6
W. J. Berry	Smythesdale	276	0	0	38	5	4
B. Nurin	Gipps Land	446	7	1	336	0	0
George Worley	Brown's	325	12	8	90	5	0
D. Gray	Ballaarat	150	4	9	5	0	0
Samuel Hartley	Ballaarat	33	8	0	4	0	0
J. A. Cooper	Smythesdale	142	1	0	71	0	0
R. Channings	Lamplough	357	11	11	186	8	6
G. W. Demerest	Sandhurst	100	10	11	30	0	0
J. Bowen	Sandhurst	238	14	4	155	0	0
W. Shepherd	Smythesdale	106	7	0	4	10	0
A. J. Barry	Pleasant Creek	336	16	0	22	8	0
B. Rieman	Ballaarat	175	10	8	51	13	6
John Styles	Gisborne	433	15	4	76	0	0
P. Farrell	Sandhurst	95	11	2	3	0	0
H. F. Bannister	Buninyong	280	0	0	30	18	0
George Brown	Castlemaine	125	11	0	18	0	0
D. MacFarlane	Lamplough	306	8	8	126	11	3
J. P. Cray	Dunolly	190	16	6	25	0	0
W. Morris	Maryborough	127	8	0	23	0	0
William Dorman	Californian Gully	121	3	0	110	0	0
T. Wilkinson	Buckland	85	18	0	10	0	0
P. Dunstan	Ballaarat	68	13	8	4	0	0
John Bally	Sandhurst	172	15	0	112	11	0
Job Howe	Indigo	214	10	6	16	0	0
Brown, Cox, and Co.	Castlemaine	234	3	6	58	0	0
Patrick Ryan	Reedy Creek	218	17	6	91	0	0
George Croft	Yackandandah	129	17	10	37	1	0
Charles Bamber	Daylesford	159	16	10	255	19	6
D. McKay	Taradale	194	9	3	88	16	0
F. Trainor	Pleasant Creek	89	0	0	19	0	0
C. Sweeney	Waranga	146	5	1	17	0	0
H. G. Brown	Indigo	143	16	11	77	19	0
H. P. McGlynn	Beechworth	161	19	8	50	9	6
Charles Abraham	Sandhurst	33	0	4	3	0	0
W. H. Morgan	Ballaarat	273	16	0	12	11	0
J. T. Donnelly	Sandhurst	226	11	7	88	11	0
J. Johnson	Woodend	157	12	0	2	0	0
Henry Nash	Ballaarat	79	1	6	81	5	0
B. Buckley	Kyneton	147	0	0	31	0	0
D. Thomas	Sandhurst	321	7	3	117	17	11
A. Aitken	Lamplough	224	8	8	149	18	2
T. J. Holmes ... ..	... ..	351	15	4	15	0	0
J. Sewell	Nine-mile Creek	227	11	6	75	0	0
G. Willats	Back Creek	193	1	6	23	8	10
John Graham	Ballaarat	182	14	6	7	10	0
C. Hunt	Sandhurst	163	6	0	25	0	0
W. B. Langdon	Ballaarat	55	12	8	18	15	0
A. Peacock	Lamplough	197	15	9	95	0	0
William Barnett	Gipps Land	129	1	0	20	0	0
William Wignall	Sandhurst	476	3	2	110	0	0
R. McIlwan	Sandhurst	176	11	5	20	3	9
W. Jones	Deep Creek	36	4	6	5	0	0
W. H. Symons	Back Creek	83	7	9	53	15	0
J. T. Collard	Fryer's Creek	119	16	9	19	15	7
J. H. Downing	Ballaarat	211	10	5	16	10	0
T. Finlay	Sandhurst	73	6	0	15	0	0
R. Batty	Carisbrook	260	13	4	426	0	0
J. Pollock	Indigo	313	4	10	99	15	6
P. Phillips	Buninyong	128	0	8	30	0	0
W. Lemin	Woolshed	121	10	0	51	14	0
W. Lines	Dowling Forest	497	13	4	71	9	0
G. Gray	Ballaarat	283	4	1	5	0	0
T. Malcolm	Reedy Creek	51	12	0	6	0	0
F. Walter	Taradale	46	17	9	22	12	5
A. Murcutt	Ballaarat	235	16	11	96	6	3
Oliver Greaves	Ballaarat	206	0	0	20	0	0
J. Baker	Amherst	131	18	0	85	14	6
J. Moyes	Castlemaine	341	4	0	115	0	0
J. Sands	Castlemaine	373	5	5	184	2	9
S. Newell	Ovens	183	17	0	30	0	0
C. Sam	Sandhurst	150	13	0	60	0	0

RETURN OF INSOLVENCIES—continued.

Name.	Address.	Debts.			Assets.		
		£	s.	d.	£	s.	d.
G. Goddard	Woodend	132	4	8	12	5	0
H. McMullen	Amherst	148	12	0	83	16	5
J. D. Russell	Taradale	75	9	6	11	0	0
P. Enright	Sandhurst	73	5	9	30	16	0
J. Souther	Inglewood	175	18	0	14	0	0
J. Simms	Castlemaine	110	13	4	25	0	0
W. Thompson	Ballaarat	184	19	1	47	1	0
B. Slater	Sandhurst	58	3	6	5	5	0
W. J. Jones	Gipps Land	99	12	0	68	0	0
T. Boyce		54	17	0	1	0	0
Hy. Weichmann	Maldon	428	11	6	48	16	6
J. Bustin	Castlemaine	314	11	8	62	11	0
T. Ballard	Woodend	155	0	0	100	0	0
Edward Bond	Sandhurst	333	13	4	150	0	0
B. Horne	Ravenswood	96	0	0	60	18	0
J. Plummer	Inglewood	134	3	9	22	19	6
R. Smith	Bullarook	112	14	0	12	0	0
G. Melrose	Clunes	191	13	1	155	5	0
W. Richings	Kilmore	90	2	2	41	0	0
Thos. Kipplewhite	Malmesbury	75	3	2	5	0	0
John McGraavy	Indigo	54	0	0	8	0	0
John Morgan	Ballaarat	166	4	5	17	10	0
Hugh Irwin	Sandhurst	134	0	0	54	10	0
Donald Sutherland	Ballaarat	107	9	0	65	0	0
Sarah Williams	Castlemaine	38	15	11	35	1	6
Robert Baynes	Inglewood	89	13	5	11	0	0
Henry Higgins	Sandhurst	247	19	7	161	9	10
Parkinson Brown	Taradale	404	9	6	435	4	9
E. S. Hopper	Yackandandah	260	3	4	30	0	0
James Edmonstone	Clarendon	118	6	6	49	2	0
John Hart	Inglewood	107	16	7	55	0	0
Thomas Coleman	Snowy Creek	97	15	4	8	10	0
Frederick Field	Clunes	136	14	8	17	0	0
Edward Walsh	Yackandandah	84	12	10	10	0	0
James Every	Ballaarat	315	16	10	48	10	0
J. W. Mills	Castlemaine	250	6	6	77	13	0
John Hood	Black Lead	93	4	0	10	0	0
John Hocking	Ballaarat	99	0	0	17	12	0
John McDougall	Italian Gully	144	3	6	93	4	1
Smith and Mace	Crowlands	395	15	2	241	5	2
J. W. Thompson	Buninyong	297	0	0	45	0	0
John Anderson	Reedy Creek	147	4	1	69	9	6
Thomas Hunter	Inglewood	96	2	2	32	0	0
Patrick O'Hara	Bendigo Flat	85	13	2	116	10	0
William Pownall	Barker's Creek	348	10	0	15	10	0
Josiah Ellis	Back Creek	93	16	0	11	0	0
William Tomlinson	Ballaarat	164	2	3	30	0	0
William Elson	Inglewood	290	7	5	3	5	0
John Maloney	Ballaarat	133	10	0	3	5	0
George Noblett	Lamplough	183	7	0	198	0	3
Harris Loel	Stanley	259	12	11	96	19	6
William Parkin	Sandhurst	99	6	6	39	18	3
George Sefton	Inglewood	138	19	11	98	14	0
John P. Bagnall	Sandhurst	166	12	6	220	0	0
J. R. Clarke	Castlemaine	92	8	11	84	2	6
A. McDonald	Kyneton	117	0	2	2	15	0
Thos. Jury	Castlemaine	77	15	4	5	0	0
Thos. Wood	Creswick	196	8	2	58	14	0
John T. Mitchell	Ballaarat	49	6	8	5	0	0
Samuel Walsh	Inglewood	113	14	10	54	14	4
C. J. Manton	Italian Gully	153	7	0	42	0	0
William Cushion	Kangaroo Flat	173	14	0	19	0	0
N. Inch	Ballaarat	199	8	9	46	14	3
C. Lorenzen	Ballaarat	87	1	10	15	0	0
Powell and Richards	Chiltern	153	14	5	116	10	0
James Moran	Castlemaine	169	5	3	97	11	6
Frederick Fisher	Creswick	222	0	0	194	0	2
W. M. Holmes	Chiltern	59	13	2	9	10	6
J. Walsh	Maryborough	77	3	6	16	0	0
J. Bucks	Napoleon Gully	189	10	1	19	2	6
George Wicks	Smythesdale	238	19	0	10	0	0
J. Goodyer	Bendigo	55	9	0	13	0	0
F. Hanglin	Epsom Flat	38	0	0	11	5	0
John O'Connell	Sandhurst	244	5	6	54	3	5
P. Jung	Sandhurst	133	1	9	79	3	0
C. Stewart	Lamplough	252	0	0	69	2	0
George Davis	Kangaroo Flat	68	12	2	66	0	0
W. G. Blackham	Sandhurst	95	1	0	5	0	0
Joseph Young	Sandhurst	80	17	6	34	2	5
G. F. Garlick	Chiltern	163	17	0	13	0	0
R. K. Morris	Ballaarat	89	2	0	11	12	6

RETURN OF INSOLVENCIES—continued.

Name.	Address.	Debts.			Assets.		
		£	s.	d.	£	s.	d.
Joseph Madden	Kilmore	203	9	3	42	0	0
R. Gilder	Inglewood	139	18	6	45	1	9
Jas. Brennan	Glenpatrick	215	2	6	25	0	0
J. Crow	Sandhurst	39	17	6	5	0	0
T. C. Field	Portland	200	16	11	2	0	0
William Luplan	Brown's	171	8	9	47	0	0
Hosking and Davis	Sandhurst	37	0	0	24	0	0
William Ellis	Smythesdale	117	6	0	3	10	0
William Minton	Inglewood	49	13	2	4	10	0
James Sly	Black Forest	100	19	7	10	0	0
George Thompson	Amherst	104	12	5	20	5	0
George W. Berry	Avoca	311	7	10	471	10	6
Michael O'Connor	Gisborne	132	8	0	16	0	0
George Murray	Daylesford	62	8	6	72	4	4
Bridget O'Loughlin	Back Creek	89	5	0	10	15	0
Johanna Horn	Windmill Hill	126	17	6	10	0	0
James Anderson	Carlsruhe	19	16	1	2	0	0
John Bremner	Buninyong	206	5	10	5	0	0
Charles Haigh	Lamplough	136	1	7	106	0	0
A. D. C. Warr	Castlemaine	123	10	7	68	1	0
Stephen Eddy	Elysian Flat	92	0	0	5	0	0
John O'Brien	Sandhurst	109	9	5	11	10	0
Robert Lightfoot	Brown's	79	0	4	2	10	0
Samuel King	Sandhurst	361	13	6	30	19	0
John T. Brightwell	Ballaarat	96	11	5	19	0	7
John Boyess	Clowes Forest	71	19	9	8	15	7
William Babbage	Kangaroo Flat	218	5	0	58	12	0
A. Graham	Kangaroo Flat	254	5	0	92	7	6
John Thomson	Smythesdale	156	13	1	70	3	0
L. Burgess	Ballaarat	61	9	0	53	9	0
Joseph Munroe	Indigo	242	4	0	194	4	0
W. H. Pulsford	Dunolly	59	15	3	3	10	0
C. Aitken	Clunes	252	5	1	220	0	0
John Portlock	Brown's Hill	75	7	3	5	0	0
John McDevitt	Sandhurst	47	8	2	20	2	6

GEE LONG CIRCUIT DISTRICT.

Assets under £500. No Melbourne Creditors.

Date.	Name.	Residence.	Liabilities.			Assets.		
			£	s.	d.	£	s.	d.
1855.								
20th February	Fredk. George Woods	Geelong	384	2	9	281	5	0
4th April	Danl. Kerr	Geelong	419	16	7	710	0	0
31st August	Wm. George Bully	Ballaarat	381	5	3	80	15	1
16th October	James McDonald	Geelong	369	8	6	84	8	9
14th December	Westly Bouchier	Geelong	474	4	11	24	5	6
19th "	Henry Rose	Geelong	494	0	0	824	0	0
1856.								
20th March	Wm. Vogel, compulsory sequestration, no schedule filed							
3rd April	Wm. Payne	Geelong	298	1	0	298	11	10
24th "	Anth. McEvitt, compulsory sequestration, no schedule filed							
26th July	Geo. T. Cross	Geelong	210	19	0	170	0	0
1st August	Samuel Walker	Geelong	485	0	0	379	10	0
1st September	Edwin Garrard	Geelong	486	5	0	222	10	0
5th December	Joseph Richardson	Steiglitz	281	0	8	68	0	0
1857.								
6th May	Willm. Cowell	Warrnambool	326	11	6	126	6	2
	Saml. Nudd, compulsory sequestration							
14th July	Jno. Beddison	Geelong	351	13	11	156	16	0
31st "	Wm. Butlin	Geelong	479	17	3	92	8	8
8th August	Jno. McDonald	Woodford	269	15	0	—		
23rd September	Wm. Negus	Geelong	411	2	0	235	19	0
30th "	Saml. J. Clark	Geelong	102	10	0	—		
	Alfred C. Harrall	Ballaarat	290	0	8	86	0	9

RETURN OF INSOLVENCIES—continued.

Date.	Name.	Residence.	Liabilities.			Assets.		
			£	s.	d.	£	s.	d.
1857.								
3rd November	Rowland Dosset	Geelong	179	6	4	6	4	0
20th "	Wm. Ashton	Geelong	185	17	3	66	17	6
5th December	Alexr. Cooper	Geelong	173	7	0	83	9	5
19th "	James Wheeler	Geelong	298	9	8	52	4	4
24th "	Jno. Sempkin	Geelong	241	19	6	78	12	4
1858.								
22nd February	Peter Cole	Geelong	404	2	3	241	12	11
25th March	Robert Page	Geelong	118	19	4	36	12	9
8th April	Thos. R. Yabsley	Geelong	95	14	4	22	7	0
	F. Atkinson, compulsory sequestration, no schedule							
13th June	Jno. A. Murphy	Yangery	440	18	8	147	0	0
28th "	Jno. Thistlethwaite	Villiers	421	5	0	160	0	0
6th July	James Neild	Geelong	290	0	0	151	2	2
6th "	John Berry	Creswick	184	8	2½	84	15	4
17th August	Thos. Newton	Buninyong	226	12	3	106	7	0
24th "	Jno. Tomlinson	Geelong	71	0	9	5	0	0
8th September	Cornl. Rosmolin	Geelong	168	3	8½	10	0	0
11th "	Jno. Brunt	Wardy Boluc	159	4	6	18	2	0
20th "	Herbert Sheppard	Geelong	150	7	6	0	17	7
5th October	Josiah Coady	Geelong	368	9	8	201	0	6
22nd "	Norman Goode	Ballaarat	257	9	5	224	15	8
28th "	Edwd. Anstee	Fyansford	439	6	0	58	10	2
2nd November	Fredk. Paul	Geelong	87	13	8	43	7	10
8th "	Wm. and Jno. Letts	Ballaarat	408	8	3	33	11	4
27th "	Seth Silby	Barrabool Hills	92	0	0	74	0	0
December	Danl. Jno. Buckley	Bellerine	167	13	1	53	0	0
1859.								
5th February	A. Hanrahan	Geelong	61	17	0	8	17	0
12th "	Cornelius Hogan	Cowie's Creek	330	0	3	50	0	0
5th March	Henry Duncan	Geelong	168	6	11	30	0	0
11th "	Alexr. McLeod	Batesford	228	11	4	62	2	6
11th "	John Fynn	Meredith	192	3	6	53	0	0
19th "	John Dear	Geelong	190	3	3	60	14	8
19th "	Francis Bullen	Colac	70	0	0	10	6	6
4th April	James Louis Willis	Geelong	409	11	9	10	0	0
9th "	John Smith	Bellerine	187	0	0	43	10	0
31st May	Thomas Phillips	Moorabool Viaduct	404	8	1	208	0	0
31st "	James Dalton	Spring Creek	423	5	3	—		
4th June	Jas. Jno. Moore	Geelong	139	6	3	10	0	0
11th "	Nathl. Browne	Geelong	155	0	7	11	0	0
24th "	Wm. McClelland	Bream Creek	91	14	0	10	0	0
27th "	Angus Cameron	Geelong	408	18	0	96	0	0
6th July	J. R. London	Geelong	161	4	8	32	0	0
9th "	Cornelius Nihill	Geelong	106	15	0	10	0	0
20th "	Joseph Garlick	Conewarre	344	0	6	877	15	8
30th "	John Bristow	Geelong	176	1	11	56	6	0
2nd August	Charles Thompson	Portarlington	367	2	3	90	0	0
10th "	Robt. Booly	Steiglitz	497	19	6¾	43	0	2
10th "	Allan McPherson	Lethbridge	208	5	4	8	0	0
12th "	James Garven	Geelong	72	9	3	43	14	10
16th "	Thos. Walden	Geelong	247	13	4	69	14	1
17th "	Wm. F. McVeil	Geelong	123	19	0	32	12	0
30th "	D. Simpson	Belfast	—			20	0	0
"	John Grimshaw	Mount Moriac	350	17	6	—		
5th September	John Lee	Belfast	347	4	6	73	10	0
9th "	Alexr. McKay	Batesford	129	19	10	5	0	0
13th "	Robt. Robinson	Camperdown	323	13	3	99	0	0
21st "	Edwin Taylor	Wabdallah	273	12	5	89	11	0
21st "	James Woods	Bellerine	183	2	3	93	0	0
26th "	James Gosney	Batesford	111	1	0	24	2	11
7th October	Joseph Hinckes	Geelong	124	18	9	45	8	2
13th "	Francis McKean	Geelong	93	12	0	11	0	0
18th "	Wm. Hy. B. Webber	Geelong	124	17	1	18	7	6
19th "	Joseph Gell	Geelong	262	9	1	96	4	10
28th "	Hy. A. Alexander	Batesford	215	19	0	250	0	0
31st "	Jno. McMullen	Geelong	62	11	6	65	14	6
November	Cornelius Egan	Geelong	201	18	7	71	10	9
16th "	James Laurence	Geelong	272	19	6	30	10	0
22nd "	Isaac Foster	Warrnambool	110	0	2½	14	0	0
17th "	John Canny	Warrnambool	359	10	0	15	0	0
25th "	Lee Collier	Geelong	169	19	9½	97	14	0
26th "	Cornelius Paton	Lethbridge	138	2	0	45	2	6
3rd December	Wm. Harvey	Geelong	357	14	9	212	0	4
6th "	Thos. Warren	Cowie's Creek	290	10	0	20	11	6
7th "	Wm. Upjohn	Geelong	305	13	1	16	5	6
7th "	Jno. Edwd. Matthews	Geelong	35	15	0	—		
8th "	John Sempken	Geelong	168	6	3	55	0	0
12th "	John Read	Geelong	381	12	1	50	0	0

RETURN OF INSOLVENCIES—*continued.*

Date.	Name.	Residence.	Liabilities.			Assets.		
			£	s.	d.	£	s.	d.
1859.								
17th December	John Cleverly	Geelong	241	5	4	14	8	3
20th "	Edwin Ossy	Geelong	374	19	10	13	8	7
21st "	John Burnie	Belfast	177	0	0	—		
1860.								
12th January	John Knox	Geelong	81	5	0	10	0	0
24th "	Charles Boykett	Geelong	72	12	4½	7	10	0
24th "	Wm. Fowles and Jas. Bland	Lovely Banks	315	14	9	88	10	0
24th "	Robert Lowe	Steiglitz	22	6	6	8	0	0
24th "	Frdk. Francis	Geelong	114	2	8	8	0	0
25th "	Geo. Atkins	Lethbridge	28	7	6	5	0	0
31st "	Andrew Johnson	Lethbridge	295	15	0	20	0	0
31st "	John Gay	Moorabool	243	17	11	5	0	0
3rd February	Henry Chambers	Geelong	421	18	2	60	0	0
3rd "	Willm. Lamont	Back Creek	79	12	6	19	2	10
6th "	James Wilson	Fyansford	336	2	2	5	0	0
10th "	Wm. Rogers	Geelong	234	0	4	10	0	0
13th "	Joseph Frith	Geelong	345	10	7	94	3	1
17th "	Alex. Robinston	Batesford	138	0	0	20	0	0
22nd "	M. Hammerston	Geelong	167	0	0	95	0	0
1st March	Alex. Carr	Moorabool	77	8	5	5	0	0
20th "	John Anson	Moorabool	343	8	1	12	0	0
20th "	Wm. Stockham	Geelong	477	13	3	62	0	6
23rd "	Saml. Lord	Geelong	121	2	2	60	0	0
26th "	John Reed	Geelong	154	6	8	5	10	0
28th "	Alex. McLean	Geelong	121	6	6	6	10	0
29th "	Saml. Walker	Barrabool Hills	234	14	2½	89	1	3
29th "	James Rice	Bream Creek	105	6	0	2	0	0
3rd April	Wm. Simmons	Geelong	99	7	6	34	8	3
4th "	Jno. Bright	Bream Creek	229	18	9	3	0	0
4th "	Charles Verie	Duncead	86	16	6	2	0	0
14th "	Geo. B. Smith	Spring Creek	196	10	0	20	0	0
17th "	Josh. Wheeler	Geelong	239	11	1	43	9	8
18th "	Wm. Cooper	Lovely Banks	175	15	7	21	0	0
24th "	Matthew Johnson	Geelong	68	15	1	25	0	0
27th "	Charles Bennett	Mount Moriac	110	0	0	98	10	0
27th "	Benjn. Gahan	Geelong	104	11	6	10	0	0
30th "	Wm. Luttrell	Pentland Hills	93	15	0	78	8	0
30th "	Thomas Hanrahan	Geelong	152	8	8½	57	11	1
2nd May	Amidu J. Gilbert	Moorabool	366	6	9	87	0	5
3rd "	Fritz Buchuker	Moorabool	380	14	0	90	0	0
15th "	John Tallon	Spring Creek	321	9	8	313	17	0
16th "	Alexr. McDonald	Villiers	336	0	0	34	0	0
23rd "	James Claridge	Warrnambool	343	11	10	80	0	0
23rd "	Edwin Carroll	Geelong	298	14	10	66	12	6
23rd "	John Oram	Geelong	324	14	6	75	10	2
30th "	James Ryan	Belfast	208	11	9	31	10	0
30th "	James Ready	Belfast	322	0	0	—		
30th "	Wm. Rudley	Victoria Forest	223	15	2½	5	0	0
2nd June	Wm. Whitfield	Geelong	172	12	0	30	10	0
2nd "	W. T. Walker	Geelong	214	0	0	—		
2nd "	Robt. Moore	Barrabool Hills	184	7	0	43	7	0
9th "	Chas. Lucas	Geelong	90	7	6	5	0	0
14th "	John Horr	Steiglitz	47	19	4	35	15	0
19th "	James Sempken	Geelong	60	5	6	7	10	0
5th July	M. Mungin	Queenscliffe	117	10	6	85	14	0
7th "	Francis O'Ryan	Geelong	121	2	0	6	15	0
13th "	James Wilson	Geelong	93	9	0	40	16	0
14th "	Edmd. Martin	Geelong	61	4	4	15	7	6
14th August	Denis Powell	Batesford	410	18	0	47	17	0
15th "	Wm. Rutherford	Geelong	258	12	0	5	0	0
21st "	P. Danaher	Colac	371	13	7	31	0	0

HENRY HILL ROBERTS,

Second Clerk, Insolvent Court,

Geelong Circuit District.

1860-1.

VICTORIA.

B R E W E R I E S .

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.
THE HONORABLE G. W. COLE.—8TH JANUARY, 1861.

A RETURN, as far as practicable, of the number of Breweries in 1859; where situated; quantity made at each; ditto, Sugar; ditto, Malt; ditto, Hops; average price per hogshead; number of Men and Horses employed; number from which no returns are received; any remarks of Inspector.

LAI D ON THE COUNCIL TABLE BY THE HONORABLE T. T. A'BECKETT 5TH MARCH, 1861,
AND ORDERED BY THE COUNCIL TO BE PRINTED, 19TH MARCH 1861.

RETURN of the number of Breweries in Victoria in 1859; where situated; the Quantity of Beer made at each; the Quantity of Sugar, Malt, and Hops used; and the number of Men and Horses employed.

Number of Breweries.	Where situated.	Quantity of Beer made during the year.	Quantity of Material used.			Number employed of	
			Sugar.	Malt.	Hops.	Men.	Horses and Drays.
			hogsheads.	tons.	bushels.			lbs.
1	Bacchus Marsh	360	1	1,170	1,300	4	1
2	Back Creek	2,092	28 $\frac{1}{2}$	5,760	9,396	12	4
2	Ballaarat	1,572	24 $\frac{1}{2}$	1,456	7,064	9	3
1	Beechworth	1,000	21	3,120	5,200	5	2
1	Belfast	40	$\frac{3}{4}$	560	200	1	—
1	Collingwood	624	14 $\frac{1}{2}$	2,184	3,696	4	2
1	Carisbrook... ..	750	16 $\frac{1}{2}$	1,400	3,356	4	3
1	Castlemaine	4,200	70	11,000	16,800	19	7
1	Creswick	578	...	600	672	3	2
2	Dandenong... ..	498	4 $\frac{3}{4}$	2,000	2,176	4	3
1	Dunolly	481	1 $\frac{1}{4}$	156	2,392	3	1
1	Eltham	288	5 $\frac{1}{4}$	624	1,304	2	2
2	Fryer's Creek	6,100	160	16,344	22,400	24	14
1	Geelong	1,033	12	3,100	5,460	5	4
2	Gisborne	1,392	25 $\frac{1}{4}$	4,597	7,873	9	5
1	Heathcote	330	3 $\frac{3}{4}$	990	1,980	5	2
1	Kyneton	1,000	22 $\frac{3}{4}$	2,408	4,600	4	3
1	Maryborough	300	7	600	1,120	2	2
1	Melbourne	8,676	185	31,297	36,955	29	9
1	Portland	15	...	120	112	1	1
2	Richmond	2,918	50 $\frac{3}{4}$	8,578	14,200	14	5
1	Rushworth... ..	320	10	800	1,160	2	2
6	Sandhurst	24,515	412 $\frac{1}{4}$	66,895	108,880	107	34
34	Total	58,982	1076	165,759	258,296	272	111

NOTE.—Out of the 73 Brewers who were requested to afford the information required, 39 have either neglected or declined to give it; amongst whom are some of the largest Brewers in the Colony. The foregoing return cannot therefore be taken as showing the total quantities of materials used in Brewing and of the quantity manufactured in Victoria.

(Signed) LESLEY A. MOODY,
Chief Inspector of Distilleries.

By Authority: JOHN FERRES, Government Printer, Melbourne.

1860-1.

VICTORIA.

SUGAR IMPORTED IN 1859.
SUGAR REFINERIES.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.

THE HONORABLE G. W. COLE.—8TH JANUARY, 1861.

A RETURN of the quantity of Loaf Sugar imported in 1859 ; a Return of Sugar Refineries in 1859 ; quantity and description manufactured ; quantity of Spirits ; number of Men and Horses employed.

LAI'D UPON THE COUNCIL TABLE BY THE HONORABLE T. T. A'BECKETT, 5TH MARCH, 1861,
AND ORDERED BY THE COUNCIL TO BE PRINTED, 19TH MARCH, 1861.

Department of Trade and Customs,
Melbourne, 5th March, 1861.

The Return annexed, showing the quantity of "Sugar Imported during 1859," is all the information which can be given by this department, "Loaf Sugar" not being distinguished on importation.

As regards "Sugar Refineries" in Victoria, the only manufactory of the kind is that belonging to the Victoria Sugar Company, at Sandridge ; the information asked for has been furnished by the Secretary of the Company (*vide* letter attached).

J. CHATFIELD TYLER,
Secretary.

RETURN, showing the QUANTITY of SUGAR IMPORTED into the COLONY during the
YEAR 1859.

Description.	Direct Imports.		Warehoused.
	cwt.	qrs. lbs.	
Candy ...	223	0 25	2 cases.
Raw ..	58,638	0 17	39,612 bags, 3 cases, 385 cwt.
Refined ...	1,940	1 22	3 bags, 141 boxes.
Undescribed	152,487	0 18	21 casks, 184,904 bags, 614 barrels, 3 tierces.

Department of Trade and Customs,
Melbourne, 7th February, 1861.

H. W. SPAIN.

J. CHATFIELD TYLER,
Secretary.

Victoria Sugar Company,
Melbourne, 21st January, 1861.

SIR,

I have the honor to acknowledge the receipt of your letter of the 11th instant, and, by order of the Directors of this Company, to furnish, for the use of the Honorable the Commissioner of Trade and Customs, the following information upon the points therein alluded to.

Question.

Quantity of sugar refined at the Victoria Sugar Company's establishment at Sandridge ?

Answer.

From May, 1859, to 1st January, 1860 3,817 tons.
From 1st January, 1860, to 1st January, 1861... .. 5,598 tons.

Question.

What number of men employed ?

Answer.

Eighty-eight, exclusive of seamen, lumpers, laborers employed in carrying, landing, receiving, and delivering eighteen thousand (18,000) tons of sugar, coals, &c., annually, and exclusive of the parties indirectly employed in the manufacture of machinery and other material required at the works, the aggregate number of whom far exceeds that of those directly employed.

Question.

What number of men and horses employed about the Company's cartage ?

Answer.

This work is done by contract, but may be arrived at by a statement of the amount of such work to be performed.

Eighteen thousand (18,000) tons of sugar, coal, &c., are received and delivered at the Company's works during the year, or an average of about fifty-eight tons daily.

In addition to this information, I am to state that some idea of the importance of the Company's operations (although at present in its infancy) may be arrived at from a statement of the large amount of tonnage employed between May, 1859, and January, 1861, in the Company's carrying trade, viz. ;

In carrying sugar from ports in the East to Melbourne, vessels have been employed registering upwards of seven thousand five hundred (7,500) tons.

In carrying coals from Newcastle, N.S.W., to Melbourne, vessels registering upwards of eight thousand (8,000) tons.

In conclusion, the Directors desire me to add, that it will at all times afford them much pleasure to furnish the Honorable the Commissioner with such information as will, without unduly exposing the nature of their operations, in any way tend to illustrate the progress of the manufacturing interest in the Colony of Victoria.

I have, &c.,

(Signed)

J. F. RICHARDSON,
Secretary.

J. Chatfield Tyler, Esq.,
&c., &c., &c.

RETURN, showing the QUANTITY of SPIRITS in GALLONS at PROOF manufactured at the SANDRIDGE DISTILLERY during 1859.

1859.	Proof Gallons.	Number of Men employed.
From the commencement of operations in } October, to 31st December, 1859 ... }	25,028	6

NOTE.—The cartage to the Sandridge Distillery being done by contract, the number of horses employed cannot be given.

(Signed)

LESLEY A. MOODY,
Chief Inspector of Distilleries.

1860-1.

VICTORIA.

SALARY OF PRESIDENT.

CORRESPONDENCE between the Honorable Sir J. F. Palmer and the Honorable the Treasurer on the subject of the payment of the Salary of the President of the Council.

LAI'D UPON THE COUNCIL TABLE BY THE ACTING PRESIDENT 12TH MARCH, 1861, AND ORDERED BY THE COUNCIL TO BE PRINTED 19TH MARCH, 1861.

Parliament House, Melbourne, 14th February, 1861.

The Honorable the Colonial Treasurer, &c. &c.

SIR,

In the Estimates of Expenditure for the year 1861, submitted by the Government to the Legislative Assembly, no provision has been made for the salaries of the President and Chairman of Committees of the Legislative Council (with the intention as I presume that they should be provided for out of the Schedule), and, consequently, neither of these officers have received any portion of their salaries for the current year.

Will you, therefore, have the goodness to inform me whether it is the intention of the Government to adhere to their decision not to provide for the salaries alluded to.

I would here call attention to the circumstance that all other officers of the Government are being paid their salaries without any special vote of the Parliament, and it appears to me that the same course should be followed with regard to the salaries of the President and Chairman of Committees of the Legislative Council, at least until the Parliament shall have decided on a change of system of payment with respect to these officers.

As I am about to leave the Colony by permission, before it is probable that this question can be dealt with by Parliament, I am desirous to have the decision of the Government as early as possible upon it, and in bringing the matter under notice on the present occasion, I take the liberty of inviting your attention to the following points:—

- 1st. To the hardship of my case, should I be allowed to leave the Colony without any knowledge of the actual or probable situation in which I stand as regards salary; and
- 2nd. Whether I may not be permitted to draw on account of same, monthly, as at present, from the Colonial Agent in England, such sums as shall place me upon the same footing as other public officers, upon my tendering to that gentleman proof sufficient of my being alive at the time.

This course would, I feel assured, afford all necessary security to the Government, and would be of some personal advantage to myself.

I understand of course that, in such event, any exchange in the remittance or other charges would be borne by me.

I have the honor to be,

Sir,

Your most obedient servant,
(Signed) J. F. PALMER.

Parliament House, 23rd February, 1861.

The Honorable the Treasurer.

SIR,

The Legislative Council having granted me leave of absence for fifteen months as President, I am led to think that my *locum tenens* can only be recognized as Deputy President agreeably to Standing Order No. 4, in which he is recognized by that designation, and that consequently some order of the Executive Council will be necessary to determine the amount of salary which each should respectively enjoy, and to satisfy the Commissioners of Audit.

I should be glad therefore if you will bring this subject under the early attention of the Executive Council, that, if possible, I may be acquainted with its determination before I leave the Colony.

The usual course, I believe, has been to grant half salary to any officer leaving the Colony on leave of absence, and I respectfully submit that this rule should be followed in the present case, unless it should be deemed that my past services and the opportunities which may hereafter offer of rendering important advantages to the Colony in England are deserving of greater consideration.

First. Because I have presided over the Legislative Council under the former Constitution as Speaker, and under the present Constitution as President, for a period of nearly ten years, and have taken an active part in the public affairs of the Colony for a period of above twenty years.

Secondly. In revisiting England with the rank of President it will be incumbent upon me to support the dignity of the office, and in so doing to incur expenses which will press heavily on my very limited private fortune.

I need not state that, without these necessary advantages, I shall not be in a position to render those services to the Colony during my residence in England which the office which I have the honor to hold may otherwise place within my power.

I have the honor to be,

Your obedient and humble servant,

(Signed) J. F. PALMER.

61 | 1328.

Treasury, Melbourne, 28th February, 1861.

SIR,

I am directed by the Honorable the Treasurer to acknowledge the receipt of your letter of the 14th and 23rd instant respectively, relative to the salaries of the President and Chairman of Committees of the Legislative Council for the current year, and the arrangements to be made for the payment of your salary in the former capacity during your proposed absence from the Colony.

In reply, I am to state that provision has now been made for salaries for the two offices named at the respective rates of £1000 and £400 per annum.

Should those salaries be voted, payment will be made to you of the whole of that provided for the President, leaving it to you to make such private arrangements as you may think fit for the remuneration of your deputy during your absence, of which arrangements it is not the wish of the Government to take cognizance.

I have the honor to be,

Sir,

Your most obedient servant,

(Signed) E. S. SYMONDS.

The Honorable Sir J. F. Palmer.

1860-1.

VICTORIA.

RETURN OF MONEYS GRANTED TO MUNICIPALITIES.

LAI'D ON THE COUNCIL TABLE BY THE HONORABLE T. T. A'BECKETT, 12TH MARCH, 1861,
AND ORDERED BY THE COUNCIL TO BE PRINTED 19TH MARCH, 1861.

STATEMENT showing the amount of Moneys granted to the several Municipalities throughout
the Colony, from the commencement of such Grants in Aid, to the end of the Year, 1860.

Name of Municipality.	Year 1856.	Year 1857.		Year 1858.		Year 1859.		Year 1860.		Total.	
	£	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.
East Collingwood* ...	5,000	7,416	2 5	8,485	14 9	6,000	11 5	6,931	1 11	33,833	10 6
St. Kilda* ...	...	5,000	0 0	10,672	15 1	7,996	4 5	7,310	17 11	30,979	17 5
Brighton ...	...	...	...	...	...	1,000	0 0	2,269	2 0	3,269	2 0
Prahran ...	5,000	7,587	0 9	9,893	6 0	7,909	18 1	7,719	6 7	38,109	11 5
Beechworth ...	...	7,500	0 0	6,233	2 8	3,635	16 7	2,505	18 1	19,874	17 4
Fitzroy* ...	...	...	...	1,000	0 0	12,986	13 4	10,945	11 11	24,932	5 3
Ballaarat ...	7,500	5,943	5 3	4,974	7 11	4,128	1 3	4,759	4 3	27,304	18 8
Ballaarat East ...	...	7,000	0 0	10,143	0 7	6,423	11 8	4,695	7 5	28,261	19 8
Richmond* ...	5,000	6,984	18 2	7,650	15 10	5,795	16 3	4,640	0 10	30,071	11 1
Hamilton ...	...	...	...	...	...	1,000	0 0	639	17 3	1,639	17 3
Belfast ...	4,000	4,685	18 10	2,653	13 8	1,436	0 11	1,732	19 6	14,508	12 11
Brunswick ...	...	3,500	0 0	1,135	2 8	2,188	3 9	1,754	10 1	8,577	16 6
Heathcote ...	...	...	...	...	...	1,000	0 0	900	10 3	1,900	10 3
Maldon ...	...	...	...	1,000	0 0	1,437	5 2	1,668	16 2	4,106	1 4
Williamstown ...	4,000	6,448	18 2	5,922	17 5	4,850	11 5	3,479	5 2	24,701	12 2
Dunolly ...	...	...	...	1,000	0 0	957	6 6	497	1 7	2,454	8 1
Avoca ...	...	...	...	...	...	1,000	0 0	659	4 3	1,659	4 3
Sandhurst ...	7,500	6,112	17 8	9,636	0 1	6,079	13 10	7,665	4 6	36,993	16 1
Buninyong ...	...	...	...	...	...	1,000	0 0	460	5 0	1,460	5 0
Creswick ...	...	...	...	1,000	0 0	1,047	4 8	1,354	12 7	3,401	17 3
Warrnambool ...	4,000	4,555	8 2	2,338	7 6	1,566	14 10	1,275	18 9	13,736	9 3
South Barwon ...	...	2,000	0 0	1,843	19 3	987	7 10	1,246	2 5	6,077	9 6
Castlemaine ...	7,500	4,816	19 7	3,657	11 11	5,295	9 0	4,472	5 1	25,742	5 7
Ararat ...	...	...	...	1,000	0 0	1,963	4 2	991	15 4	3,954	19 6
Carisbrook ...	...	2,500	0 0	648	5 9	1,177	8 2	703	18 4	5,029	12 3
Kilmore ...	...	4,000	0 0	1,364	13 7	1,003	19 5	949	6 9	7,317	19 9
Kyneton ...	...	...	...	1,000	0 0	1,519	2 9	1,457	11 1	3,976	13 10
Daylesford ...	...	...	...	...	...	1,000	0 0	725	1 9	1,725	1 9
Hotham* ...	...	...	...	...	...	1,000	0 0	4,462	11 10	5,462	11 10
Maryborough ...	...	2,500	0 0	1,172	19 6	1,108	12 8	813	18 8	5,595	10 10
Amherst ...	...	...	...	1,000	0 0	200	16 1	578	11 11	1,779	8 0
Portland ...	4,000	5,206	10 4	3,092	12 1	2,020	11 4	1,758	9 2	16,078	3 0
Emerald Hill* ...	7,500	6,242	0 8	8,480	13 9	5,835	18 8	4,999	6 8	33,057	19 9
Newtown and Chilwell† ...	...	...	...	1,000	0 0	4,447	15 10	2,462	3 10	7,909	19 8
Footscray ...	...	...	...	...	...	1,000	0 0	514	1 1	1,514	1 1
Hawthorn ...	...	...	...	...	...	...	...	1,000	0 0	1,000	0 0
Sandridge* ...	...	...	...	...	...	...	...	1,000	0 0	1,000	0 0
Gisborne ...	...	...	...	...	...	...	...	1,000	0 0	1,000	0 0
Clunes ...	...	...	...	...	...	...	...	1,000	0 0	1,000	0 0
TOTAL	£ 61,000	100,000	0 0	108,000	0 0	108,000	0 0	104,000	0 0	481,000	0 0

* These Municipalities were formerly included in the boundaries of the Corporation of Melbourne.

† This Municipality formed originally part of the Corporation of Geelong.

GEO. VERDON.

Treasury, Melbourne,
7th March, 1861.

1860-1.

VICTORIA.

DISTRICT ROAD BOARDS.

RETURN, showing what MONEYS have been paid to the several ROAD BOARDS throughout the Colony from 1854 to 1860 inclusive.

LAI D ON THE COUNCIL TABLE BY THE HONORABLE T. T. A'BECKETT, 12TH MARCH, 1861,
AND ORDERED BY THE COUNCIL TO BE PRINTED, 19TH MARCH, 1861.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

STATEMENT, showing the Amounts paid to the several District Road Boards throughout the Colony, from the commencement of such Grants-in-Aid to the end of 1860.

BOARDS.	1854.		1855.		1856.		1857.		1858.		1859.		1860.		TOTAL.	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.
Alberton	2,000	0 0	1,469	15 8	1,521	11 0	2,708	3 6	7,699	10 2
Amherst	500	0 0	500	0 0
Bacchus Marsh	5,499	2 6	2,091	9 0	82	4 5	...	...	7,672	15 11
Ballaarat	5,847	5 0	2,280	14 8	2,793	6 9	6,050	3 9	10,921	6 0
Barabool Hills	6,874	7 0	3,125	13 0	3,834	16 0	7,615	7 0	3,655	17 1	25,106	0 1
Belfast ...	7,000	0 0	9,499	0 1	11,474	0 0	8,576	3 10	7,900	3 4	7,944	0 4	9,892	14 0	62,286	1 7
Boroondara	1,310	4 0	4,000	0 0	1,090	10 0	3,560	8 6	6,390	2 1	16,351	4 7
Broadmeadows	3,000	0 0	2,285	0 9	2,041	17 6	7,327	8 6
Buninyong	1,500	0 0	1,613	10 0	1,652	17 3	4,766	7 3
Braybrook	500	0 0	500	0 0	
Carlsruhe	2,000	0 0	489	2 6	2,489	2 6
Caulfield	2,000	0 0	996	0 9	2,247	19 0	5,243	19 9
Colac and Winchelsea	3,000	0 0	...	...	3,000	0 0
Connewarre	2,500	0 0	330	6 0	628	15 0	800	19 0	4,260	0 0
Creswick	3,000	0 0	3,584	16 0	6,584	16 0
Cranbourne	500	0 0	500	0 0	
Dundas	3,500	0 0	4,054	3 0	3,161	16 0	10,715	19 0
Epping	4,150	3 0	4,000	0 0	538	17 9	1,881	0 0	1,970	16 6	12,540	19 3
Eltham	500	0 0	4,431	15 0	247	10 0	680	15 10	904	11 1	6,764	11 11
Franklin and Yandoit *	1,000	0 0	1,000	0 0	
Fryers	500	0 0	500	0 0	
Gardiner	2,000	0 0	1,262	14 0	1,515	4 6	1,818	15 9	6,596	14 3
Glenlyon	2,000	0 0	2,000	0 0	
Greensborough	2,000	0 0	939	19 6	2,939	19 6
Hampden and Heytesbury	2,000	0 0	4,330	15 4	5,570	11 8	4,034	5 8	15,935	12 8
Heidelberg	2,000	0 0	4,000	0 0	3,296	12 4	3,705	1 8	2,643	15 0	15,645	9 0
Indented Heads	500	0 0	500	0 0	
Lauriston and Edgecombe	3,976	18 9	2,385	15 9	1,895	8 6	3,276	17 9	11,535	0 9
Lexton	3,000	0 0	3,000	0 0	
Metcalfe	500	0 0	500	0 0	
Mount Eliza	500	0 0	500	0 0	
Nunawading	500	0 0	2,000	0 0	422	3 9	1,231	19 9	4,154	3 6
Oakleigh and Mulgrave	500	0 0	500	0 0	
Pentridge...	2,000	0 0	947	5 0	2,947	5 0
Portarlinton	5,983	0 0	3,973	11 6	861	12 8	1,744	6 8	2,366	16 3	14,929	7 1
Portland ...	5,358	19 8	4,380	0 6	11,241	0 0	5,924	0 0	9,691	11 3	11,554	5 8	9,317	0 0	57,466	17 1
Templestowe	2,397	14 7	446	10 9	478	2 9	480	0 0	3,802	8 1
Tylden and Trentham	2,000	0 0	840	6 9	2,840	6 9
Warrnambool ...	3,499	19 0	10,249	19 3	10,326	10 9	8,499	8 3	12,193	18 0	9,223	4 8	9,347	10 4	63,360	10 3
Willowmavin	2,000	0 0	535	17 6	847	14 3	1,130	14 6	4,514	6 3
Woodstock	3,000	0 0	685	10 0	1,072	10 6	4,758	0 6
Prahran	2,052	9 4	...	...	...	...	...	...	...	...
Richmond	1,070	4 0	...	...	...	...	...	...	...	...
TOTAL	£415,156	3 2

* There is still £1000 to credit of this Board. The appropriation out of 1860 Grant being £2000.

Memo.—The following appropriations have also been made, but not yet paid out of 1860 Grant :—Carisbrooke, Gisborne, Maryborough, Schnapper Point, Smythsdale, and Newstead, £500 each. Colac and Winchelsea, £1000.

Roads and Bridges Offices, Melbourne, 6th March, 1861.

JOHN STEAVENSON, Commissioner of Roads and Bridges.

By Authority: JOHN FERRIS, Government Printer, Melbourne.

CS

1860-1.

VICTORIA.

GEELONG HARBOR RETURNS.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.
THE HONORABLE G. W. COLE.—12TH MARCH, 1861.

LAI'D UPON THE COUNCIL TABLE BY THE HONORABLE T. T. A'BECKETT, 13TH MARCH, 1861,
AND ORDERED BY THE COUNCIL TO BE PRINTED 19TH MARCH, 1861.

RETURNS for the PORT OF GEELONG, similar to those furnished the Harbor Trust
Commission for the Port of Melbourne, under date as follows :—

- (1.) From the Department of Trade and Customs, 18th July, 1860.
- (2.) From the Collector of Customs, 31st July, 1860.
- (3.) From the Harbor Master (two Reports), 24th August, 1860.
- (4.) Statement, as per Appendix F, from 1853, to 26th July, 1860, relative to the Cost
of Construction and Repairs of the Wharves at Geelong.

No 1.

RETURN, showing the Number and Tonnage of Vessels arrived at the Port of Geelong during
the Years 1858, 1859, and the first Six Months of 1860.

YEAR.	From United Kingdom.		From British Possessions.		From United States.		From Foreign States.		Coastwise.			Total.		
	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.		
1858	22	10,494	191	24,285	...	...	6	2,640	{ Steamers ... 201 } { Sailing vessels 358 }	559	{ 21,627 } { 25,831 }	47,458	778	84,877
1859	20	9,323	175	21,454	...	...	5	2,473	{ Steamers ... 300 } { Sailing vessels 276 }	576	{ 33,713 } { 17,815 }	51,528	776	84,778
First 6 months of 1860 }	8	3,558	61	7,711	1	282	2	1,203	{ Steamers ... 152 } { Sailing vessels 162 }	314	{ 19,176 } { 11,533 }	30,709	386	43,463
Totals ...	50	23,375	427	53,450	1	282	13	6,316			1,449	129,695	1,940	213,118

(Signed)

S. S. RENNIE,
For Collector.

Custom House, Geelong,
22nd February, 1861.

No. 2.

RETURN of the Number of Vessels entered at the Port of Geelong during the Year ended 30th June, 1860.

WHENCE.	WHERE DISCHARGED.							
	Point Henry into Lighters.		Geelong Harbor into Lighters.		Geelong Wharves.		Total.	
	No. of Vessels.	Tonnage.	No. of Vessels.	Tonnage.	No. of Vessels.	Tonnage.	No. of Vessels.	Tonnage.
Foreign Ports* ...	21	10,322	...	...	2	421	23	10,743
Intermediate do.*	6	1,492	...	...	142	16,735	148	18,227
Coastwise... ..	...	...	...	...	581	55,796	581	55,796
Totals ...	27	11,814	...	...	725	72,952	752	84,766

* These vessels commenced discharging at Point Henry, and, when sufficiently lightened to pass the Bar, finished at the Wharves. No means exist of stating the relative amounts discharged at the respective places.

(Signed)

S. S. RENNIE,

For Collector.

Custom House, Geelong,
22nd February, 1861.

No. 3.

STATEMENT, showing the Amount of Available Room at the Port of Geelong for the Discharge of Cargo.

NAME OF JETTY.	Depth at low water at outer end.	Extreme Length of Jetty.	Length of Jetty from Six feet water.
Moorabool street Jetty ...	9 ft. 5 in.	655 ft.	169 ft.
Steamboat do. ...	7 ,, 2 ,,	428 ,,	73 ,,
Yarra street do. ...	17 ,, 0 ,,	905 ,,	510 ,,
Customs do. ...	7 ,, 0 ,,	370 ,,	60 ,,
Railway do. ...	13 ,, 3 ,,	999 ,,	620 ,,

RETURN of the Shipping which arrived at Geelong from the 1st July, 1859, to the 30th June, 1860.

		No.	Tonnage.
Seagoing Vessels	...	222	37,601
Lighters	...	283	11,570
Bay Vessels	...	164	7,917
Steamers	...	621	82,478
Total	...	1,290	139,566

(Signed)

CHARLES FERGUSON,

Chief Harbor Master.

Department of Ports and Harbors,
Williamstown, 4th March, 1861.

No. 4.

PUBLIC WORKS.

STATEMENT, showing the Expenditure each Year out of each Vote, from 1st January, 1853, to 26th July, 1860, for the Construction of and Repairs to Wharves at Geelong.

Year.	Vote.	Construction.			Repairs.		
		£	s.	d.	£	s.	d.
1853	Extending the Jetty and approaches ...	8,963	14	3			
1854	Extending Jetties and improving the approaches	27,038	2	5			
1855	Do. do.	3,583	18	11			
"	Other Public Works	206	0	0	383	19	6
1856	To improve and extend the Wharves ...	3,509	9	9	860	19	0
1857	Extension of Wharves	11,671	7	6	328	12	6
"	Other Public Works	...			13	5	1
1858	Repairs and additions to Wharves, Jetties, and approaches	1,162	7	9	164	7	8
1859	Do. do.	3,965	5	0	33	10	8
1860	Do. do.	...			15	11	5
		£60,100	5	7	£1,800	5	10

(Signed)

WILL. W. WARDELL.

1860-1.

VICTORIA.

REVENUES

RECEIVED AT

PORTLAND, BELFAST, AND WARRNAMBOOL.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.

THE HONORABLE S. G. HENTY.—19TH MARCH, 1861.

- (1.) The Amount of Revenue from all sources, received by the Receipt and Paymaster at the respective Ports of Portland, Belfast, and Warrnambool, for the Year ending 31st December, 1860.
- (2.) The Amount of Imports and Exports to and from the above-named Ports, for the same period.

LAI'D ON THE COUNCIL TABLE BY THE HONORABLE A. FRASER, 16TH APRIL, 1861,
AND ORDERED BY THE COUNCIL TO BE PRINTED 21ST MAY, 1861.

STATEMENT, showing the Amount of Revenue derived from all sources at Portland, Belfast, and Warrnambool, and received by the Receivers and Paymasters at the respective Ports, during the Year ending 31st December, 1860.

NAME OF PORT.	Amount.		
	£	s.	d.
Portland	117,036	15	10
Belfast	40,264	18	8
Warrnambool	51,929	19	4
Total Revenue from the three Ports	£209,331	13	10

Treasury,
Melbourne, 5th April, 1861.

STATEMENT, showing the Value of Imports and Exports at Portland, Port Fairy, and Warrnambool, during the Year 1860.

PORTS.	Value of Imports.	Value of Exports.
	£	£
Portland	105,737	99,928
Port Fairy	8,552	2,756
Warrnambool	25,338	18,776

Department of Trade and Customs,
Melbourne, 21st March, 1861.

J. CHATFIELD TYLER,
Secretary.

By Authority: JOHN FERRES, Government Printer, Melbourne.

VICTORIA.

D I V O R C E A C T .

DESPATCH from the RIGHT HONORABLE THE SECRETARY OF STATE (Victoria, No. 16, 19th February, 1861), notifying that Her Majesty has not been advised to assent to the Act to amend the Law relating to Divorce and Matrimonial Causes in Victoria.

PRESENTED TO BOTH HOUSES OF PARLIAMENT BY HIS EXCELLENCY'S COMMAND.

ORDERED BY THE COUNCIL TO BE PRINTED, 21st MAY, 1861.

[COPY.]

Victoria.—No. 16.

Downing-street, 19th February, 1861.

SIR,

I have received your despatch, No. 80, 1st September last, enclosing an Act to amend the law relating to Divorce and Matrimonial Causes in Victoria.

I am of opinion that this Act is unobjectionable, except in regard to the provision in section 13, which enables a husband or wife to procure a dissolution of a marriage after having been deserted for four years without reasonable cause. It appears that many persons in the colony, whose opinions are entitled to respect, anticipate from this enactment consequences very injurious to public morals. I participate in these apprehensions; but I should not, perhaps, on that account have felt justified in advising Her Majesty to withhold her assent from a law which had received the sanction of the Colonial Legislature, if the matter had been one of purely local interest.

The question, however, appears to me to have a more extended bearing. The formal mode of contracting marriages is no doubt a fit subject for the discretion of Colonial Legislatures, because as a general rule no difference of mere form can render a marriage bad in any part of Her Majesty's dominions which is valid in that part where it was contracted.

The case, however, is very different in respect to the essential conditions of marriage. Whatever the effect of a colonial law may be within a colonial jurisdiction, I believe it to be at least most doubtful whether a marriage or divorce wanting in these conditions can be made valid in England by any colonial law; and if this be not the case, if the validity of such marriages and divorces is confined at most to the colony in which they take place, the greatest embarrassments might result from the prevalence of different laws in different parts of the empire. Marriages, legally contracted in one colony, would be inoperative for all legal purposes in another. Marriages, legally dissolved in one colony, would be held still to exist in another. One man would find himself subject to an unexpected prosecution for bigamy; another, who had married a wife in conformity with Australian law, might, on passing to England, find himself at liberty during her lifetime to marry another with impunity. Children, legitimate in one part of the empire, might in another find themselves incapable of inheriting their parents' property anywhere else. In fact, it is impossible to foretell the distress, insecurity, and litigation which might arise from such a state of things. These evils would not be confined to the colony whose legislation had given birth to them—they are essentially imperial. The probability of such evils renders it the duty of the Home Government, as far as its power extends, to maintain throughout the empire that essential uniformity in the law of marriage which alone can effectually prevent them.

On this principle I am precluded from advising Her Majesty to assent to an Act which effects such important innovations in the essential conditions of dissolving one marriage, and thus renders it practicable to contract a fresh marriage in Victoria under circumstances which would render that marriage of at least questionable validity in other parts of the empire.

I have, &c.,

Governor Sir H. Barkly, K.C.B.,
&c., &c., &c.

(Signed) NEWCASTLE.

VICTORIA.

HARBOR RETURNS AND CORRESPONDENCE.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.

THE HONORABLE G. W. COLE.—12TH MARCH, 1861.

1. A Statement similar to Appendix F, in Report of Harbor Commission, of all sums expended for deepening the River Yarra, from 1853 to 26th July, 1860.
 2. Statement of the vessels employed.
 3. Cost of construction and repairs.
 4. In whose charge, and in what Department, were the operations carried on.
 5. Correspondence or Minutes (if any) why Boat Channel, as laid down in "Garrard's" Survey, was not opened.
 6. By whose authority was the present channel in Hobson's Bay opened.
- Also, similar Returns for the Expenditure for dredging the Bar at Geelong, distinguishing
1. The cost incurred in dredging the Ship or Old Channel.
 2. The reason why the operations were changed, and by whose authority.
- Also, any Correspondence or Minutes authorising the two dredges being kept at Geelong after deepening the Bar to eighteen feet; and if there was or is any promise existing, or pledge given they were to be kept there; and if so, for what purpose they were intended.

LAI'D ON THE COUNCIL TABLE BY THE HONORABLE A. FRASER 25TH APRIL, 1861,
AND ORDERED BY THE COUNCIL TO BE PRINTED 21ST MAY, 1861.

YARRA.

No. 1.—A Statement similar to Appendix F, in Report of Harbor Commission, of all sums expended for deepening the River Yarra, from 1853 to 26th July, 1860.

Year.	Vote.	Amount Voted.	Cost of Wages, Coals, Stores, &c.	Cost of Repairs to Vessels, Machinery, &c.
		£	£ s. d.	£ s. d.
	<i>Dredging operations, River Yarra, commenced in January 1856.</i>			
1856	For the employment of the steam dredges ...	15,756	7,462 2 9	517 15 7
1857	Improving the navigation of the River Yarra below the Falls ...	15,000	8,156 18 5	3,369 3 7
1858	Maintenance of steam dredges, and improving Yarra and Geelong Harbor ...	20,000	7,894 4 6	1,861 17 7
1859	Maintenance of, and repairs to, three steam dredges—two on the Geelong Bar, and one in the River Yarra ...	33,400	7,980 8 3	2,552 0 1
1860 to 26 July.)	Dredging operations, maintenance, and repair of steam dredges ...	26,000	3,586 19 3	474 6 0
	Wages, coals, stores, &c. ...	...	35,080 13 2	8,775 2 10
	Repairs to vessels, machinery, &c. ...	...	8,775 2 10	
	Total ...	...	£ 43,855 16 0	

No. 2.—Statement of the Vessels employed ; and

No. 3.—Cost of Construction and Repairs.

Year.	Vessels employed.	Cost of Construction.
		£ s. d.
1856	Dredge <i>Wombat</i>	28,394 12 5
to	Tug steamer <i>George Rennie</i>	
1858	Six iron mud punts	
	Three wood punts	2,583 15 0
1859	Six iron mud punts (additional)	7,602 15 0
and	One iron mooring punt	219 15 0
1860	Half the cost of steam tug <i>Venus</i> , employed in the Yarra, and at Geelong, as required	1,178 18 8
	Total cost of construction and purchase	£39,979 16 1

Note.—The cost of repairs, &c., to these vessels is shown in the preceding statement.

No. 4.—*Yarra Dredging Operations*.—The Works have been carried on under the Department of Public Works from December 1856.

No. 5.—There does not appear to be any Correspondence on the subject of the Boat Channel not being opened.

No. 6.—By the authority of the Honorable the Commissioner of Public Works.

GEELONG.

No. 1.—A Statement similar to Appendix F, in Report of Harbor Commission, of all sums expended for dredging the Bar at Geelong, from 1853 to 26th July, 1860.

Year.	Vote.	Amount Voted.	Cost of Wages, Coals, Stores, &c.	Cost of Repairs to Vessels, Machinery, &c.
		£	£ s. d.	£ s. d.
	<i>Dredging the Bar at Geelong, commenced 30th August, 1853.</i>			
1853	Removing the Bar, Geelong and Port Fairy ...	20,000	2,468 1 11	
1854	Towards removing the Bar at Port Henry ...	17,000	15,393 17 2	
1855	Employment of the steam dredge	10,000	5,150 3 3	
	Amount expended by the Harbor Master, being also the cost incurred in dredging the Ship or Old Channel ... ..	...	23,012 2 4	
1856	For the employment of the steam dredges	15,756	4,754 7 5	2,283 13 2
1857	Maintenance of two steam dredges at Geelong ...	8,000	6,640 15 4	1,022 10 10
1858	Maintenance of steam dredges, improving Yarra and Geelong Harbor	20,000	7,790 5 3	1,131 7 10
1859	Maintenance of, and repairs to, three steam dredges—two on the Geelong Bar, and one in the River Yarra	33,400	8,843 8 9	4,966 7 6
1860 to 26 July	Dredging operations, maintenance, and repair of steam dredges	26,000	5,900 11 9	2,333 1 0
	Wages, coals, stores, &c. ... ..	...	56,941 10 10	11,737 0 4
	Repairs to vessels, machinery, &c. ... ..	...	1,737 0 4	
			£68,678 11 2	

No. 2.—Statement of the Vessels employed ; and

No. 3.—Cost of Construction and Repairs.

Year.	Vessels employed.	Cost of Construction.		
		£	s.	d.
1853	Dredge <i>Griper</i>	9,361	10	7
to	Tug steamer <i>Bendigo</i>	6,500	0	0
1858	Thirteen punts (wood)	11,196	5	0
	Double centre dredge <i>Alligator</i>	15,016	0	7
1859	Ten iron mud punts	12,671	5	0
and	Iron mooring punt	219	15	0
1860	Half the cost of steam tug <i>Venus</i> , employed at Geelong, and in the River Yarra, as required	1,178	18	8
	Total cost of construction and purchase	£56,143	14	10

Note.—The cost of repairs, &c., to these vessels is shown in the preceding statement.

No. 4.—*Geelong Dredging Operations.*—Harbor Master's Department from 1853–5. 1856 to present time the Public Works Department.

No. 5.—The Channel was altered by the authority of the Commissioner of Public Works (Capt. Pasley).

No. 1.—The Cost incurred in dredging the Ship or Old Channel was £23,012 2s. 4d., as per Return attached.

No. 2.—*Geelong Dredging Operations.*—By the Government of the day. The Old Channel was abandoned from the presence of rock.

Correspondence, Minutes, &c.—There is no promise on record for keeping two dredges at Geelong after the channel is cut.

The dredge *Alligator* was intended for Geelong, and promised to be sent there on completion by the Honorable the President of the Board of Land and Works (D. Moore, Esq.,) in June 1857.

1860-1.

VICTORIA.

DEFENSIVE WORKS.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL,
THE HONORABLE W. HULL.—17TH APRIL, 1861.

A RETURN of the Defensive Works undertaken under Captain Scratchley's superintendence, distinguishing those which have been completed, and showing the state of those which are in progress at this moment.

LAI D ON THE COUNCIL TABLE BY THE HONORABLE A. FRASER, 1ST MAY, 1861,
AND ORDERED BY THE COUNCIL TO BE PRINTED, 21ST MAY, 1861.

RETURN showing the Defensive Works undertaken under Captain Scratchley's superintendence, distinguishing those which have been completed, and showing the state of those which are in progress at this moment.

Situation of Work.	Nature of Work.	Proposed Armament.	State of Work.	Remarks.
SHORTLAND'S BLUFF	Fort ...	For six 68-pounders or six rifled guns.	Parapet for guns nearly completed.	Progress stopped, owing to want of funds; cannot be resumed this year as a sufficient sum has not been voted.
WILLIAMSTOWN. Railway Breakwater	Battery ...	For six 68-pounders	Just commenced	Will be completed in three months.
SANDRIDGE ...	Battery ...	For three rifled guns	Parapet for guns completed.	Progress stopped, owing to want of funds.
	Battery ...	Ditto ...	Ditto... ..	Ditto.
	Practice Battery.	For four 32-pounders	Just commenced	Will be completed in two months.

GENERAL REMARKS.

None of the defensive works have been completed, owing to a want of funds.

No progress has been made in carrying out the works this year, owing to the votes not having been passed till the end of March, 1861; and the uncertainty which prevailed with reference to the extent of the works it was proposed to construct; Captain Scratchley being unwilling to commence fresh works until he knew the amount that would be voted.

(Signed) P. H. SCRATCHLEY, Capt. R.E.,
Commanding Royal Engineer's Office, Commanding Royal Engineer.
Melbourne, 30th April, 1861.

1860-1.

VICTORIA.

DEFENCES OF THE COLONY.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.

THE HONORABLE W. HULL.—12TH MARCH, 1861.

LAI D ON THE COUNCIL TABLE BY THE HONORABLE A. FRASER, 17TH APRIL, 1861, AND
EXTRACTS FROM THE SAME ORDERED TO BE PRINTED, 21ST MAY, 1861.

EXTRACTS FROM CORRESPONDENCE

BETWEEN THE ENGINEER OFFICER SPECIALLY APPOINTED BY THE IMPERIAL GOVERNMENT
TO CARRY OUT DEFENCES OF THIS COLONY AND THE GOVERNMENT OF VICTORIA,
SUBSEQUENT TO HIS SPECIAL REPORT, DATED 22ND SEPTEMBER, 1860.

C60 | 294.

Department of Trade and Customs,
Melbourne, 12th September, 1860.

SIR,

I am directed by the Honorable the Commissioner of Trade and Customs to acquaint you that several representations have been made to him to the effect that the proximity to Melbourne of the Powder Magazine at Batman's Hill is dangerous to the safety of the city, considering the quantity of powder (eighty tons) stored therein. It is also stated to be in a hazardous position, from the neighborhood of a timber yard and gas works, and from the immediate vicinity of the railway.

I am to request that Captain Scratchley, R.E., may be instructed to survey the magazine, and to report whether there is any ground for the apprehensions which appear to exist.

I have, &c.,

(Signed) J. CHATFIELD TYLER.

F60 | 98.

Military Works Office,
Melbourne, 22nd September, 1860.

SIR,

With reference to the enclosed communication from the Department of Trade and Customs to the Honorable the Treasurer, relative to the Powder Magazine at Batman's Hill, I have the honor to state that I am of opinion that the proximity to Melbourne of a powder magazine containing from 70 to 80 tons of powder is attended with considerable danger.

It is evident that the site on which the magazine stands is not a proper one, more especially if a number of manufactories and other buildings are likely to be erected in its vicinity.

I consider that no apprehension need be entertained in consequence of a timber yard and gas works being in its neighborhood, as long as combustible materials are not in the immediate proximity of the magazine itself.

But I cannot view without apprehension the alterations that are being made at the magazine, namely, the laying down of wooden pathways from the door of the magazine to different parts of the yard in which it stands, and the construction of sheds for workshops, &c., of any other material but stone.

Moreover, the keeper's office ought not to be in the body of the magazine itself.

I am led to consider, therefore, that more apprehension is to be entertained from the way in which the service of the magazine is carried on and from certain defects in its construction, than from any other cause.

I have, &c.,

(Signed)

P. H. SCRATCHLEY, Captain R.E.,
Superintendent of Military Works.

The Under Treasurer,
&c., &c., &c.,
Melbourne.

Minutes on the above letter.

Forwarded for the information of the Honorable the Commissioner of Trade and Customs.

Treasury,
26th September, 1860.

(Signed)

E. S. SYMONDS.

Will Captain Scratchley be so good as to explain why he apprehends danger from the pathways which are being constructed to prevent *accidents* arising from sparks being elicited from the stones by horses feet, &c.

I should also be glad to be informed of the exact meaning of the implication of "the way in which the service is carried on," and I desire to be made acquainted with the defects in the construction of the magazine, in order that I may be enabled to adopt immediate measures.

27 | 9 | 60.

(Signed)

VINCENT PYKE.

F60 | 120.

SIR,

Military Works Office,
4th October, 1860.

In reply to minute by the Honorable the Commissioner of Trade and Customs, on my letter No. F60 | 98, of the 22nd September, I have the honor to state:—

1. I apprehend danger from the "pathways which are being constructed," because they are of *wood*, and they lead to the doors of the magazine.

(It is an established rule, that no wood-work should even be exposed on the exterior of a powder magazine, for obvious reasons.)

1. I apprehend danger from "the way in which the service is carried on," because, on the two occasions I visited the magazine, I was permitted to enter and walk about in the interior of the magazine without being requested to adopt the necessary precautions of wiping my feet or putting on slippers, &c.—because the doors of the magazine are left open (for the purpose of airing it, it is said), and as the powder barrels are close to the door-way, the slightest spark in hot weather would be enough to cause ignition of the powder;—because the precaution of having hides laid upon the floor of the magazine to walk upon is not adopted;—because, when I visited the magazine yesterday, I found that the door of communication between the magazine and the office of the keeper was open and a person was sitting there;—because there appear to be cases of powder in the office of the keeper;—because there is a quantity of damaged powder in casks in one of the sheds in the yard of the magazine;—because it has been found necessary to have wooden pathways (quoting the Honorable the Commissioner's words) "to prevent accidents arising from sparks being elicited from the stones by horses' feet," &c.

3. The defects in the construction of the magazine are as follows:—

The lightning conductors are not constructed according to the latest discovered scientific principles.

The whole of the doors of the magazine are not covered with copper.

There is a wooden porch over the doorway of the office of the magazine.

The office of the keeper of the magazine forms part of the body of it.

The entrances to the magazine are not closed by double doors with a space between them.

There are wooden pathways leading from the entrance to the magazine yard to the doorways of the magazine.

The yard is paved with stone instead of being turfed.

There are wooden sheds in the yard of the magazine.

There is a wooden railing outside the magazine yard.

Having stated the reasons which led me to remark, in my letter of the 22nd September, that I apprehended danger to the magazine "from defects in the construction, and from the way the service is carried on," I beg to forward a statement of the course I consider ought to be pursued to lessen the danger apprehended.

I have, &c.,

(Signed)

P. H. SCRATCHLEY, Captain R.E.

The Under Treasurer,
&c., &c., &c.,
Melbourne.

Alterations and Additions.

1. The lightning conductors to be constructed and fixed in accordance with the plan adopted in England.
2. All the doors to be covered with copper.
3. Masonry porches to be built over every doorway of the magazine; these porches to have doors, by which means there will be double at all the entrances.
4. The wooden pathways in the yard to be taken up.
5. The wooden sides of the sheds in the yard to be replaced by masonry.
6. No wood-work of any kind to be exposed on the exterior of any of the buildings; if exposed, to be covered with copper sheeting.
7. The paving in the yard to be taken up, and the yard to be turfed. If it cannot be turfed, the earth to be neatly dressed to carry off the rain water.
8. The wooden railing outside the yard to be removed, and to be replaced by an iron one.
9. An office for the magazine-keeper to be built outside the yard near the gateway.
10. Tiles to be laid on the flooring of the interior of the magazine and sheds.

Military Works Office,
4th October, 1860.

(Signed)

P. H. SCRATCHLEY, Captain R.E.,
Superintendent of Military Works.

F60 | 292.

Military Works Office,
10th January, 1861.

SIR,

In my letter of this date, relative to the storage of the warlike stores of the colony at Williamstown, I proposed that, until the defensive works were completed and armed, they should be under the charge of the Government Storekeeper.

After the completion of the works the spare stores would be removed to the arsenal, now being constructed at the barracks, Prince's Bridge, and placed under the charge of some officer who would be responsible for them.

Up to the present time the quantity of warlike stores in the colony has been so small, that it has not been found necessary to have any officer in charge of them.

The Volunteer Artillery having charge of the guns, cannon, powder, shot, &c., the small arm ammunition being stored in the colonial magazine at Batman's Hill, and the small arms, &c., being in charge of the officer commanding the volunteers.

Should, however, the system of defence I propose be adopted, and the required quantity of ordnance, powder, shot, &c., obtained from England, it is manifest that some one should be placed in charge of them; moreover, persons will be required to take charge of the magazine at the Royal Park; of the arsenal at the barracks; and of the different defensive works about to be erected.

The artillery drill instructors would, in my opinion, be the proper persons to be placed in charge of the latter; a non-commissioned officer of artillery of the powder magazine, the armourer of the armoury, a non-commissioned officer of artillery of the arsenal.

If a company of Royal Artillery were stationed in the colony, all these situations could be filled by non-commissioned officers of that arm.

This consideration led me in my report upon the defences to insist upon the necessity of having a company of Royal Artillery stationed in the colony.

As a general rule, the commanding officer of artillery is responsible for all guns in position, and the warlike stores with them; but, unless they are given over to him, he is not responsible for the stores in the arsenal or magazine.

In the mother country the Ordnance Storekeeper's department has charge of all warlike stores (infantry, artillery, and engineer stores).

One or more officers of the department are stationed in all the principal fortresses and colonial possessions, such as Malta, Ceylon, Gibraltar, and Mauritius.

In my opinion, it is unnecessary to appoint an officer specially to the charge of the stores and magazines in the colony.

If the Royal Artillery were stationed here, one of the officers could be appointed to the charge, for which the Government would doubtless grant him a small increase to his pay, and he could at the same time perform his other duties.

Whatever officer is appointed, I consider that he should have sole charge; that the men in charge of stores in the batteries, in the armoury, magazine, and arsenal, should be responsible to him; that no powder, stores, arms, &c., should be issued without the requisition for the same passing through his hands.

I have been led to address you on the subject from the consideration that no one officer in particular is responsible for the warlike stores now in the Colony; that, if any repairs are required to be made to gun carriages; if any small stores are required by the artillery, to replace any that are damaged or broken, months must elapse before they can be obtained; moreover, the course pursued of making a requisition for these stores on the Government Storekeeper appears to me to be injudicious.

That officer cannot be expected to know anything about these matters, and the probable consequence is, that inferior articles are supplied.

If an officer were appointed as proposed in this letter, all this inconvenience and delay could easily be obviated.

If my proposition meet with your approval, I am quite prepared to enter more into the details of the matter.

In conclusion, I beg to state that, as a temporary measure, I am quite prepared to carry on the duties attendant on the charge of the stores of the Colony.

I have the honor to be,

Sir,

Your most obedient Servant,

(Signed)

P. H. SCRATCHLEY, Captain R.E.,
Superintendent of Military Works.

The Honorable the Treasurer.

61 | R1546.
F61 | 323.

[COPY.]

Military Works Office,
19th February, 1861.

SIR,

At the request of the Government Storekeeper, I accompanied him and the Immigration Agent to-day to inspect two wooden buildings at the Immigration Depôt, for the purpose of deciding as to whether they were suited for the reception of warlike stores.

I have the honor to report that they are totally unsuited for the purpose :—

1. Because they are of wood.
2. Because they are not waterproof and quite out of repair.
3. Because their flooring is not capable of bearing any great weight.

My principal objection, however, to these buildings is founded not so much on the reasons above stated, but on the fact that it would be highly injudicious to store warlike stores in such a locality as the Immigration Depôt; and that a great and unnecessary expense would be incurred in moving the stores from the landing place in the bay to the depôt, and afterwards, where required, to other places.

I beg again to bring forward for your consideration the suggestions contained in my letters, No. F61 | 291 and No. F61 | 292 of the 10th January, 1861, addressed to you.

I have &c.,

(Signed)

P. H. SCRATCHLEY, Captain R.E.

The Honorable the Treasurer,
&c.

Minute on Captain Scratchley's letter of 19th February, 1861.—No. 61 | R1546.

Forwarded to the Public Works Department, with the view of a building being erected for the reception of warlike stores, as suggested by Captain Scratchley in his letter of 10th January (herewith), and approved by the Honorable the Treasurer.

(Signed)

E. S. SYMONDS.

22 | 2 | 61.—(567.)

Minute on Captain Scratchley's letter of 19th February, 1861.—No. 61 | R1546.

There are no funds available at present for these works. Will the Under Treasurer be good enough to say on what vote they can be charged when the Estimates pass the Assembly.

(Signed)

EDWD. WARDELL.

28 | 2 | 61.

Minute on Captain Scratchley's letter of 19th February, 1861.—No. 61 | R1546.

Division No. 61, subdivision 17, item "Other Public Works and Buildings."

(Signed)

E. S. SYMONDS.

4 | 3 | 61.—(663.)

Minute on Captain Scratchley's letter of 19th February, 1861.—No. 61 | R1546.

I would suggest that this would form a very serious charge in a vote never intended to bear it. From the accommodation that I gather from Captain Scratchley's letter would be required, I presume the expenditure would be, at least, £1000. Would not division 61, subdivision 8, item 1, be more justly charged with it?

(Signed)

EDWD. WARDELL.

7 | 3 | 61. (61 | 135.—8 | 3, P.S.)

Minute on Captain Scratchley's letter of 19th February, 1861.—No. 61 | R1546.

Mr. Wardell is referred to the paragraph of Captain Scratchley's communication of 10th January, 1861 (291), where he estimates the cost of providing the required accommodation at £200.

12 | 3 | 61.—(712.)

(Signed) E. S. SYMONDS.

Minute on Captain Scratchley's letter of 19th February, 1861.—No. 61 | R1546.

Captain Scratchley has since informed me that £1000 will be necessary, if the vote for defences remains as at present.

18 | 3 | 61.

(Signed) EDWD. WARDELL.

Minute on Captain Scratchley's letter of 19th February, 1861.—No. 61 | R1546.

Again referred, by direction of Mr. Verdon, to the Honorable the Commissioner of Public Works, for re-consideration. (See Mr. Johnston's minute of 23rd January, on 61R | 428.)

Treasury, 21 | 3 | 61.—(788.)

(Signed) E. S. SYMONDS.

Minute above referred to.

I am not disposed to grant the use of the coke shed for the purpose required. The Engineer-in-Chief is short of shed accommodation for the uses of his own department.

23 | 1 | 61.

(Signed) J. S. J.

[COPY.]

F61 | 296.
SIR,

Military Works Office,
16th January, 1861.

I have the honor to forward, for your perusal and attention, a Memorandum I have drawn up on certain defects I perceive in the organisation of the Volunteer force.

I consider that, as a member of the Defence Commission, I am responsible to the Government of this Colony for everything connected with its defence, and that I relieve myself of that responsibility by bringing these matters to its notice.

I have the honor to be, Sir,
Your most obedient Servant,

(Signed) P. H. SCRATCHLEY,
Captain R.E.

The Honorable the Treasurer.

MEMORANDUM.

It is now generally admitted that the Volunteer movement in this colony is progressing most favorably, and promises to be the means of establishing a permanent force for its defence against foreign aggression.

It is therefore of the utmost importance that the force should be organised in the most efficient manner.

The principal defects in its organisation are to be found in the constitution of the paid staff and system of distribution of the force.

At present the force is limited to five thousand men; and about four thousand seven hundred men are enrolled.

The general paid staff for that force, which is nearly equal to the strength of a division of the regular army, consists of one Colonel Commanding, and two Staff Captains.

The regimental paid staff, of three Adjutants, attached to the Cavalry, Artillery, and Mounted Rifles.

The general staff for a division of the regular army consists of—

- 1 General Commanding.
- 2 Brigadiers.
- 1 Deputy Assistant Adjutant General.
- 1 Deputy Assistant Quartermaster General.
- 2 Brigade Majors.

In addition to these, there are other staff officers, who would not, however, be required for the Volunteer force.

A division generally consists of five regiments of the line, a regiment of cavalry, and a division of artillery; giving seven adjutants for the whole.

On service, when a division is broken up into smaller detachments than brigades, it is customary to appoint additional staff officers for the detachments.

In the event of an attack on this colony, it is evident that the whole of the volunteers will not be massed together, but that the force will be broken up into at least four detached bodies.

If it be considered necessary to have seven staff officers for a division of trained troops, how much more necessary is it to have the same number, if not more, for a division of volunteers.

Another fact must be borne in mind. The volunteers in this colony will constitute the army for the defence of the colony, whilst in England the volunteers are but part of it.

It cannot for a moment be supposed that, in the event of an attack, the Colonel of Volunteers, with only two staff officers, will be able to direct the movements and see to the requirements of a force broken up into numerous detachments, situated miles from each other.

Besides the insufficiency of the number of staff officers, there is one point which, in my opinion, must impair the efficiency of the volunteers as a body, which is, the want of unity amongst the different arms.

It appears to me, too, that the Artillery, Naval Volunteers, and Rifles, all act independently of each other.

This arises from the fact that, under the existing circumstances, the Colonel of Volunteers performs the duties of Senior Staff Officer of Volunteers, of Colonel Commanding the whole of the Volunteers, and Colonel Commanding the Rifle Volunteers.

It must be evident that this is too much for one individual to do, when the force amounts to nearly five thousand men.

Moreover, I consider that the officer commanding the whole of the force should not be a paid officer; he should be a Volunteer.

The following scheme would, in my opinion, remedy the defects I have adverted to.

I would propose to have a general paid staff for the Volunteer force, consisting of—

A Deputy Adjutant General.

A Staff Captain for Artillery and Naval Volunteers.

Two Staff Captains for the Rifles and Mounted Volunteers.

2. That the colony should be divided into Volunteer Districts.

3. That the Volunteer Districts for the present should be four in number, viz.—

No. 1, or the Melbourne District, consisting of the following places :

Melbourne	Carlton
Collingwood	Pentridge
Richmond	Fitzroy
Prahran and South Yarra	Brighton
St. Kilda	Hawthorn
Emerald Hill	Kew and Sandridge.

No. 2, or the Williamstown District, consisting of the following places :

Williamstown	Footscray.
--------------	------------

No. 3, or the Western District, consisting of the following places :

Geelong	Warrnambool
Queenscliff	Belfast and Portland.

No. 4, or the Northern District, consisting of the following places :

Ballaarat	Maryborough
Bacchus Marsh	Castlemaine and Kyneton.

That, as the force of Volunteers increases, and Volunteer corps are raised in the interior, they should be attached to Nos. 3 and 4 Districts respectively.

4. That, at the head of each district, there should be a staff officer, paid for his services, and that this officer should be a retired officer of the army.

5. That each district should be commanded by the senior Volunteer officer.

6. That the paid staff officers should be under the orders of the senior Volunteer officer of each district, and responsible to him for the efficiency of all the troops in his district.

7. That, if practicable, a Volunteer officer who has served in the army should, by being promoted, be placed at the head of the district.

8. That every arm of the service in each district should be under the command of the senior Volunteer officer of the district.

9. That the Governor of the Colony should be the Colonel of the whole of the Volunteer force.

10. That gentlemen should be appointed Lieutenant-Colonels of the Artillery, Mounted, Naval, and Rifle Volunteers.

11. That an Adjutant should be appointed to the Artillery, Mounted, Naval, and Rifle Volunteers.

12. That the general staff of the Volunteers should be stationed in Melbourne.

13. That the staff officers of districts should be stationed in the same locality as the Volunteer officers commanding the district.

14. That, for the present, the Adjutant of the Geelong Rifles should act as Staff Officer of No. 3 District.

That the Adjutant of the Naval Volunteers should act as Staff Officer of No. 2 District, and that one of the general staff officers at Head Quarters should act as Staff Officer of No. 1 District.

I am of opinion that, if the above scheme were adopted, the efficiency of the force would be ensured; the requirements of each arm of the service would be well looked after by the commanding and staff officers of each district; there would be unity of action between the different arms; the staff officers, by frequent inspections, would see that the drill of the corps was being attended to, and report to the commanding officer of districts the progress made by the various corps; these commanding officers could communicate direct with the Deputy Adjutant General of Volunteers.

By having a General Staff for the force, the requirements of each arm would be provided for, and the interests of each jealously guarded.

In conclusion, I feel no hesitation in stating that no military man who has seen active service would feel real confidence in the force, organised as it is, in the respects referred to.

It would be impossible to ensure unity of action among the different arms and corps, and the greatest confusion in the event of an attack would ensue.

Without unity of action and organization, stout hearts and good shots are of little real value.

These considerations have led me to write on this most important subject, and I trust that the Government of this Colony will take it into their consideration before it is too late.

(Signed)

P. H. SCRATCHLEY, Captain R.E.

Military Works Office,
Melbourne, 15th January, 1861.

[COPY.]

F61 | 330.

Military Works Office,
4th March, 1861.

SIR,

1. I have the honor to address you on a subject intimately connected with the welfare and success of the volunteer movement in this colony.

2. It is obvious that artillery is the principal arm we require for our defence against foreign aggression.

3. Great care should, therefore, be taken to raise as large a volunteer force of that arm as possible, and to give it as perfect a training as possible.

4. For this purpose good and efficient drill instructions are absolutely required.

5. I regret to say that the Royal Volunteer Artillery of this colony does not possess them, with only two exceptions.

6. I may be considered to be overstepping the bounds of duty in interfering in this matter; but being the only Imperial Ordnance Officer actually in the service of the colony, I think I am only performing that duty by this interference.

7. The qualifications required in artillery drill instructors are numerous, and appear to me not to be generally understood.

8. They differ from those required in an infantry or cavalry drill instructor in a great degree. Very superior qualifications and superior intelligence are necessary for a man to become a good artillery instructor.

9. All instructors, whether for artillery, infantry, or cavalry, should be able to impart the knowledge they possess to the men they are teaching, and it does not follow that because a man has served in the army as a serjeant, or even as an officer that he will make a good instructor.

10. An artillery instructor should possess the following qualifications, irrespective of that referred to in the preceding paragraph of this letter:—

First.—He should have served some time in the Royal Artillery.

Secondly.—He should have served as a non-commissioned officer, or as a drill instructor, in that arm.

Thirdly.—He should have gone through what is called the "Repository course" at Woolwich.

Fourthly.—He should possess a fair knowledge of arithmetic, and be able to write a legible hand, &c., &c.

Fifthly.—He should be an able-bodied, active man, and thoroughly sober and trustworthy.

11. In my opinion the having served in the Royal Artillery and having gone through the repository course at Woolwich should be considered a *sine qua non* when candidates apply for the post of artillery instructors.

12. It is hardly necessary for me to point out that the recent improvements in cannon, their increased range, &c., all tend to increase the necessity of having a superior class of men perform the duties of artillery soldiers.

13. Among the volunteers this superior class will probably be found, but they will require careful instruction, and for this purpose highly qualified instructors must be obtained.

14. Having, by the request of the Colonel commanding the volunteers, on two occasions sat as chairman of a board assembled to examine candidates for the post of artillery drill instructors, I can from experience say, that the whole of the persons who came forward as candidates were totally unsuited for the post.

15. As instructors were immediately required, the board were compelled to recommend some of the candidates to be appointed on probation; and my views were, that these men might be retained until such time as a detachment of the Royal Artillery might be stationed in the colony.

16. I have, on several occasions, given my opinion as to the absolute necessity of having some of the Royal Artillery in the colony, not only to man the guns, but to impart instruction to the volunteers.

17. It must be evident to every one that every thing connected with artillery is now in a state of transition, that new guns and new projectiles are being introduced; and that the only men who can possibly keep up their knowledge of all these improvements are those who are actually serving in the Royal Artillery.

18. I maintain that the volunteer artillery should be afforded every facility in obtaining, as rapidly as possible, the necessary knowledge for becoming efficient gunners.

19. This facility is not afforded by following the present course, which consists in appointing to the post of drill instructors men who are totally unsuited for the post. This is done from necessity; and no one can possibly be blamed.

20. I should be grossly neglecting my duty, if I were not to bring the matter to the notice of the Government.

21. I now beg to suggest a remedy. Until the arrival of a detachment of the Royal Artillery in the colony, I recommend that application be made by the Government of this colony, through the Government of New South Wales, to the officer commanding the Royal Artillery at Sydney to send to Melbourne a certain number of his men, not exceeding five, to act as instructors to the *Victorian Volunteer Artillery*. Probably the sanction of the Major-General commanding Her Majesty's troops in the Australian colonies would be required.

22. It should be clearly explained to the officer commanding the Royal Artillery in what position these men would be placed, in order that he might select really good men; more especially men who were capable of satisfactorily performing the difficult task of instruction. It would, doubtless, suggest itself to that officer, that men who had gone through the repository course at Woolwich would be better suited for the work; as, in addition to their duties as instructors, they might, owing to the absence of any regular artillery in the colony, be called upon to perform duties connected with the mounting and dismounting of heavy ordnance.

23. Their pay and allowances should be assimilated to those of the Royal Engineers now in the colony, and a staff allowance should be given to them for acting as drill instructors.

24. I am opposed to the measure of employing as instructors retired non-commissioned officers, as it was once proposed by the Defence Commission.

25. If we are driven to adopt such a course, and cannot obtain the services of men actually serving in the Royal Artillery, I think a better course would be to offer sufficient pay to induce really efficient and young non-commissioned officers to purchase their discharge from the Royal Artillery, in order to enter the service of the colony.

26. The sanction of the Imperial Government would naturally have to be obtained.

27. These men should be guaranteed a pension after a certain number of years of faithful service.

28. It is unnecessary to show that smart and intelligent men, who are thorough soldiers, are more likely to obtain the esteem and respect of those they are instructing (which in my opinion is a great desideratum) than superannuated though perhaps worthy discharged soldiers.

29. It may be said that it will be difficult to obtain the class of men I refer to.

30. I can safely say that no difficulty whatever will be experienced in obtaining these men from such a regiment as the Royal Artillery.

31. Whilst writing on this subject, I think I should bring to your notice the insufficiency of the means provided for carrying on the instruction of the volunteer artillery.

1. There is no proper place reserved for practice with field pieces.

The artillery service should, in my opinion, have a butt and range as much as the infantry.

2. From a return of the ordnance stores in the colony, I find that they are nearly all in the most unserviceable condition, and of the oldest pattern.

The following, absolutely required, are not in possession:—

Shrapnell shells.

Hand grenades.

Carcases.

Boxer's fuzes.

Friction tubes of a proper description.

3. From a report furnished by me on the 5th September, 1860, to the Defence Commission, it will be seen that I gave it as my opinion that the whole of the carriages of the field guns in the colony were unserviceable.

With regard to Boxer's fuzes and friction tubes, I have no doubt that a small supply might be obtained from Sydney, or the Imperial stores in Tasmania.

32. In conclusion, I beg to remark that I have been induced to write on these subjects from the consideration that a general impression prevails in the colony that we are rapidly placing ourselves in a strong state of defence.

This is not the case.

The colony is still in an absolute defenceless state.

I have the honor to be, Sir,

Your most obedient Servant,

P. H. SCRATCHLEY, Captain R.E.

(Signed)

The Honorable the Treasurer.

From Inspector-General to Captain Scratchley.

61 | 84.

Public Works Office,
Melbourne, 10th January, 1861.

SIR,

Your letter of the 9th instant, with reference to the creation of a special department for the construction of the works of defence in this colony, having been submitted for the consideration of the Commissioner of Public Works, I am directed to inform you that Mr. Johnston has no objection to the sums placed on the Estimates for *Defences of the Colony* being transferred to the department of the Treasurer, as you suggest, should Mr. Verdon be willing to administer them. The details would require to be managed in the Treasury.

In this case the entire expense of the new department would necessarily be defrayed out of the vote for defences.

I have the honor, &c.,

(Signed)

A. GALT,
For Inspector-General.

(COPY.)

Minute on 339 (enclosure in 1962).

I do not see any reasons for transferring the supervision of any other works than the defences to Captain Scratchley, and I consider there are several reasons against it. I therefore prefer that, with the exception of the defences, they should remain under the control of the Inspector-General, who is responsible to me for them. With regard to the defences—I agree that Captain Scratchley ought to have sole charge and responsibility; first, because they are purely technical matters; and secondly, because he has been asked by this Government and sent by the Imperial Government to take this charge. But I decline to remove any other matters from the control of the ordinary officer.

I shall, therefore, be happy to confirm any arrangement on this basis that Captain Scratchley may make with the Inspector-General, on the understanding that it does not infringe any of the Treasury and Audit Departments.

28 | 1 | 61.

(Signed)

J. G. F.

(COPY.) 1962.

Minute on 339 (enclosure in 1962).

61 | 307.

Military Works Office,

1 | 2 | 61.

As I consider that it would be injudicious and attended with injury to the public service to separate two branches (viz., military works and buildings and fortifications) of the same service from each other, which in every other portion of the civilized world are invariably under the control of a military engineer, it is not my intention to suggest any alteration in existing arrangements.

My object throughout has been, and will always be, to set matters on a proper footing. I must, however, refer to the home authorities whether I can, as a Military Engineer on full pay, retain the subordinate position I now hold in the Department of Public Works of this colony.

(Signed)

P. H. SCRATCHLEY, Captain R.E.

Forwarded to the Inspector of Public Works for the information of the Honorable the Commissioner of Public Works.

Minute on 339 (enclosure in 1962).

I think it desirable to remind Captain Scratchley that, whatever may be the practice of the "other portions of the civilized world," he has not been asked to undertake in this the control of any public works beyond the defences. For carrying on these I am quite willing to confirm any arrangement agreeable to himself, that may be approved of by the Honorable the Treasurer.

After this intimation, Captain Scratchley will perceive that the "subordinate position" of which he complains exists entirely at his own option.

I have no doubt Captain Scratchley will see the propriety of accompanying his reference to the home authorities with a copy of this minute.

5 | 2 | 61.

(Signed)

J. S. JOHNSTON.

[COPY.]

F61 | 349.

Military Works Office,
21st March, 1861.

SIR,

With reference to the recent conversations we have held relative to the removal from the colony of a portion of the detachment of Royal Engineers under my command, I beg leave to make a few remarks.

I do so, because I do not wish it to be supposed that I was the first to recommend that such a step should be taken.

One of the questions bearing on the subject, which you put to me, was as follows:—

“Whether, on taking into consideration that only a very small portion of the works necessary for the defence of the port would be executed this year (1861), and the construction of the remainder extended over a larger number of years than was at first anticipated, and that most of the works would be executed by contract, I considered that the services of a portion of my detachment could be dispensed with, thereby relieving the colony from considerable expense.”

You will doubtless remember that my reply was to this effect: That, had it been the intention of the Government that the whole of the works for the defence of the colony should be constructed in two years, I was of opinion that the whole of the detachment would be required; but that, if their construction were to be extended over a period of five or six years, I considered that I could dispense with the greater part of it.

That at the same time I did not feel myself justified in making any such recommendation, as it was evident that the question was purely a financial one, which would have to be decided by the Government of the colony.

I now desire to give a few of the reasons which induced me to make the above reply.

You are probably aware that I was ordered from India to this colony with the detachment.

I was not at the time furnished with any information regarding the nature and extent of the works it was proposed to construct for the defence of the colony, and whether the works were to be constructed by contract or by military labor.

Without this information, I felt myself placed in an embarrassing position.

With the sanction of the officer commanding the Royal Engineers in India, I selected twenty-one men, whom, from personal knowledge, I knew would be of great service to me in every way.

Had I at the time possessed the information and local experience I have acquired since my arrival in the colony, and had I had any voice in the matter, I would have decidedly recommended that either a whole company of Royal Engineers should be applied for, or only a very small detachment (say of eight men), who would have been employed as clerks, draughtsmen, and foremen of works, whilst on the other hand, a whole company would have constructed the works without the assistance of civil labor.

I find that, after making an allowance for the men employed in the position of clerk, draughtsman, surveyor, and overseer, and for the sick, I have only a small number of men (averaging from twelve to fifteen) available for the works, and I have always found, from experience, that it is more economical and advantageous to employ large than small working parties on such heavy work as the construction of works of defence; yet I do not wish to be understood to say that I shall not be able to employ profitably the men of the detachment. On the contrary, owing to the small sum voted for defences this year, I shall have more men at my disposal for works, owing to fewer foremen of works being required.

Had considerable sums been voted for the defences, I would have employed a larger number of men as foremen of works, not only on account of the extent of the works, but owing to their scattered position.

The above considerations led me to reply in the manner I did to your questions.

I cannot, however, omit to remark that, should the greater portion of the detachment be removed from the Colony, at the request of its Government, it is highly improbable that the Imperial Government will hereafter be inclined to comply with any future requisitions from Victoria for more men of the Royal Engineers.

You are doubtless aware that very extensive defensive works are being constructed at home and in the foreign military possessions of Great Britain, and that consequently there is an extraordinary demand for officers of the Royal Engineers and their men; so much so, that it was at one time doubtful whether the services of my detachment could be spared. Moreover, shortly after my arrival in the Colony, I received an order from the home authorities to return to England without delay with my detachment.

This order was cancelled, owing to strong representations having been made by His Excellency the Governor and the General Commanding to the effect that the Colony was about to expend large sums of money on its defences, which, at the time, was perfectly correct, as the sum of £45,000 appeared on the Estimates for 1861 for defensive works alone.

I cannot presume to say in what manner the Imperial Government will receive the information that only £10,000 has been voted for the defences, and that steps are being taken for the removal of the greater portion of the detachment of the Royal Engineers, which was obtained only after great difficulty.

I cannot refrain from remarking that this step (the removal of the detachment) will have a very prejudicial effect on the minds of Her Majesty's Ministers, and that most probably the difficulty of obtaining a Company of Royal Artillery, so much required, will be immeasurably increased thereby.

As it appears that the Government has addressed His Excellency the Governor on the subject, you will perhaps have no objection to forwarding a copy of this letter for his perusal.

I have the honor to be,

Sir,

Your most obedient Servant,

P. H. SCRATCHLEY, Captain R.E.

The Honorable the Treasurer.

Referred to the Private Secretary, 25th March, 1861.

1860-1.

VICTORIA.

TOBACCO IMPORTED.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.

THE HONORABLE J. HENTY, 7TH MAY, 1861.

A RETURN of the quantity of Tobacco on which no duty has been paid, cleared from the Customs' Warehouse and direct from import ships at the Ports of Melbourne and Geelong, and the outports of the Colony respectively, for the year ended 30th September, 1860; such Return not to include Tobacco cleared under bond for exportation.

LAI D ON THE COUNCIL TABLE BY THE HONORABLE A. FRASER, 14TH MAY, 1861, AND ORDERED BY THE COUNCIL TO BE PRINTED, 21ST MAY, 1861.

RETURN, showing the Quantity of Tobacco destroyed for Sheepwashing purposes during the Year ended 30th September, 1860, and the Quarter ended 31st December, 1860.

Ports.	Year ended 30th September, 1860.	Quarter ended 31st December, 1860.
Melbourne	lbs. 577,796	lbs. 270,483
Geelong	411,174	71,367
Portland	271,193	16,512
Port Fairy	52,405	24,101
Port Albert	nil.	nil.
Warrnambool	16,127	9,280
Total	1,328,695	391,743

THOMAS LOADER,
Commissioner of Trade and Customs.

Department of Trade and Customs,
Melbourne, 2nd May, 1861.

1860-1.

VICTORIA.

MONEY PAID TO RELIGIOUS
DENOMINATIONS.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.

THE HONORABLE G. ROLFE.—17TH APRIL, 1861.

L^AID UPON THE COUNCIL TABLE BY THE HONORABLE T. T. A'BECKETT, 6TH JUNE, 1861,
AND ORDERED BY THE COUNCIL TO BE PRINTED, 18TH JUNE, 1861.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

CONTENTS.

	PAGE.
I. The Amount appropriated annually for Church Building in Melbourne and Suburbs, for each Denomination	3
II. The Amount appropriated for Church Building in the Country Districts, for each Denomination	3
III. The Amount appropriated for building Parsonages in Melbourne and Suburbs, for each Denomination	3
IV. The Amount appropriated for Stipends for Melbourne and its Suburbs, for each Denomination	4
V. The Amount for Stipends for the Country Districts, for each Denomination	4
VI. The Amount appropriated to the building the Episcopal Church at Toorak	5
VII. The Amount appropriated for the Episcopal Church at the corner of the reserve in the Dandenong road, Prahran	5
VIII. The Amount paid for building the Church of England Denominational School, Prahran	5
IX. The Amount appropriated to the Roman Catholic Church on the reserve in the Dandenong road ; also, the Amount paid for erecting a Denominational Schoolroom on the same ground	5
X. The Amount appropriated to the Roman Catholic Church at Eastern Hill	5
XI. The Amount appropriated for building the Episcopal Church at Castlemaine ; also, the Amount for building Denominational Schoolroom	5

I. to III.—STATEMENT of the Amount appropriated for building Churches in Melbourne and Suburbs and in the Country Districts; also, of the Amount appropriated for building Parsonages in Melbourne and Suburbs, for each Denomination.

NAME OF DENOMINATION.	1851.			1852.			1853.			1854.			1855.		
	Churches.		Parsonages.	Churches.		Parsonages.	Churches.		Parsonages.	Churches.		Parsonages.	Churches.		Parsonages.
	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Church of England	570 10 10	...	...	...	...	7,869 8 0	1,439 3 3	1,900 0 0	5,052 9 1	1,836 3 5	564 0 0	1,278 2 11	2,933 6 8	636 0 0
Free Church of England*
Presbyterian Church of Scotland	709 10 0	1,016 17 0	400 0 0	704 0 0	1,159 10 5	...	...	1,140 0 0	...
Free Church of Scotland
United Presbyterians*
Wesleyans	254 18 0	...	400 0 0	979 17 8	...	...	977 17 8	...	...
Primitive Methodists*
Independents*
Baptists*
Lutherans, Section A	423 12 9	...	...	423 12 9	...	...	250 0 0	...	...
Lutherans, Section B
Unitarians	970 18 5	...	...	300 0 0	...	...
Quakers*
Roman Catholics	1,600 0 0	1,117 15 8	...	1,300 0 0	1,390 4 4	400 0 0	...	492 0 0	800 0 0
Greek Church*
TOTAL...	...	570 10 10	...	...	...	...	10,857 8 9	3,573 15 11	2,700 0 0	9,430 17 11	4,385 18 2	964 0 0	2,806 0 7	4,565 6 8	1,436 0 0

STATEMENT—continued.

NAME OF DENOMINATION.	1856.			1857.			1858.			1859.			1860.		
	Churches.		Parsonages.	Churches.		Parsonages.	Churches.		Parsonages.	Churches.		Parsonages.	Churches.		Parsonages.
	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Church of England ...	1,000 0 0	10,126 11 0	400 0 0	3,100 0 0	6,858 3 0	400 0 0	2,442 13 2	5,899 2 1	752 14 0	2,584 11 8	6,196 16 10	1,047 6 0	3,226 7 0	6,288 10 11	1,117 16 6
Free Church of England*	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Presbyterian Church of Scotland ...	...	1,800 0 0	1,400 0 0	1,214 0 0	1,455 0 0	400 0 0	34 1 8	2,351 15 7	...	679 3 8	2,029 8 10	...	626 2 2	1,765 12 11	...
Free Church of Scotland	...	...	...	...	...	...	...	358 13 4	...	...	358 12 8	...	...	...	358 13 4
United Presbyterians*	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Wesleyans ...	1,861 18 7	...	...	...	1,186 19 9	...	...	1,835 4 6	...	...	1,835 4 6	...	...	1,835 4 6	...
Primitive Methodists*	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Independents* ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Baptists*	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Lutherans, Section A	401 3 3	...	...	328 16 7	...	...	172 14 8	100 0 0	208 10 7	128 6 8	128 6 8	128 6 8	128 6 8	56 6 8	...
Lutherans, Section B	...	...	...	...	...	...	...	...	...	...	...	192 10 0	...	192 10 0	...
Unitarians ...	157 1 3	...	...	128 14 10	...	...	108 8 11	...	...	108 9 0	...	...	108 9 0	...	...
Quakers* ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Roman Catholics ...	2,000 0 0	2,000 0 0	400 0 0	...	4,121 13 4	800 0 0	800 0 0	4,204 5 8	200 0 0	2,664 5 8	2,250 0 0	...	500 0 0	4,264 8 0	...
Greek Church*	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
TOTAL...	5,420 3 1	13,926 11 0	2,200 0 0	4,771 11 5	13,621 16 1	1,600 0 0	3,557 18 5	14,749 1 2	1,161 4 7	6,164 16 8	12,798 9 6	1,368 2 8	4,589 4 10	14,402 13 0	1,476 9 10

* These denominations have not claimed their portions of the grant in aid of public worship. NOTE.—The amounts set down for Churches and Parsonages for the years 1851 to 1857 are those which have been actually paid. The amounts for 1858, 1859, and 1860 are those which have been appropriated for buildings out of the grants for those years.

IV. AND V.—STATEMENT of the Amount appropriated for Stipends for Melbourne and Suburbs, and for the Country Districts, to each Denomination.

NAME OF DENOMINATION.	1851.		1852.		1853.		1854.		1855.	
	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.	Country Districts.
Church of England ...	£ 350 s. 0 d. 0	£ 125 s. 0 d. 0	£ 1,495 s. 16 d. 7	£ 1,012 s. 11 d. 5	£ 4,899 s. 7 d. 9	£ 3,984 s. 8 d. 10	£ 6,062 s. 17 d. 11	£ 5,771 s. 12 d. 8	£ 3,206 s. 5 d. 0	£ 4,060 s. 5 d. 7
Free Church of England*...	...	...	...	...	...	...	...	...	...	...
Presbyterian Church of Scotland ...	100 0 0	175 0 0	200 0 0	550 18 4	1,075 1 8	2,112 3 6	1,340 0 0	3,154 18 7	300 0 0	1,938 11 8
Free Church of Scotland ...	...	...	...	...	...	...	...	...	...	...
United Presbyterians* ...	...	...	...	...	...	...	...	...	...	...
Wesleyans ...	150 0 0	57 0 0	300 0 0	524 0 0	760 0 0	1,643 5 0	760 0 0	2,143 17 0	...	979 16 11
Primitive Methodists* ...	...	...	...	...	...	...	...	...	...	...
Independents* ...	...	...	...	...	...	...	...	...	...	...
Baptists* ...	...	...	...	...	...	...	...	...	...	...
Lutherans, Section A ...	...	...	...	...	...	...	...	...	300 0 0	...
Lutherans, Section B ...	...	...	...	...	...	...	...	...	...	...
Unitarians ...	...	...	...	...	...	...	...	...	300 0 0	...
Quakers* ...	...	...	...	...	...	...	...	...	...	...
Roman Catholics ...	350 0 0	225 0 0	1,100 0 0	791 13 4	2,587 8 6	3,185 14 10	3,655 9 2	3,228 8 5	938 15 8	2,599 19 0
Greek Church* ...	...	...	...	...	...	...	...	...	...	...
TOTAL ...	950 0 0	582 0 0	3,095 16 7	2,879 3 1	9,321 17 11	10,925 12 2	11,818 7 1	14,298 16 8	5,045 0 8	9,578 13 2

STATEMENT—continued.

NAME OF DENOMINATION.	1856.		1857.		1858.		1859.		1860.	
	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.	Country Districts.	Melbourne and Suburbs.	Country Districts.
Church of England ...	£ 5,291 s. 13 d. 4	£ 8,015 s. 7 d. 5	£ 4,428 s. 0 d. 0	£ 7,355 s. 3 d. 0	£ 4,405 s. 19 d. 0	£ 7,301 s. 10 d. 9	£ 4,392 s. 16 d. 2	£ 7,314 s. 13 d. 7	£ 4,528 s. 3 d. 6	£ 7,179 s. 6 d. 3
Free Church of England*...	...	...	...	...	...	...	...	...	...	...
Presbyterian Church of Scotland ...	478 18 4	1,762 16 5	513 12 0	1,938 19 6	490 16 1	2,649 10 10	714 13 8	2,425 6 8	608 6 9	2,532 0 3
Free Church of Scotland ...	727 10 0	874 1 8	640 15 0	1,048 2 9	239 2 4	119 11 0	179 6 6	179 6 8	179 6 0	179 6 8
United Presbyterians* ...	...	...	...	...	...	...	...	...	...	...
Wesleyans ...	500 0 0	1,861 18 0	396 19 8	1,190 0 0	711 12 8	1,123 11 9	505 4 5	1,330 0 0	505 4 5	1,330 0 0
Primitive Methodists* ...	...	...	...	...	...	...	...	...	...	...
Independents* ...	...	...	...	...	...	...	...	...	...	...
Baptists* ...	...	...	...	...	...	...	...	...	...	...
Lutherans, Section A ...	300 0 0	101 1 0	185 0 0	143 12 3	282 4 1	199 1 1	128 6 8	256 13 4	128 6 8	256 13 4
Lutherans, Section B ...	...	...	...	...	...	...	...	...	...	...
Unitarians ...	157 1 0	...	128 14 1	...	108 8 11	...	108 8 11	...	108 8 11	...
Quakers* ...	...	...	...	...	...	...	...	...	...	...
Roman Catholics ...	2,260 0 0	3,158 12 2	1,826 5 0	3,054 17 0	2,288 13 6	2,915 12 2	2,300 0 0	2,894 5 8	1,790 0 0	2,804 3 4
Greek Church* ...	...	...	...	...	...	...	...	...	...	...
TOTAL ...	9,715 2 8	15,273 16 8	8,119 5 9	14,730 14 6	8,526 16 7	14,308 17 7	8,328 16 4	14,400 5 11	7,847 16 3	14,281 9 10

1860-1.

VICTORIA.

**FEEES FOR OCCUPATION OF CROWN
LANDS.**

REPLY TO AN ADDRESS OF THE HONORABLE LEGISLATIVE COUNCIL,
DATED 26TH JUNE, 1861.

ORDERED BY THE COUNCIL TO BE PRINTED, 2ND JULY, 1861.

HENRY BARKLY.

The Governor has received the Address of the Legislative Council, referring to the issue of Licenses for Residence and Cultivation on the Gold Fields by the Board of Land and Works, under the powers vested in that body by the 68th section of the Act for regulating the sale of Crown Lands, and praying that he will take such steps as may be necessary to prevent the issue of such licenses until the next Parliament shall have had an opportunity of dealing with the question.

The Governor lays before the Legislative Council an opinion of the Attorney-General, affirming the legality of the proceedings of the Board, and, whilst anxious to defer to the desire expressed by the Legislative Council, has only to add that he would not feel justified in interfering with the exercise, by a tribunal duly constituted by Act of Parliament, of powers conferred on it by another Act of Parliament, at the instance of one only of the three branches of which that Parliament consists.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.



QUESTION SUBMITTED BY THE PRESIDENT OF THE BOARD OF LAND AND
WORKS RELATIVE TO THE POWER OF THE BOARD TO GRANT LICENSES FOR
RESIDENCE AND CULTIVATION, FOR THE OPINION OF THE ATTORNEY-
GENERAL.

Assuming the Order in Council of the 20th June, 1850, to be out of the question, is the Board of Land and Works authorised under the 68th section of the present Land Sales Act (24 Vict., No. 117) to grant licenses upon agricultural waste lands of the Crown for the purposes of settlement and cultivation?

REPLY.

Whether, in considering the powers of the Government to grant licenses for settlement and cultivation, the Order in Council referred to should be disregarded, involves considerable difficulty, and depends upon the construction to be put upon the word "lease" which occurs in the Order, and the effect of the first section of the 24 Vict., No. 117, which provides that "Crown lands (except in cases provided for by sec. 6) shall not be conveyed or alienated, either in fee simple, or for any less estate or interest," unless in one of the modes therein mentioned, viz.,—1st, by free selection at the upset price; 2ndly, by limited auction, in case of competition for country lands; 3rdly, by public or open auction; 4thly, by lease, in certain cases provided for. Whether a lease under the Order referred to amounts to an "alienation," or is merely a license, or partakes of the character of both, cannot be collected from any provision upon the subject contained in the Act, which is silent throughout as to the Orders in Council; and if the particular Order be repealed, it must be by implication merely.

The law as to the distinction between a grant and license is laid down as follows:—

"A dispensation or license properly passeth no interest, nor alters, nor transfers property in anything, but only makes an action lawful which without it would have been unlawful." *Thomas v. Sorrel*, Vaug., 351.

This distinction has been recognized and confirmed in more recent times, and may now be regarded as well established. (*See Wood v. Leadbitter*, 13 M. & W.)

The question then resolves itself into this: Are what are called leases in the Orders in Council actual leases, or mere licenses, or are they partly leases or partly licenses? Looking at the Act (9 and 10 Vic., c. 104) under which the Orders are framed, it will be observed that Her Majesty is empowered "to demise to any person for fourteen years," or "to license to any person for fourteen years;" and the same incidents, viz., rent, forfeiture, and right of pre-emption are annexed to the one as to the other, subject to such regulations as might be made under section 6). On looking, however, to the regulations or Order in Council of the 9th March, 1847, made under the section, I find the words "leases of runs," "rent of runs," "lease of land occupied as a run," used throughout the various sections of the second chapter, in which the word license never occurs at all. The reason for the adoption of licenses in preference to leases may also be accounted for by the trouble and expense of defining boundaries, a thing essential to a lease although not to a mere license; and this I take to be what is meant by the recital in a New South Wales Act, which speaks of leases as "troublesome and expensive." Notwithstanding this remarkable omission in not providing in terms for the regulation of any of the incidents which the Act clearly contemplated in the case of licenses as well as leases, I find that, in the administration of the Orders in Council, licensees have been invariably treated as lessees, even to the extent of granting them pre-emption, as to which the Orders are wholly silent. *Per Lord Cottenham C., Drummond v. Attorney-General* 2 H. L. cases 861, cotemporaneous usage is a strong ground for the interpretation of doubtful words of expression.

Not being asked for any opinion as to whether the Order in Council of the 20th June is repealed by the Land Sales Act, I shall content myself with having called attention to the foregoing circumstances, and with this further observation, that the word "lease" in the Order in Council of 20th June, 1850, relating to "leases for pastoral and other purposes," must bear the same meaning as the words "lease of runs" in the Order of 9th March, 1847, and that, if the leases spoken of be mere statutory licenses, the Order of the 20th June, 1850, is still unrepealed, inasmuch as a lease under it will not amount to an "alienation."

To come to the question submitted, I am of opinion that the provisions in the 68th section of the present Land Sales Act are sufficient to include licenses for settlement and cultivation for the following reasons:—

The Land Sales Act authorises five different kinds of licenses.

The first is a license to enter lands and search for any mineral except gold, for any term not exceeding one year.

The second is a license to enter lands for the purpose of surveying, marking, and measuring the same, or for the purpose of cutting, constructing, and repairing any race, drain, dam, or reservoir.

The third is a license to enter lands and to cut or dig and take therefrom live or dead timber, gravel, stone, limestone, salt, guano, shell, seaweed, sand, loam, or brick earth, for any term not exceeding seven years, at a license fee not exceeding £50, at the discretion of the Board of Land and Works.

The fourth is a license to occupy lands for the following purposes:—

1. For the sites of inns, stores, bridges, or ferries, and toll or punt houses.
2. For the working of mineral springs.
3. For such other purposes as may appear to the Land Board to be for the public advantage or convenience.

These licenses, like the last, may be for any term not exceeding seven years, and are chargeable with a license fee at the discretion of the Board; but it is observable that, unlike the last, no maximum limit is fixed for the fee, and their issue is also subject to such limitations, restrictions, and conditions as the Board may think fit to impose.

The fifth is the grazier's license.

I am not aware that the first three or the fifth of these classes of licenses call for any particular observations; but the fourth class requires some remarks.

The 68th section, which provides for the issue of this latter class, enumerates certain specific objects, and then gives an extension of the privilege in very general terms. It is a familiar rule of legal interpretation that, in such circumstances, the effect of the general words is restrained by the preceding particular instances. The application, however, of this rule to the section I am considering is not at first sight obvious. The repetition in the section of the word "for" marks three distinct classes of objects, in favor of which the power may be exercised, and the general words which comprise the third class must, consequently, be *ejusdem generis* not only with sites for inns, stores, and bridges, but also with the working of mineral springs. These two classes are so heterogeneous, that it is difficult to conceive any objects that can be said to be of the same kind as both of them. At the same time, it cannot be supposed that the Legislature used the general words without intending that they should have some meaning. I think that the true interpretation of the section will appear, if it is observed that the common point of agreement among the different classes enumerated is, that they each imply an enterprise which is undertaken, primarily indeed, for private benefit, but which also tends to produce some "public advantage or convenience." The public advantage or convenience within the meaning of this section is quite different from that contemplated in the second section of the Act by which reserves of land may be made for various "public purposes." The latter purposes are purposes in which every person may participate. That no such meaning is applicable to the 68th section appears from its express language. The words in the last clause of that section are not "or for any other public purpose," but "or for such other purposes as may appear to the said Board to be for the public advantage or convenience." A fee also is chargeable to the licensee, which is plainly inconsistent with the idea of purely public purposes; and again, in looking for the meaning of the word "other," we find that all the preceding objects agree in this particular, and in nothing else, that they are usually undertaken for private gain, but are, at the same time, useful to the community. It would not be easy to contend that a site for a forge or a bakery is less an object of public convenience than a site for an inn or a store, or that the occupation of land for a market garden or for a dairy farm is less conducive to the public convenience than a similar occupation for the working of a mineral spring. The object therefore of this section seems to be, to give facilities for any private enterprise not of a mischievous tendency which might require the temporary occupation of Crown land. With the view of carrying out that object, a large discretion is vested in the Board of Land and Works. The fact that the amount of the license fee is not prescribed, as it is in the case of the timber and stone license, and that the Board is empowered to impose limitations, restrictions, and conditions, of which, in the case of the other licenses, no mention is made, shows that the Legislature contemplated a great diversity among the objects in favor of which this power might be exercised.

Although this section would not warrant, according to the *ejusdem generis* rule, the grant of a license for mere passive occupation, its words are sufficiently large to admit of a license to occupy for the purpose of carrying on any lawful species of industry. It will be remembered that, by the Order in Council of 1850, which enlarged the powers given by the Order of 1847 of granting leases for exclusively pastoral purposes, a lease for a year might have been granted not only for pastoral, but for "other purposes," and the lessee was entitled to purchase at the upset price any lands comprised in such lease. The 68th section seems to have some analogy to that Order, but its terms are less favorable. It confers no right of pre-emption; and although the term is enlarged, yet the grant is a mere license, which is, in its very nature, revocable, and does not interfere with the sale of the land when required, and the only security for the licensee is his right, under the 52nd section, to obtain the value of his improvements. The power, therefore, given to the Board, is far from being either extravagant or unusual.

If the Order in Council of June, 1850, be repealed, as contemplating an alienation by lease, and thus falling within the meaning of section 1 of the present Land Sales Act, persons desirous of settling on the public lands are in a worse condition now than they were before the passing of the Act; they had then a right to settle under a lease for a year with a pre-emptive right and a claim to be allowed for improvements; whereas, they would now have neither the one right nor the other, and all agricultural lands of an "auriferous or mineral" character are for ever excluded as a field for settlement under the 9th section of the present Act, inasmuch as they cannot be sold, leased, or licensed, for the purpose of cultivation.

A construction which would effect such a result, would be in direct violation of the preamble of the Act, which recites that it is expedient to afford "greater facilities than have hitherto (before the passing of the Act) existed to persons desirous of engaging in agricultural pursuits."

The preamble affords a good clue to discover what the object of a statute was, *per* Lord Tenterden, C.J., *Halton v. Cave*, 1 B. and Ad.; and, again, *per* Tindal, C.J., *Sussex peerage case*, 11 Cl. and Fin. "The only rule for the construction of Acts of Parliament is, that they should be construed according to the intent of the Parliament which passed the Act. If the words of the statute are in themselves precise and unambiguous, then no more can be necessary than to expound the words in their natural and ordinary sense. The words themselves alone do, in such case, best declare the intention of the lawgiver. But if any doubt arises from the terms employed by the Legislature, it has always been held a safe means of collecting the intention to call in aid the ground and cause of making the statute, and to have recourse to the preamble, which, according to Chief Justice Dyer, is a 'key to open the minds of the makers of the Act, and the mischiefs which they intended to redress.'"

It is a well established rule that "all statutes made for the convenience of the public ought to have a liberal construction, to be expounded largely, and not with restrictions." (Dwarris on Statutes, 619.) That this is such a statute sufficiently appears both from the preamble, and from the express words of this particular section. It is consequently the duty of the Board of Land and Works to exercise the discretion vested in them in such a manner as to promote every *bonâ fide* industrial enterprise that may afford a reasonable prospect of being not only remunerative to the projector, but conducive to the public advantage and convenience.

It may be thought that an objection to the proposed license is found in the Gold Fields Act, which limits to a maximum of 20 perches the land to be held under a miner's right or a business license, while the 88th section of the Land Sales Act declares that "nothing in this Act contained shall be deemed or taken to repeal" the Gold Fields Act. Without this saving clause the later statute, when there was any inconsistency, would of course prevail; and it must be observed that the 88th section prevents a total repeal of the Gold Fields Act, but is not so worded as that an alteration in some of its provisions may not be perfectly consistent with the intention of not repealing the Act. There are several sections (*e. g.*, ss. 71, 73, 78, 80,) of the Land Sales Act which are hardly reconcilable with the assumption that no part of the Gold Fields Act is in any way affected by the later statute. But even assuming that the Gold Fields Act is unaltered, the proposed licenses are not inconsistent with its provisions. The restriction upon the extent of land occupied under the miner's right relates only to residence, while the licenses under the 68th section are for industrial purposes. The occupation under the business license is made a chattel interest in the land, while the license under the Land Sales Act continues to be a mere revocable license, of which the only effect is to render lawful the occupation which otherwise would be unlawful. When it is possible that two statutes should stand together, effect ought to be given to each; and, consequently, I think that the licenses under these two Acts must be held to be cumulative. There can be no reason why, in addition to the advantages contained under a miner's right, the mining community should not also enjoy the additional privileges conferred by the various licenses granted under the Land Sales Act. For example, a miner's right enables its owner to cut down growing trees for his personal use. Such a privilege is not inconsistent with his carrying away live or dead timber, under a timber license, and selling it for firewood, or with his removing, under the same authority, any stone, gravel, or limestone.

If any practical difficulty should arise in the execution of the two Acts, it will be the duty of the Board of Land and Works, in the exercise of the authority entrusted to them, to frame such regulations and impose such restrictions and conditions as may prevent the occurrence of any inconvenience.

I think that, in issuing these licenses, great care should be taken in framing the necessary regulations. It will be expedient to make provisions respecting priority of claims, to determine whether the lands may be occupied before or after survey, to reserve rights of entry for public purpose, and otherwise to define with as much precision and clearness as possible the relation between the Crown and the licensee.

R. D. IRELAND,
Attorney-General.

27 | 6 | 61.

1860-1.

VICTORIA.

PROGRESS REPORT

OF THE

SELECT JOINT COMMITTEE

OF THE

LEGISLATIVE COUNCIL AND LEGISLATIVE ASSEMBLY

ON THE

REFRESHMENT ROOMS, ETC.,

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE.

ORDERED BY THE COUNCIL TO BE PRINTED, 12TH FEBRUARY, 1861.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

WEDNESDAY, 21ST NOVEMBER, 1860.

REFRESHMENT ROOMS COMMITTEE (JOINT).—The Honorable W. Highett, in accordance with notice, moved, That the Honorables S. G. Henty, A. Fraser, James Stewart, G. W. Cole, and the Mover, be members of the Joint Committee to manage the Refreshment Rooms and Stables.

Question—put and passed.

TUESDAY, 12TH FEBRUARY, 1861.

REFRESHMENT ROOMS (JOINT) SELECT COMMITTEE—REPORT OF.—The Honorable W. Highett, as Chairman of the Select Joint Committee of both Houses of Parliament appointed to manage the Refreshment Rooms and Stables, brought up a Progress Report from the Committee, and moved that the same be printed, and that its adoption be made an Order of the Day for the next day of meeting.

Question—put and passed.

PROGRESS REPORT.

THE SELECT COMMITTEE appointed by both Houses of Parliament to manage the Refreshment Rooms and Stables have the honor to submit the following Progress Report:—

(1.) The Comptroller having submitted the annexed reduced Tariff of Charges at the Parliament Stables, your Committee have approved of the same and ordered copies of it to be printed.

TARIFF OF CHARGES.

					£	s.	d.
Bait without corn	...	...	...	6 hours	0	1	0
Ditto ditto	...	...	...	12 hours	0	2	0
Bait with corn	...	...	...	6 hours	0	1	6
Ditto ditto	...	...	...	12 hours	0	2	6
Ditto with 3 feeds corn	...	...	...	for 24 hours	0	4	6
Livery	...	...	...	per week	1	10	0

N.B.—Members will not be charged for the mere stand of their horses and carriages, without bait.

(2.) Your Committee recommend that a salary of £100 per annum, with suitable quarters, in conformity with the Report of the Select Joint Committee appointed 18th August, 1857, by both Houses of Parliament, to manage the Refreshment Rooms, be continued to Colonel Farquharson, the present Comptroller.

(3.) Your Committee have approved of the following Scale of Charges submitted by Mr. Gregory, the Refreshment Rooms Purveyor, and have ordered half-a-dozen copies of same to be printed, framed, and hung in the Refreshment Rooms for the inspection of Members:—

TARIFF OF CHARGES.

					£	s.	d.
Tea	}	<i>ad libitum</i> , with Bread and Butter...	...	...	0	1	6
Coffee			...	...	0	2	6
Ditto ditto		with Cold Meat, &c.	...	...	0	2	6
Tea and Coffee...		...	...	per cup	0	0	6

DINNER AND LUNCHEON.

Joists, with Potatoes	...	...	...	...	0	1	6
Steak (plain)	...	...	...	...	0	1	0
Chop	...	...	...	...	0	1	0
Cutlets	...	...	...	...	0	1	6
Entrées of Poultry, Game, &c.	...	...	...	...	0	2	6
" Meats, &c.	...	...	...	from 1s. 6d. to	0	2	6

SUPPER.

Welsh Rabbit	...	...	...	...	0	1	6
Bread or Biscuit and Cheese	...	...	...	...	0	0	6
Sandwich	...	...	...	...	0	0	6
Cold Joists	...	...	...	...	0	1	0
Anchovy Toast	...	...	...	...	0	1	6

Table d'Hôte at half-past 6 p.m., 3s. 6d.
Orders for Special Dinners, &c., will meet with every attention.

WILLIAM HIGHETT,
Chairman.

Committee Room, Library,
30th January, 1861.

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 30TH JANUARY, 1861.

Members present:

The Honorable W. Highett, in the Chair.
The Honorable A. Fraser, Mr. Carr.

The Comptroller of Refreshment Rooms and Stables submitted a reduced Tariff of Charges at the Parliament Stables, as follows:—

TARIFF OF CHARGES.

			£	s	d.
Bait without corn...	...	6 hours	0	1	0
Ditto ditto	...	12 hours	0	2	0
Bait with corn	...	6 hours	0	1	6
Ditto ditto	...	12 hours	0	2	6
Ditto with 3 feeds corn	...	for 24 hours	0	4	6
Livery	...	per week	1	10	0

N.B.—Members will not be charged for the mere stand of their horses and carriages, without bait.

Resolved—That the above Tariff be adopted, and copies of the same be printed.—(*Hon. A. Fraser.*)

Mr. Carr moved—That this Committee recommend that a salary of £100 per annum, with suitable quarters, in conformity with the Report of the Select Joint Committee appointed 18th August, 1857, by both Houses of Parliament, to manage the Refreshment Rooms, be continued to Colonel Farquharson, the present Comptroller.

Agreed to.

Resolved—That the subjoined Scale of Charges, transmitted by Mr. Gregory, be adopted, printed, and half-a-dozen of same framed and hung in the Refreshment Rooms for the information of Members.—(*Hon. A. Fraser.*)

REFRESHMENT ROOMS.

TARIFF OF CHARGES.

			£	s	d.
Tea	} <i>ad libitum</i> , with Bread and Butter...		0	1	6
Coffee					
Ditto	ditto	with Cold Meat, &c.	0	2	6
Tea and Coffee	...	per cup	0	0	6

Dinner and Luncheon.

Joints with Potatoes	...	...	0	1	6
Steak (plain)	...	...	0	1	0
Chop	...	...	0	1	0
Cutlets	...	...	0	1	6
Entrées of Poultry, Game, &c.	...	...	0	2	6
„ Meats, &c.	...	from 1s. 6d. to	0	2	6

Supper.

Welsh Rabbit	...	...	0	1	6
Bread or Biscuit and Cheese	...	...	0	0	6
Sandwich	...	...	0	0	6
Cold Joints	...	...	0	1	0
Anchovy Toast	...	...	0	1	6

Table d'Hôte at half-past 6 p.m., 3s. 6d.

Orders for Special Dinners, &c., will meet with every attention.

The Committee adjourned.

1860-1.

VICTORIA.

LEGISLATIVE COUNCIL.

FIRST REPORT

OF THE

PRINTING COMMITTEE.

LAID UPON THE COUNCIL TABLE BY THE HONORABLE M. HERVEY, AND
ORDERED BY THE COUNCIL TO BE PRINTED 19TH FEBRUARY, 1861.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.



REPORT.

In pursuance of the Order of your Honorable House, your Committee have had referred to them the several Papers mentioned in the following Table, upon which your Committee beg to report as appears by such Table:—

Subject.	When moved for, and by whom.	When laid on Council Table.	By Command, or presented.	Report and Remarks of Committee.
Gold Fields Act—Order in Council—Regulating Mining Leases in Mining District of Maryborough (15th October, 1860)	27th Nov., 1860	By Command	No order made.
Public Accounts—Regulation respecting (27th October, 1860)	"	"	"
Board of Agriculture—First Annual Report—Presented by the Council of the Board of Agriculture to the	"	"	"
Supreme Court Rules (14th September, 1860)	"	"	"
Defences of the Colony—Report of Captain Scratchley, R.E. (22nd September, 1860)	"	"	"
Establishment of County Court and Court of Mines at Inglewood—Orders in Council (5th November, 1860)	8th Jan., 1861	... ..	"
Establishment of County Court at Bacchus Marsh—Order in Council (26th November, 1860)	"	"
Return of Crown Lands alienated from 1st January to 30th June, 1860	"	"
Harbor Improvements and River and Harbor Trust—Report of Royal Commission (10th November, 1860)	"	By Command	"
Public Accounts—Regulations respecting (13th December, 1860)	15th Jan., 1861	... ..	"
Head Quarters Staff—Despatch from the Right Honorable the Secretary of State (11th June, 1860)	"	"
Auriferous Crown Lands—General Regulations respecting Leases, and applications for Leases of (4th December, 1860)	"	"
Prospecting Board—Report of (14th December, 1860)	"	"
Defences of the Colony—Letter from Captain Clarke (25th September, 1860)	22nd Jan., 1861	... ..	"
Loans and Interest on Loans—Amount payable annually, from 1860 to 1884, on Loans contracted up to 31st December, 1860	"	"

Subject.	When moved for, and by whom.	When laid on Council Table.	By Command, or presented.	Report and Remarks of Committee.
Expenditure under Schedule D to Act 18 and 19 Victoria, cap. 55, during the year 1859, on account of the year 1858	22nd Jan., 1861	... ..	No order made.
Expenditure under Schedule D to Act 18 and 19 Victoria, cap. 55, for and during the year 1859	"	"
Pensions—List of, granted under 50th section of the <i>Constitution Act</i>	"	"
Gold Fields Act—Polling Places, Mining District of Ballaarat, altered—Order in Council (7th January, 1861)	23rd Jan., 1861	... ..	"
*New Zealand War—Copy of a Letter from the Speaker of the House of Representatives in New Zealand, enclosing a resolution of that House thanking the Government of Victoria for the aid rendered by placing the armed steamer <i>Victoria</i> at the disposal of the Government of New Zealand	"
*Trade and Customs Returns, 1859	"
*Statistics of the Colony for the year 1859	"

* These papers were laid on the Table of the House on the 18th September, 1860, the last day of the Session 1859-60, but could not be then referred to the Printing Committee. Referred to the Committee by motion 24th January, 1861.

MATTHEW HERVEY,
Chairman.

Committee Room,
19th February, 1861.

1860-1.

VICTORIA.

LEGISLATIVE COUNCIL.

SECOND REPORT

OF THE

PRINTING COMMITTEE.

LAI D UPON THE COUNCIL TABLE BY THE HONORABLE M. HERVEY AND
ORDERED BY THE COUNCIL TO BE PRINTED 19TH MARCH, 1861.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

REPORT.

In pursuance of the Order of your Honorable House, your Committee have had referred to them the several Papers mentioned in the following Table, upon which your Committee beg to report as appears by such Table:—

Subject.	When moved for, and by whom.	When laid on Council Table.	By Command, or presented.	Report and Remarks of Committee.
Ballaarat East—Proclamation of, as a Town (14th January, 1861)	... ..	19th Feb, 1861	... ..	No order made.
Stanley — Proclamation of, as a Town (5th November, 1860)	... ..	"	... ..	"
Proclamation of Towns Boundaries, Towns Commonages, and Gold Fields Commonages (28th January, 1861)	... ..	"	... ..	"
Proclamations of Townships of Mansfield and Merton (4th February, 1861)	... ..	"	... ..	"
Proclamations of Townships of Chepstowe and Linton (28th January, 1861)	... ..	"	... ..	"
Botanist, Government—Annual Report of (10th January, 1861)	... ..	"	By Command	"
*Insolvencies in Country Districts—Return to an Order of the Council	Hon. G. Rolfe, 24th July, 1860	... ..	... ..	Recommended to be printed.
Orders in Council—Polling places for Mining District of Ballaarat altered (4th February, 1861). Polling places for Mining District of Maryborough altered (4th February, 1861.) Polling places for Mining District of Ararat altered (7th February, 1861). Polling places for Mining District of Beechworth altered (7th February, 1861)	... ..	19th Feb., 1861	... ..	No order made.
Breweries—Return to an Order of the Council	Hon. G. W. Cole, 8th January, 1861	5th March, 1861	... ..	Recommended to be printed.
Sugar Imported in 1859—Sugar Reefineries—Return to an Order of the Council	"	"	... ..	"
Lands Surveyed and Cost of Survey—Return of—1856, 1857, 1858, 1859, 1860	... ..	"	... ..	No order made.
National Education—Report of Commissioners for 1859-60	... ..	"	By Command	"
Order in Council—Polling places for Mining Districts of Ballaarat, Beechworth, Castlemaine, and Maryborough altered (18th February, 1861)	... ..	"	"	"
Farmers Commons — Proclamation of (18th February, 1861)	... ..	"	"	"

* This Return was laid on the Table of the House on the 18th September, 1860 (the last day of last Session), and could not then be dealt with by the Printing Committee. Referred, on motion, to Printing Committee, 19th February, 1861.

Subject.	When moved for, and by whom.	When laid on Council Table.	By Command or presented.	Report and Remarks of Committee.
Towns—Proclamation of (18th February, 1861)	5th March, 1861	... ..	No order made.
Town Commons—Proclamation of (18th February, 1861)	”	”
Royal Mint—Correspondence on subject of establishing a Branch at Melbourne	”	By Command	”
Salary of President—Correspondence relating thereto, between the Honorable Sir J. F. Palmer and the Honorable the Treasurer	12th March, 1861	... ..	Recommended to be printed.
Order in Council—Beechworth District Court of Mines to be holden at Chiltern (25th February, 1861)	”	No order made.
Order in Council—Court of Mines at Indigo discontinued (25th February, 1861)	”	”
Order in Council—County Court transferred from Indigo to Chiltern (25th February, 1861)	”	”
Public Accounts—Regulations respecting refunds	”	”
Public Accounts—Regulations respecting advances after	”	”
Municipalities—Return of Moneys granted to, to 31st December, 1860	”	Recommended to be printed.
Road Boards—Return of Moneys granted to, 1854 to 1860 inclusive	”	”
Geelong Harbor Returns—Return to an Order of Council	Hon. G. W. Cole, 12th March, 1861	13th March, 1861	... ..	”
Towns—Proclamation of (4th March, 1861)	”	No order made.
Last Schedule to Crown Lands Act Amended by Proclamation (4th March, 1861)	”	”
Farmers Commons—Proclamation (4th March, 1861)	”	”

MATTHEW HERVEY,
Chairman.

Committee Room,
19th March, 1861.

1860-1.

VICTORIA.

FIRST PROGRESS REPORT

FROM THE

SELECT JOINT COMMITTEE

OF THE

LEGISLATIVE COUNCIL AND LEGISLATIVE ASSEMBLY

UPON THE

LIBRARY.

ORDERED BY THE COUNCIL TO BE PRINTED, 19TH MARCH, 1861.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

WEDNESDAY, 21ST NOVEMBER, 1860.

LIBRARY COMMITTEE (JOINT).—The Honorable W. H. F. Mitchell, in the absence of the Honorable T. H. Fellows, moved, in accordance with notice, That the Honorables the President, J. B. Bennett, T. H. Power, Dr. Hope, and J. P. Fawcner, be members of the Joint Committee of both Houses to manage the Library.

Question—put and passed.

TUESDAY, 19TH MARCH, 1861.

LIBRARY COMMITTEE (JOINT)—FIRST PROGRESS REPORT OF.—The Honorable T. H. Power brought up the First Progress Report of the Joint Library Committee of both Houses of Parliament, and moved that the same be received and printed.

Question—put and passed.

FIRST PROGRESS REPORT.

THE Joint Committee of the Houses of Parliament, appointed to superintend and regulate the affairs of the Library of the Parliament, have the honor to report as follows :—

That, at a meeting of your Committee, held on the 26th of February last, the subject of the custody of the various “Votes and Proceedings” and Printed Papers of the Parliament was brought under the notice of your Committee, and that the same was fully considered.

Your Committee consider that the custody of the Papers of the Legislative Council and Legislative Assembly respectively ought to be in the respective Clerks of those establishments ; and that the Clerk of the Legislative Council ought to have the charge of all the Printed Papers of the Council, and that all such Papers should be handed over to him at once ; and that the Clerk of the Legislative Assembly ought to have the charge of the Printed Papers of the Legislative Assembly, and that all such Papers should be handed over to him as soon as he is provided with proper accommodation for them : and that at the termination of each Session the Clerk of the Council and the Clerk of the Assembly respectively should prepare for both Houses a statement or Report of the number of each of the current Sessional Papers then in their hands.

Your Committee have the honor further to report, that a small Painting now placed in the Library (for inspection) by Mr. Strutt, representing the interesting ceremony of opening the first Legislative Council in this Colony, has been offered for sale to the Library on the behalf of the Legislature. Your Committee believe that no Painting nor Engraving exists on the subject (the price asked is *twenty pounds*), and as the subject of the Painting must ever be interesting to the country, your Committee would feel sorry to lose the opportunity of possessing it for the Legislature, and recommend that a purchase of it for the sum named be sanctioned.

1860-1.

VICTORIA.

LEGISLATIVE COUNCIL.

THIRD REPORT

OF THE

PRINTING COMMITTEE.

LAI'D UPON THE COUNCIL TABLE BY THE HONORABLE T. H. POWER, AND
ORDERED BY THE COUNCIL TO BE PRINTED 14TH MAY, 1861.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

REPORT.

In pursuance of the Order of your Honorable House, your Committee have had referred to them the several Papers mentioned in the following Table, upon which your Committee beg to Report as appears by such Table :—

Subject.	When moved for, and by whom.	When laid on Council Table.	By Command, or presented.	Report and Remarks of Committee.
Abolition of Pensions Act— Despatch from the Right Honorable the Secretary of State (No. 10, 26th January, 1861)	26th March, 1861	By Command	No order made.
Richmond—Town of—Proclama- tion (11th March, 1861)	"	"
Farmers Commons—Proclama- tion of (18th March, 1861)	16th April, 1861	... ..	"
Gold Fields Commons—Proclama- tion of (11th March, 1861)	"	"
Towns—Praluran and Panmure— Proclamation of (18th March, 1861)	"	"
Mining District of Castlemaine altered—Order in Council (4th March, 1861)	"	"
Divisions of Mining District of Castlemaine altered—Order in Council (4th March, 1861)	"	"
Electric Telegraph — Revised Scale of Charges (11th March, 1861)	"	"
Treaty of Commerce between Great Britain and France, signed at Paris 23rd January, 1860	"	"
Crown Lands alienated (1st July to 1st October, 1860)	"	"
Crown Lands alienated (1st November to 31st December, 1860)	"	"
Revenues received at Portland, Belfast, and Warrnambool— Return to an Order of the Council	Hon. S. G. Henty, 19th March, 1861	"	... ..	Recommended to be printed.
Farmers Commons — Proclama- tion (4th April, 1861)	"	No order made.
Defences of the Colony—Return to an Order of the Council	Hon. W. Hull, 12th March, 1861	17th April, 1861	... ..	"
Crown Lands Sales Act—Des- patch from the Right Honorable the Secretary of State (Victoria, No. 22, 26th February, 1861)	"	"
Divorce Bill— Despatch from the Right Honorable the Secretary of State (Victoria, No. 16, 19th February, 1861)	"	Recommended to be printed.
St. Kilda—Proclamation of, as a Town (25th March, 1861)	25th April, 1861	... ..	No order made.
Town Commons at St. Kilda— Proclamation of (25th March, 1861)	"	"

Subject.	When moved for, and by whom.	When laid on Council Table.	By Command, or presented.	Report and Remarks of Committee.
Immigrants — Regulations re- specting (15th April, 1861)	25th April, 1861	... ..	No order made.
Gold Fields Statistics, 1860	"	"
Exhibition—Victoria, 1861, Lon- don International, 1862—First Report of Exhibition Commis- sioners (12th April, 1861)	"	"
Harbor Returns and Correspon- dence—Return to an Order of the Council	Hon. G. W. Cole, 12th March, 1861	"	... ..	Recommended to be printed.
Disorderly Meetings Act — Despatch from the Right Hono- rable the Secretary of State (20th February, 1861)	30th April, 1861	... ..	No order made.
Friendly Societies — Return of Registered in 1860	"	"
Return of the number of Free Passes issued by the Govern- ment Railway Authorities during the year 1860	"	"
Defensive Works—Return to an Order of the Council	Hon. W. Hull, 17th April, 1861	1st May, 1861	... ..	Recommended to be printed.
Telegraphic Communication be- tween Europe and Australia— Despatch from the Right Hono- rable the Secretary of State, with enclosure (19th February, 1861)	"	By Command	No order made.
Treaties between Her Majesty and the Emperor of China— Despatch from the Right Hono- rable the Secretary of State (31st January, 1861)	7th May, 1861	"	"
Treaty of Commerce with France —Second Supplementary Con- vention—Despatch from the Right Honorable the Secretary of State (15th December, 1860)	"	"	"
Farmers Commons — Proclama- tion of, at Bradford and other places (22nd April, 1861)	"	"
Towns Commons—Proclamation of, at Hotspur and Terang (15th April, 1861)	"	"
Gold Fields Commons— Procla- mation of, at Durham and other places (22nd April, 1861)	"	"
Gold Fields Commons— Procla- mation of, at Raglan and other places (22nd April, 1861)	"	"
Wyndham Town Common—Pro- clamation of (22nd April, 1861)	"	"
Carisbrook Town Alteration— Proclamation of (15th April, 1861)	"	"
Farmers Commons Regulations —Proclamation of (16th April, 1861)	"	"
Towns Commons, not within or adjoining Municipal Districts —Proclamation of (16th April, 1861)	"	"
Parliament Building—Joint Com- mittee's Report	"	Recommended to be printed.

MATTHEW HERVEY,
Chairman.

Committee Room,
8th May, 1861.

1860-1.

VICTORIA.

FIRST PROGRESS REPORT

OF THE

SELECT JOINT COMMITTEE

OF THE

LEGISLATIVE COUNCIL AND THE LEGISLATIVE ASSEMBLY

ON THE

PARLIAMENT BUILDINGS:

TOGETHER WITH

THE PROCEEDINGS OF THE COMMITTEE.

ORDERED BY THE COUNCIL TO BE PRINTED, 21ST MAY, 1861.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

WEDNESDAY, 21ST NOVEMBER, 1860.

PARLIAMENT BUILDINGS.—SELECT COMMITTEE (JOINT).—The Honorable W. H. F. Mitchell, in the absence of the Honorable T. H. Fellows, moved, in accordance with notice, That the Honorable the President, W. Highett, G. Rolfe, G. W. Cole, and F. Robertson, be members of the Joint Committee of both Houses to manage and superintend the Parliament Buildings.

Amendment moved by the Honorable J. P. Fawkner, That the name of the Honorable A. Fraser be added to the Committee.

Debate ensued.

Amendment by leave withdrawn.

Question—put and passed.

TUESDAY, 16TH APRIL, 1861.

PARLIAMENT BUILDINGS (JOINT) COMMITTEE AND LIBRARY (JOINT) COMMITTEE—APPOINTMENT OF MEMBER OF.—The Honorable A. Fraser, on behalf of the Honorable T. T. a'Beckett, moved, in accordance with notice, That the Acting President be a member of the Parliament Buildings Committee and the Library Committee, in the room of the Honorable Sir James Palmer, absent on leave.

Question—put and passed.

TUESDAY, 7TH MAY, 1861.

PARLIAMENT BUILDINGS (JOINT) SELECT COMMITTEE.—PROGRESS REPORT OF.—The Honorable G. Rolfe brought up the First Progress Report of the Joint Select Committee of both Houses of Parliament, appointed to manage and superintend the Parliament Buildings.

R E P O R T.

THE Joint Select Committee, appointed by both Houses of Parliament during the present session, have the honor to report that they have examined the rooms in the New Library and Buildings, and recommend as follows:—

BASEMENT FLOOR.

That the four small rooms at the west of the new building, on the ground floor, be apportioned for the use of the Council Messengers, &c., and for securing small articles in use.

That the remainder of the ground floor, south of the southernmost east entrance, be appropriated for the Kitchen, and offices in use by the Contractor for the Refreshment Rooms.

That the central apartment on the ground floor be set apart for use by Reporters and other Strangers.

That the room immediately to the right of the northern east entrance to the ground floor be set apart under the control of the Serjeant-at-Arms.

That the remainder of the ground floor be set apart for offices for the Assembly, and for the use of the Messengers of the Assembly.

FLOOR MARKED "PRINCIPAL FLOOR" IN THE ARCHITECT'S TRACING.

That the room 13 ft. 3 in. × 22 ft. 2 in., west of the south library room, be set apart for the President of the Legislative Council; and the room of the same size, west of the north library room, for the Speaker.

That the small room, 10 ft. 5 × 10 ft. 2, at the north-east corner of the main library room, be appropriated for an office for the Librarian.

That the corresponding small room at the south-east corner be set apart for general use of Members.

FLOOR MARKED "FIRST FLOOR" IN THE ARCHITECT'S TRACING.

That the large south room be a Dining Room, and that two rows of tables—removed from the walls on each side—be placed therein for ordinary use.

That the Portraits in possession of the Parliament be placed in the large north room, and that it be also used as a Tea Room.

That the small room, 10 ft. 5, × 10 ft. 2, at the north-east corner of the library gallery, be set apart for the Librarian ; and that the corresponding room at the north-west corner be not now appropriated.

FLOOR MARKED "MEZZANINE" IN THE ARCHITECT'S TRACING.

That the rooms in the *entre-sol*, facing eastwards, be appropriated to the custody of Library Papers and Documents: the rooms facing westwards being left as a passage.

FLOOR MARKED "SECOND FLOOR" IN THE ARCHITECT'S TRACING.

That the south-east room, 23 ft. × 16 ft. 10, be set apart for the Chairman of Committees of the Legislative Assembly.

That the two other rooms, 17 ft. × 13 ft. 8, — 23 ft. × 16 ft. 10, at the south of the floor, be not appropriated at present.

That the north-west room, 23 ft. × 16 ft. 10, on the floor, be appropriated for the Speaker.

That the adjacent room, 17 ft. × 13 ft. 8, be appropriated for the Assistant Librarian.

That the north-east room, 23 ft. × 13 ft. 8, be appropriated for the Serjeant-at-Arms.

That the second and third rooms, 12 ft. 7 × 10 ft. 3,—13 ft. 4 × 10 ft. 6, from the north on the east front, be appropriated for the Clerk of the Legislative Assembly and the Clerk Assistant.

That the remaining three rooms on this floor, 16 ft. 10 × 10 ft. 6, 13 ft. 4 × 10 ft. 6, — 12 ft. 7 × 10 ft. 6, on the east front, be set apart for the Contractor for the Refreshment Rooms.

That the rooms on the ground floor under the Council Chamber, now used by the Librarian for the custody of papers of the Assembly and of the Library, be vacated, and used for the sole custody of Council papers, as soon as arrangements in the other rooms, now available, permit the Clerk of the Assembly and the Librarian to take away the Assembly and Library papers.

That the newspapers, &c., now stored in one of the Council Committee rooms, be removed in a similar manner, when convenient arrangements can be made by the Librarian, and the rooms adjacent to the Council Chamber can be vacated by him.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 19TH MARCH, 1861.

Members present:

The Honorables W. Highett, G. Rolfe, F. Robertson, C. G. Duffy, V. Pyke.

The Committee examined the rooms in the New Library and in the buildings, and adjourned until Wednesday, the 27th instant, with the understanding that the officers of the Houses should prepare a scheme or schemes for submission to the Committee.

WEDNESDAY, 27TH MARCH, 1861.

Members present:

The Honorable the Speaker, in the chair.

The Honorables G. W. Cole, G. Rolfe, W. Highett, F. Robertson, C. H. Ebden, C. G. Duffy, V. Pyke.

The committee examined the plans and recommended the appropriation of each apartment.

Proposed by the Honorable V. Pyke—That the large north room be a smoking room.

Question put.

Contents.
Hon. F. Robertson.
Hon. C. H. Ebden.
Hon. V. Pyke.

Not Contents.
Hon. G. Rolfe.
Hon. C. G. Duffy.
Hon. G. W. Cole.
Hon. W. Highett.

The question was therefore negatived.

Resolved—That the appropriation of a smoking room be postponed for further consideration.
Draft Progress Report considered, adopted, and ordered to be reported.

1860-1.

VICTORIA.

LEGISLATIVE COUNCIL.

FOURTH REPORT

OF THE

PRINTING COMMITTEE.

LAID UPON THE COUNCIL TABLE BY THE HONORABLE T. H. POWER, AND
ORDERED BY THE COUNCIL TO BE PRINTED 21ST MAY, 1861.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

REPORT.

In pursuance of the Order of your Honorable House, your Committee have had referred to them the several Papers mentioned in the following Table, upon which your Committee beg to report as appears by such Table :—

Subject.	When moved for, and by whom.	When laid on Council Table.	By Command, or presented.	Report and Remarks of Committee.
Extracts from Return—Defences of the Colony	Return moved for by Hon. W. Hull, 12th March, 1861	17th April, 1861	... ..	Recommended to be printed.
Farmers Commons—Seymour and Tallarook—Proclamation of— (29th April, 1861)	... ..	14th May, 1861	... ..	No order made.
Town Commons—Belmont, Newton, and Chilwell—Proclamation of (29th April, 1861)	... ..	"	... ..	"
Tobacco Imported—Return to an Order of the Council	Hon. J. Henty, 7th May, 1861	"	... ..	Recommended to be printed.
Death of Her Royal Highness the Duchess of Kent—Circular Despatch from the Right Honorable the Secretary of State (18th March, 1861)	... ..	16th May, 1861	By Command	No order made.

MATTHEW HERVEY,
Chairman.

Committee Room,
21st May, 1861.

1860-1.

VICTORIA.

REPORT

OF THE

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL

ON

WASTE LANDS;

TOGETHER WITH

THE PROCEEDINGS OF THE COMMITTEE.

ORDERED BY THE COUNCIL TO BE PRINTED, 6TH JUNE, 1861.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

WEDNESDAY, 13TH MARCH, 1861.

WASTE LANDS.—RESOLUTIONS ON.—The Order of the Day for the consideration of these Resolutions in Committee of the whole Council being read, the Honorable G. Rolfe moved, That the Resolutions be referred to a Select Committee of ten members.

Question—put and passed.

The Honorable G. Rolfe moved, That the Select Committee consist of the following members, viz.:—The Honorables J. P. Fawkner, M. Hervey, W. H. F. Mitchell, T. H. Power, J. Henty, J. F. Strachan, J. Sutherland, T. T. a'Beckett, N. Black, and the Mover.

Question—put and passed.

THURSDAY, 6TH JUNE, 1861.

WASTE LANDS.—REPORT OF SELECT COMMITTEE.—The Honorable G. Rolfe brought up the Report from the Select Committee of the Council appointed on the 13th March last to take into consideration certain Resolutions on Waste Lands, and moved that the same be printed.

Question—put and passed.

R E P O R T .

THE SELECT COMMITTEE, to which were referred the Resolutions on the Waste Lands of the Colony, have the honor to report as follows :—

Whereas, the present system for the Assessment of Stock on pastoral runs is unsatisfactory, as well as the area and boundaries of the present runs are not well defined; and whereas, the present unsettled state of the squatting interest is prejudicial to the welfare of the Colony, inasmuch as it drives capitalists from our shores; in order, therefore, that this important matter may be set at rest, so that persons engaged in pastoral pursuits may clearly understand their position, it is resolved to urge upon the Government the necessity for preparing and introducing a Bill for the purpose, embodying the resolutions hereinafter set forth—

1. In order that an accurate knowledge of the area and boundaries of the present runs, as well as the unoccupied waste lands of the Colony, may be obtained, there shall be a general survey, each licensee to have a measurement made of the Crown land occupied by him, by a sworn surveyor.
2. All unoccupied waste lands shall be surveyed into runs of from five to twenty square miles.
3. All waste or pastoral lands, whether occupied or not, shall be valued, and a rental or assessment determined upon, according to their stock-bearing and fattening capabilities, as well as their proximity to centres of population and ports; such value to be according to clause 4.
4. That the present assessment of eightpence per head for sheep, and three shillings per head for cattle, be adhered to.
5. After a run shall have been surveyed, the Government shall appoint a valuator, who shall estimate the number of sheep or cattle the said run will carry, the amount of the assessment upon such number shall be the rent at which the run shall be offered to the occupier. If he shall object to such estimate, he may appoint one arbitrator, the Government another, and they two a third—the judgment of two of them to be final. The expense of such arbitration to be borne by the person claiming it.

6. All persons holding runs when these regulations come into operation shall be allowed to have their improvements valued, (such improvements being no more than are required for pastoral purposes) by valuers appointed as hereinbefore specified, which valuation shall be added to the ascertained value of the run; then, if sold to other than the present holder or lessee, the value of the improvements to be handed over to him, provided he claim such value within two months from the day of sale.
7. Leases shall be granted for seven years, to date from subject to all taxes or assessment which may be imposed by the Legislature of the colony, and to such conditions as the Government shall think necessary to insert therein, for the protection of the Aborigines or for securing to the public the right of passing over any part of the said land, and to the Government the right of searching therein for minerals; subject also to any mining regulations, or for purpose of public defence, safety, improvement, convenience or utility; provided always that, in no case shall lands held under such lease be used for agricultural purposes, except in so far as is required for supplying the station.
8. Every person having a lease for seven years shall, at the expiration of five years of such lease, have it in his power to demand from the Government a declaration whether or not it will renew his lease for a further period of seven years, subject of course to the like conditions as his present lease, or on any other conditions which may be specified.
9. If, at the commencement of the second year, any run be not stocked to the extent of two thirds, at least, of cattle or sheep, according to its stock-bearing capabilities, the lease of such run shall be forfeited.
10. The whole, or any portion of any run, may be at any time resumed by Government for public purposes, or for agricultural requirements, whether for sale or otherwise. In case of resumption, the proportionate rent paid or to be paid in respect of quantity or quality of land so resumed, and such payment for improvements as would be allowed in ordinary cases between landlord and tenant, will be returned or allowed for to lessee.

Committee Room,
4th June, 1861.

GEO. ROLFE,
Chairman.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 19TH MARCH, 1861.

Members present :

The Honorable G. Rolfe, in the chair.
The Honorables W. H. F. Mitchell, T. H. Power.

Committee deliberated, and adjourned until two p.m. on Wednesday, 20th March.

WEDNESDAY, 20TH MARCH, 1861.

Members present :

The Honorable G. Rolfe, in the chair.
The Honorables M. Hervey, J. Sutherland.
Committee deliberated, and adjourned *sine die*.

WEDNESDAY, 17TH APRIL, 1861.

Members present :

The Honorable G. Rolfe, in the chair.
The Honorables T. H. Power, J. Sutherland, J. F. Strachan.

The committee deliberated. Consideration of resolution No. 1 postponed, and 2 and 3 agreed to, viz:—

- (2.) All unoccupied waste lands shall be surveyed into runs of from five to twenty square miles.
- (3.) All waste or pastoral lands, whether occupied or not, shall be valued, and a rental or assessment determined upon according to their stock-bearing and fattening capabilities, as well as their proximity to centres of population and ports, such value to be according to clause 4.

Adjourned *sine die*.

THURSDAY, 25TH APRIL, 1861.

Members present :

The Honorable G. Rolfe, in the chair.
The Honorables N. Black, W. H. F. Mitchell, J. Sutherland.

1st Resolution (postponed) considered, viz:—

- (1.) In order that an accurate knowledge of the area and boundaries of the present runs, as well as the unoccupied waste lands of the Colony, may be obtained, there shall be a general survey.

The Honorable W. H. F. Mitchell moved the addition of the following words—"each licensee to have a measurement made of the Crown land occupied by him by a sworn surveyor."
Agreed to, and resolution so amended adopted.

Resolution 4 struck out, viz. :—

FATTENING RUNS.

- First Class A.—Fattening runs, carrying one ox or five sheep to six acres per square mile per annum.
- First Class B.—Fattening runs, carrying one ox or five sheep to about fifteen acres per square mile per annum.
- Second Class.—Fattening run, carrying one ox or five sheep to ten acres, but fattening once within a year per square mile per annum.
- Third Class.—Fattening run, carrying one ox or five sheep to twenty acres, being either in swampy or arid plains and only fit to use in the winter and spring months per square mile per annum.

GRAZING RUNS.

- First Class.—Grazing run, carrying one ox or five sheep to ten acres, and fattening say fifty per cent. yearly per square mile per annum.
- Second Class.—Grazing run, carrying one ox or five sheep to ten acres, and fattening say thirty per cent. per year per square mile per annum.
- Third Class.—Grazing run, carrying one ox or five sheep to ten to fifteen acres, but only fattening a small proportion in paddocks or choice spots of the run per square mile per annum.
- Fourth Class.—Grazing run, carrying one ox or five sheep to about twenty acres, suitable for rearing young cattle per square mile per annum.
- Fifth Class.—Grazing, mountainous or scrubby land, with bleak climate and coarse herbage, one ox or five sheep to thirty acres per square mile per annum.

The Honorable W. H. F. Mitchell moved the following Resolution :—The present assessment of 8d. per head for sheep and 3s. per head for cattle shall be adhered to. After a run shall have been surveyed, the licensee shall appoint one valuator, the Government another—these two a third, the judgment of two of them to be final. These arbitrators shall inspect the run, and shall determine what number of sheep or cattle it will carry; the amount of the assessment upon such number to be the rent at which the run shall be offered to the licensee. The unoccupied waste lands which may hereafter be applied for shall be valued according to its stock-bearing capabilities.

The Committee deliberated and adjourned.

TUESDAY, 14th MAY, 1861.

Members present:

The Honorable G. Rolfe, in the chair.
The Honorables T. H. Power, J. Sutherland.
Committee deliberated and adjourned.

TUESDAY, 21st MAY, 1861.

Members present:

The Honorable G. Rolfe, in the chair.
The Honorables W. H. F. Mitchell, J. Sutherland, T. H. Power.

Committee deliberated.

Question—Proposed by Hon. W. H. F. Mitchell (as clause 4), That the present assessment of eightpence per head for sheep, and three shillings per head for cattle be adhered to—put and passed.

Question—Proposed by Hon. W. H. F. Mitchell (as clause 5), After a run shall have been surveyed, the Government shall appoint a valuator, who shall estimate the number of sheep or cattle the said run will carry; the amount of the assessment upon such number shall be the rent at which the run shall be offered to the occupier; if he shall object to such estimate, he may appoint one arbitrator, the Government another, and these two a third—the judgment of two of them to be final; the expense of such arbitration to be borne by the person claiming it—agreed to.

Proposed by Hon. G. Rolfe (as clause 6)—All persons holding runs when these regulations come into operation shall be allowed to have their improvements valued (such improvements being no more than are required for pastoral purposes) by valutors appointed as hereinbefore specified, which valuation shall be added to the ascertained value of the run; then, if sold to other than the present holder or lessee, the value of the improvements to be handed over to him, provided he claim such value within two months from the day of sale—agreed to.

Clause 7 agreed to, viz. :—Leases shall be granted for seven years, to date from subject to all taxes or assessment which may be imposed by the Legislature of the Colony, and to such conditions as the Government shall think necessary to insert therein, for the protection of the aborigines, or for securing to the public the right of passing over any part of the said land, and to the Government the right of searching therein for minerals; subject also to any mining regulations, or for purpose of public defence, safety, improvement, convenience, or utility; provided always that, in no case shall lands held under such lease be used for agricultural purposes, except in so far as is required for supplying the station.

Clause 8, as amended, was agreed to, viz. :—If, at the commencement of the second year, any run be not stocked to the extent of two-thirds, at least, of cattle or sheep, according to its stock-bearing capabilities, the lease of such run shall be forfeited.

Clause 9 read, viz.:—The whole or any portion of any run may be at any time resumed by Government for public purposes, or for agricultural requirements, whether for sale or otherwise. In case of resumption, the proportionate rent paid or to be paid in respect of quantity or quality of land so resumed will be returned or allowed for to lessee.

Amended by inserting, after the word "resumed," the following words:—"and such payment for improvements as would be allowed in ordinary cases between landlord and tenant."

Clause as amended, agreed to.

Committee adjourned.

TUESDAY, 4TH JUNE, 1861.

Members present :

The Honorable G. Rolfe, in the chair.

The Honorables W. H. F. Mitchell, T. H. Power, J. Sutherland, N. Black.

The Chairman submitted Draft Report, which was considered paragraph by paragraph.

The Honorable W. H. F. Mitchell proposed new clause to stand as clause 8:—

Every person having a lease for seven years shall, at the expiration of five years of such lease, have it in his power to demand from the Government a declaration whether or not it will renew his lease for a further period of seven years, subject, of course, to the like conditions as his present lease, or any other condition which may be specified.—Agreed to.

Preamble read and agreed to:—

Whereas, the present system for the assessment of stock on pastoral runs is unsatisfactory, as well as the area and boundaries of the present runs are not well defined, and whereas the present unsettled state of the squatting interest is prejudicial to the welfare of the colony, inasmuch as it drives capitalists from our shores; in order, therefore, that this important matter may be set at rest, so that persons engaged in pastoral pursuits may clearly understand their position, it is resolved to urge upon the Government the necessity for preparing and introducing a Bill for the purpose, embodying the resolutions hereinafter set forth.

Draft Report, as amended, was adopted.

1860-1.

VICTORIA.

SECOND PROGRESS REPORT

OF THE

SELECT JOINT COMMITTEE

OF THE

LEGISLATIVE COUNCIL AND LEGISLATIVE ASSEMBLY,

ON THE

REFRESHMENT ROOMS,

TOGETHER WITH

THE PROCEEDINGS OF THE COMMITTEE.

ORDERED BY THE COUNCIL TO BE PRINTED, 13TH JUNE, 1861.

By Authority :

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

WEDNESDAY, 21ST NOVEMBER, 1860.

REFRESHMENT ROOMS COMMITTEE (JOINT).—The Honorable W. Highett, in accordance with notice, moved, That the Honorables S. G. Henty, A. Fraser, James Stewart, G. W. Cole, and the Mover, be members of the Joint Committee to manage the Refreshment Rooms and Stables.

Question—put and passed.

THURSDAY, 13TH JUNE, 1861.

REFRESHMENT ROOMS (JOINT) SELECT COMMITTEE.—SECOND PROGRESS REPORT.—The Honorable W. Highett moved, That the Report of the Committee be printed.

Question—put and passed.

SECOND PROGRESS REPORT.

THE Joint Select Committee on the Refreshment Rooms have the honor to submit the following progress report:—

1. That application be made to the Government for a sum of £100 for the purchase of extra plate, glass, kitchen utensils, &c.
2. That the Contractor do keep an inventory of all plate, kitchen utensils, and furniture delivered to him, and be responsible for the same.

Committee-room,
11th June, 1861.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 11TH JUNE, 1861.

Members present :

The Honorable S. G. Henty, in the Chair.
The Honorables G. W. Cole, A. Fraser, Mr. Carr.

The Comptroller submitted a list of articles necessary to be procured for the use of the Refreshment Rooms.

The Honorable A. Fraser moved —That a sum of £100 be asked from the Government for the purchase of extra plate, glass, kitchen utensils, &c.

Agreed to.

The Honorable A. Fraser moved—That the Contractor keep an inventory of all plate, kitchen utensils, and furniture delivered to him, and be responsible for them.

Agreed to.

The Committee adjourned.

1860-1.

VICTORIA.

LEGISLATIVE COUNCIL.

FIFTH REPORT

OF THE

PRINTING COMMITTEE.

LAI'D UPON THE COUNCIL TABLE BY THE HONORABLE T. T. A'BECKETT, AND
ORDERED BY THE COUNCIL TO BE PRINTED 18TH JUNE, 1861.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

REPORT.

In pursuance of the Order of your Honorable House, your Committee have had referred to them the several Papers mentioned in the following Table, upon which your Committee beg to report as appears by such Table :—

Subject.	When moved for, and by whom.	When laid on the Council Table.	By Command, or presented.	Report and Remarks of Committee.
Heathcote Town Common enlarged—Proclamation (22nd April, 1861)	21st May, 1861	... ..	No order made.
Langi Ghiran—Farmers Commons—Proclamation of (21st May, 1861)	4th June, 1861	... ..	"
Greenfield—Farmers Commons—Proclamation of (6th May, 1861)	"	"
Red Bank—Gold Fields Common—Proclamation of (6th May, 1861)	"	"
Waranga and Woolshed—Gold Fields Commons—alteration—Proclamation of (6th May, 1861)	"	"
Farmers Commons (Cut-paw-paw, Doutta Galla, Derrimut, Gisborne, Bullengarook)—Proclamation of (13th May, 1861)	"	"
Wedderburne—Gold Fields Common enlarged—Proclamation (6th May, 1861)	"	"
Emerald Hill—a Town—Proclamation of (13th May, 1861)	"	"
Bowman's Forest—Farmers Common—Proclamation of (13th May, 1861)	"	"
Yarra Bend Lunatic Asylum—Report for 1860	"	"
Money paid to Religious Denominations—Return to an Order of the Council	Hon. G. Rolfe, 17th April, 1861.	6th June, 1861	... ..	Recommended to be printed.

Subject.	When moved for, and by whom.	When laid on the Council Table.	By Command, or presented.	Report and Remarks of Committee.
Amherst—Mining Operations on Reserved Land authorised— Order in Council (21st May, 1861)	6th June, 1861	... ..	No order made.
Wendouree Swamp—Order in- Council authorising Mining Operations at (27th May, 1861)	11th June, 1861	... ..	”
Camperdown Town Common en- larged—Proclamation of (27th May, 1861)	”	”
Williamstown Common enlarged —Proclamation of (13th May, 1861)	”	”
Diseases—Return of, for 1860	13th June, 1861	... ..	”

MATTHEW HERVEY,
Chairman.

Committee Room,
18th June, 1861.

VICTORIA



VOTES
AND
PROCEEDINGS
OF THE
LEGISLATIVE
COUNCIL.

SESSION.

1860-1.