

VICTORIA

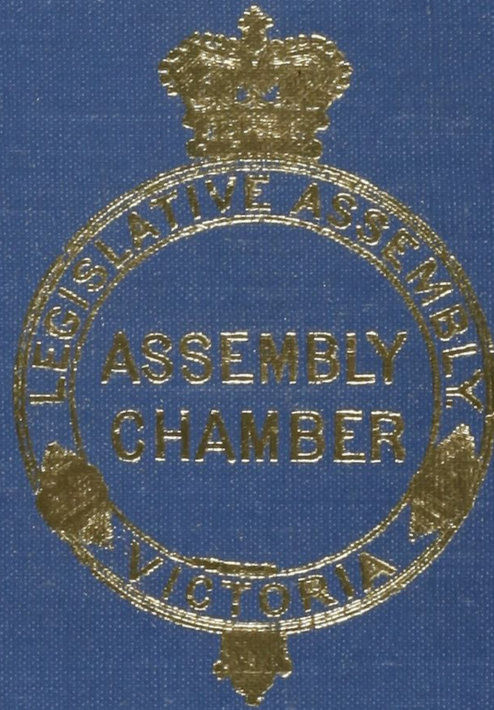


VOTES
AND
PROCEEDINGS
OF THE
LEGISLATIVE
COUNCIL

SESSION

1855-6

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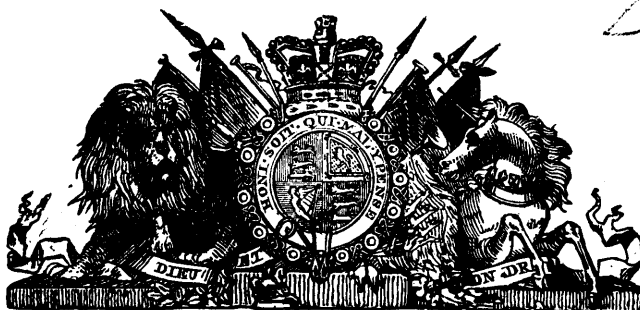


ASSEMBLY CHAMBER

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VOTES

AND

PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL,

DURING THE SESSION

1855-6,

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

VOL. I.

By Authority:
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1856.

TABLE OF CONTENTS.

VOL. I.

	PAGE.
INDEX	i
SUMMARY OF PROCEEDINGS ON BILLS	xxiii
VOTES AND PROCEEDINGS	1
APPOINTMENTS OF SELECT COMMITTEES	287
WEEKLY DIVISIONS IN COMMITTEE OF THE WHOLE COUNCIL	291

PAPERS LAID ON THE TABLE OF THE COUNCIL BY COMMAND OF HIS EXCELLENCY,
(not being Returns to Addresses)—

A 1. Gold Mining Regulations	345
„ 2. Amended Gold Mining Regulations	349
„ 3. Local Court Regulations—Castlemaine and Sandhurst	357
„ 4. Contribution to Patriotic Fund	359
„ 5. Convict Labor—Williamstown	361
„ 6. Fitz Roy Ward Improvement Act—Return of Receipts and Expenditure under	363
„ 7. Emigration and Immigration Report	365
„ 8. Education—Reports of Inspectors of Schools in the United Kingdom	411
„ 9. Chartered Banks—Copy Despatch from Secretary of State respecting	413
„ 10. Government Botanist's Report for 1854	415
„ 11. Pilot Station, Albany Island—Correspondence	427
„ 12. Post Office Department—Report on	431
„ 13. Customs' Duties—British Colonies	517
„ 14. Savings' Banks—Accounts for year ending 30th June, 1855	583
„ 15. Colonial Agency—Despatch	601
„ 16. Supreme Court Rule, No. 36, chapter X.	603
„ 17. Supreme Court Rule, No. 37, chapter X.	605
„ 18. Corporation of Melbourne—Return of Expenditure under 17 Vic., No. 13	607
„ 19. Corporation of Geelong—Return of Expenditure under 17 Vic., No. 23	609
„ 20. Census of Victoria, No. II.—“Religion of the People”	611
„ 21. Statistics of Victoria for 1854	651
„ 22. North Australian Exploring Expedition—Additional Correspondence	693
„ 23. Light House on King's Island—Report	703
„ 24. Emigration from the United Kingdom	707
„ 25. Finance Commission—Report No. 2	711
„ 26. Bank Returns for Quarter ending 30th June, 1855	747

PAPERS—*continued.*

PAGE.

A 27. Bank Returns for Quarter ending September, 1855	749
„ 28. Central Road Board—Return of Works and Expenditure for Half-year ending June, 1855	751
„ 29. Paris Exhibition—Report of Special Commissioner for Victoria	761
„ 30. Responsible Government—Observations on His Excellency's Minute and Reply	763
„ 31. Central Road Board—Return of Appropriation and Expenditure on Gold Fields	765
„ 32. Avoca and Ovens District—Local Court Regulations	767
„ 33. Castlemaine Local Court—Additional Regulation	769
„ 34. Steam Postal Communication—Correspondence	771
„ 35. Melbourne Police Report	779
„ 36. Immigrants' Fund—Statement	801
„ 37. Sandhurst District—Additional Local Court Regulations	803
„ 38. Alienation of Auriferous Lands—Resolution of Local Court, Sandhurst ..	805
„ 39. Export Duty on Gold—Account of	807
„ 40. Immigration under Remittance Regulations—Correspondence	809
„ 41. Melbourne and Hobson's Bay Railway—Receipts and Expenditure to 31st October, 1855	811
„ 42. Bank of Victoria Act—Despatch	813
„ 43. Births, Deaths, and Marriages—Second Annual Report of Registrar General ..	817
„ 44. Penal Establishments—Report ending 30th September, 1855	845
„ 45. Gold Fields Laws—Petition to Governor	893
„ 46. Public Worship—Expenditure for Buildings and Ministers of Religion for 1854	895
„ 47. Appropriations for 1854 under Schedule B	899
„ 47.*Explanatory Notes of Alterations in Estimates	903
„ 48. Estimates for 1856	915
„ 49. Corporation of Melbourne—Specifications of intended improvements in certain Streets (<i>with Plans</i>)	995
„ 50. Discovery of Gold—Letter from the Rev. W. B. Clarke	999
„ 51. Passengers' Act—Despatch	1001
„ 52. Jews—Fund for Public Worship—Despatch	1003
„ 53. Contribution to Patriotic Fund—Despatch	1005
„ 54. Mining Leases—Despatch	1007
„ 55. Volunteer Corps Bill—Despatch	1009
„ 56. Acts of Council—Royal Assent—Despatch	1011
„ 57. Acts of Council—Royal Assent—Despatches	1013
„ 58. National Bank—Financial Scheme for	1015
„ 59. Local Court, Sandhurst—Letter	1017
„ 60. Denominational School Board Report for the years 1854–55	1019
„ 61. Customs' Consolidation Act—Despatch	1055
„ 62. Acts of Council—Royal Assent—List	1059
„ 63. Acts of Council—Royal Assent—Despatch	1061
„ 64. Abstract of General Revenue and Expenditure on account of the year 1854 ..	1063
„ 65. Abstract of Territorial Revenue and Expenditure for the year 1854	1077
„ 66. Appropriations under Schedule B	1091
„ 67. Abstract of General Revenue and Expenditure from 1st January to 22nd November, 1855	1095
„ 68. Abstract of Territorial Revenue and Expenditure for same period	1105
„ 69. Melbourne Sewerage and Water Supply—Statement of Sums advanced to ..	1115
„ 70. Police Reward Fund—Receipts and Expenditure	1117
„ 71. Passengers' Rate Fund—Statement	1119
„ 72. Act of Council—Royal Assent—Despatch	1123
„ 73. Claims for Compensation—Ballarat	1125
„ 74. <i>No Paper</i>	
„ 75. Mining on Private Property—Claim for Compensation	1149

PAPERS—*continued.*

PAGE.

A 76. Abstract of Receipts and Expenditure of Consolidated Revenue from 23rd November to 31st December, 1855.. .. .	.. 1151
„ 77. Abstract of Territorial Revenue and Expenditure of same, for same period ..	1163
„ 78. Abstract of Receipts and Payments under Schedule B, for same period ..	1171
„ 79. Statement of Expenditure during same period, under Schedule D to Constitution Act .. .. .	.. 1175
„ 80. Chinese Passenger and Protection Rates—Statement of Receipts and Expen- diture under .. .. .	.. 1177
„ 81. Police Reward Fund—Statement of Receipts and Expenditure of ..	1179
„ 82. Passenger Rate Fund—Statement of Receipts and Expenditure ..	1181
„ 83. Cash Balances of Colonial Revenue and Special Funds—Statement ..	1183
„ 84. Poundage Fund—Statement.. .. .	1185
„ 85. Debentures—Statement of Number issued, &c.	1187
„ 86. Debentures—Proceeds from sale of	1189
„ 87. Customs' Duties—Murray River—Correspondence	1191
„ 88. Agricultural Produce—Imports of for 1855	1209
„ 89. Discovery of Gold—Letter from E. H. Hargreaves	1211

INDEX.

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

* * * To facilitate reference to Papers ordered to be printed, the Cypher (as A 1) at the bottom of the title page of each paper has been introduced into the Index and Tables of Contents.

	Votes.	Printed Papers.	
	Vol. I.	Vol. I.	Vol. II.
	Page.	Page.	Page.
A.			
Address to the Queen—War with Russia—Motion for Address (<i>Mr. Fawkner</i>)	64		
" Address agreed to, and Address to the Governor therewith	69		
" Governor's Reply	91		
" Customs Consolidation Act—Motion for Address and Address to the Governor with same	149		
Address to the Emperor of the French—War with Russia—Motion for Address (<i>Mr. Fawkner</i>)	64		
" " Address agreed to, and Address to the Governor therewith	70		
" " Governor's Reply	91		
Addresses from the Legislative Council to His Excellency the Governor:—			
No. 1. Government Officers Release from Office (<i>Mr. Fawkner</i>)	8		
" 2. In reply to the Governor's Opening Speech	14		
" 3. Mr. John Allen—Contract with Government (<i>Mr. O'Brien</i>)	17		
" 4. Kilmore Road—Expenditure (<i>Mr. Snodgrass</i>)	21		
" 5. Auriferous Land at Clunes—Disposal of (<i>Mr. Lalor</i>)	22		
" 6. Pre-emptive Grant of Land to Frederick Taylor, Esq. (<i>Mr. Wheeler</i>)	35		
" 7. Ballaarat Outbreak—for Copies of Despatches (<i>Mr. Grant</i>)	39		
" 8. Ballaarat—Claims for Compensation (<i>Mr. Grant</i>)	39		
" 9. Sale of Crown Lands Ovens District (<i>Mr. Cameron</i>)	44		
" 10. Governor's Commission and Instructions (<i>Mr. Greeves</i>)	49		
" 11. Local Courts—Gold Fields (<i>Mr. Benson</i>)	53		
" 12. Gold Plate—Manufactured (<i>Mr. Wills</i>)	59		
" 13. Grants of Land to Railway Companies (<i>Mr. Lalor</i>)	59		
" 14. Yarra Bend Lunatic Asylum (<i>Mr. Mollison</i>)	64		
" 15. Impounding Stock from Crown Reserves (<i>Mr. Wills</i>)	64		
" 16. Addresses to the Queen and Emperor of the French (<i>Mr. Fawkner</i>)	69-70		
" 17. Supreme Court Registry—Memorials (<i>Mr. Horne</i>)	71		
" 18. Houses of Parliament (<i>Mr. Greeves</i>)	82		
" 19. Public Works—Geelong (<i>Mr. Fyfe</i>)	82		
" 20. Instructions to District Surveyors (<i>Mr. Lalor</i>)	93		
" 21. Funeral Expenses of, and Monument to the Memory of the late Sir C. Hotham (<i>Mr. Fawkner</i>)	95		
" 22. Mr. Robertson (<i>Mr. Fellows</i>)	96		
" 23. Petty Sessions Return (<i>Mr. Fellows</i>)	100		
" 24. Ovens District Post Offices (<i>Mr. Cameron</i>)	100		
" 25. Expenditure of Government Departments during 1855 (<i>Mr. O'Brien</i>)	101		
" 26. Ballaarat Riots—Expenses of Troops, &c. (<i>Mr. Wheeler</i>)	115		
" 27. Sandhurst Land Sales (<i>Mr. Benson</i>)	120		
" 28. Convictions under Vagrant Act (<i>Mr. Mollison</i>)	120		
" 29. Inspector of Weights and Measures—Geelong (<i>Mr. Myles</i>)	121		
" 30. Yarra Bend Lunatic Asylum (<i>Mr. Mollison</i>)	126		
" 31. Members of Council (<i>Mr. C. Shanassy</i>)	127		
" 32. Board of National Education—School at Avoca (<i>Mr. Longden</i>)	139		
" 33. Mechanics' Institute—Castlemaine (<i>Mr. Wheeler</i>)	140		
" 34. Philosophical Institute (<i>Mr. Hodgson</i>)	144		
" 35. Customs Consolidation Act—Address to the Queen—(<i>Commissioner of Trade and Customs</i>)	149		
" 36. Melbourne Water and Sewerage Commission (<i>Mr. Rae</i>)	150		
" 37. Post Office, Ballaarat (<i>Mr. Humffray</i>)	150		
" 38. Roads and Bridges—Expenditure of £250,000 (<i>Mr. O'Brien</i>)	153		

	Votes.	Printed Papers.	
	Vol. I.	Vol. I.	Vol. II.
	Page.	Page.	Page.
Addresses from the Legislative Council, &c.— <i>continued.</i>			
39. Geelong and Western District Agricultural and Horticultural Society (<i>Mr. Wills</i>)	158		
40. Union Bank Geelong—Manager of—and Mr. Stamp (<i>Mr. Wills</i>)	159		
41. Quartz claim of Messrs. Syme and Co. (<i>Mr. Humffray</i>)	171		
42. Survey of Coast (<i>Mr. Knight</i>)	171		
43. Dandenong Road (<i>Mr. Chapman</i>)	176		
44. Avoca District—Land Sold—Roads and Bridges, (<i>Mr. Longden</i>)	187		
45. Constitution Act (<i>Mr. Grant</i>)	188		
46. Westward Mails (<i>Mr. Knight</i>)	189		
47. County Courts—Bourke and Grant (<i>Mr. Greaves</i>)	193		
48. Mr. George Doran (<i>Mr. Beaver</i>)	193		
49. Prahran—Sale of Crown Lands in (<i>Mr. Goodman</i>)	194		
50. Mr. B. S. Hassall (<i>Mr. Humffray</i>)	201		
51. Bylands, Wallan Wallan, Lancefield, Broadford and Moranding (<i>Mr. Mollison</i>)	210		
52. Police—Monies for sustenance of Horses (<i>Mr. Humffray</i>)	210		
53. Mails Coastwise by Steamers (<i>Mr. Knight</i>)	216		
54. Steam Postal Communication with the United Kingdom (<i>Mr. Greaves</i>)	220		
55. Snapper Point (<i>Mr. Chapman</i>)	224		
56. Letters Patent (<i>Mr. Humffray</i>)	228		
57. Lunatics in Gaols (<i>Mr. Fyffe</i>)	233		
58. Normal School—National Education (<i>Mr. Smith</i>)	247		
59. Mechanics' Institute—Castlemaine (<i>Mr. Lator</i>)	259		
60. Mechanics' Institution—East Collingwood (<i>Dr. Embling</i>)	267		
61. Ballarat Outbreak—Two Addresses (<i>Mr. Lator</i>)	275-276		
Administration of Justice Act Amendment Bill—Initiated	165		
Agency for the Colonies—Despatch from the Secretary of State—laid on Council Table (A 15)	14	601	
Agricultural and Horticultural Statistics. See "Statistics."			
Produce—Statement of Imports during the Year 1855—laid on Council Table (A 88)	157	1209	
Allan, Mr. John—Contract with Government—Address for Return (<i>Mr. O'Brien</i>)	17		
Reply	34		
Return (C 25)	215		707
Alpaca—The—Motion for Address—House in Committee	139		
Motion for and appointment of Select Committee	161		
Report brought up (D 11 a)	243		
Motion for Address—Debated and withdrawn	258		
Appropriation Bill—Initiated.	259		
Appropriation Act (1865) Amendment Bill—Initiated	279		
Assay Masters—Motion for Address—House in Committee—Resolution thereon, and Question referred to Select Committee on "Gold"	82		
Assent to Bills. See "Royal Assent."			
Assessment on Stock Act Continuation Bill—Initiated by Message No. 6.	8		573
Withdrawn on Report of Committee	92		
Assessment on Stock Bill—Initiated	100		
Attorneys and Barristers (Colonial) Admission Bill—Initiated.	107		
Australian (North) Exploring Expedition—Additional Correspondence—laid on Council Table (A 22)	14	693	
Auriferous Land at Clunes—Disposal of—Address for Return (<i>Mr. Lator</i>)	22		
Reply	43		
Return ordered to lie on Table and referred to Committee on Gold Mining on Private Property	96		
Alienation of—Resolution of Local Court, at Sandhurst relating to—laid on Council Table (A 36) and referred to Committee on Gold Mining on Private Property	44	805	
Avoca District Local Court—Regulations—laid on Council Table (A 32)	31	767	
Additional Regulation (A 97)	198		43
Land Sold, Roads, Bridges—Address for Return (<i>Mr. Longden</i>)	189		
Reply	210		
Return (C 20)	193		693
B.			
Ballarat—Claims for Compensation—Address for Return (<i>Mr. Grant</i>)	39		
Reply	57		
Return (C 8)	96		619
Supplementary Return (C 8*)	139		625

	Votes.	Printed Papers.	
	Vol. I.	Vol. I.	Vol. II.
	Page.	Page.	Page.
Ballaarat—Petitions from Persons claiming Compensation for Losses at Riots—laid on Council Table, and referred (A 73)	139	1125	
" Compensation—Bentley's Hotel—Appointment of Select Committee	247		
" " " " Report brought up (D 14)	260	...	1043
" Local Court Regulations—Additional (A 110)	248	...	337
" " " " (A 116)	272	...	371
" Mechanics' Institution—Address for Grant (<i>Mr. Lalor</i>)	259		
" " " " Reply	285		
" Outbreak—Address for Return (<i>Mr. Grant</i>)	39		
" " " " Reply	57		
" " Petition presented	57		
" " Ordered to be printed (E 4)	64	...	1271
" " Motion for and appointment of Select Committee, and Petition referred	121		
" " Report brought up (D 10)	251	...	1011
" " Second Report brought up (D 13)	259	...	1035
" " Reports considered in Committee, and Addresses agreed to	275-276		
" " " " Reply	285		
" Post Office—Address for Return (<i>Mr. Humffray</i>)	150		
" " " " Reply	175		
" " " " Return (C 19)	183	...	679
" Riots—Expenses of Troops—Address for Return (<i>Mr. Wheeler</i>)	115		
" " " " Reply	157		
" " " " Return (C 33)	272	...	777
Ballot—Resolution moved	64		
" " " " Debated, and agreed to	70		
Banks (Chartered)—Despatch and Enclosures on the establishment in the Colonies of Branches of Chartered Banks—laid on Council Table (A 9)	14	413	
Bank Returns—For Quarter ending 30th June, 1855—laid on Council Table (A 26)	14	747	
" " " " 30th Sept., 1855, (A 27)	14	749	
" " " " 31st Dec., 1855, (A 107)	228	...	229
Bank of Victoria—Copy Despatch from Secretary of State suggesting alterations in the Bank of Victoria Incorporation Act—laid on Council Table (A 42)	63	813	
" " Act Amendment Bill—Petition for leave to introduce presented	69		
" " " Initiated	71		
" " " Referred to Select Committee	78		
" " " Report brought up	106		
Barristers and Attorneys (Colonial) Admission Bill—Initiated	107		
Beechworth—Local Court Regulations—laid on Council Table (A 100)	205	...	195
" " " " (A 110)	248	...	337
" " " " (A 116)	272	...	371
" " " " (A 117)		...	373
Belfast—Mechanics' Institute—Motion for Grant—House in Committee	189		
Bills—Message No. 8 with Governor's Commission and Instructions relating to Bills	43		
Bills of Exchange Bill—Initiated	59		
Births. <i>See</i> "Registrar General."			
Blackwood—Local Court—Extract from Letter from Chairman of—suggesting certain amendments in Gold Fields Laws—ordered to lie on Table	125		
" " " " Referred to Select Committee on Local Courts	131		
" " " " Regulations—laid on Council Table (A 100)	205	...	195
Blue Book for the Year 1854—laid on Council Table	101		
Botanist (Government) Annual Report for 1854—laid on Council Table (A 10)	14	415	
Bourke—County Court. <i>See</i> "County Court."			
Broadford. <i>See</i> "Bylands."			
Bylands—Address for Return of Amount of Monies received for Sale of Crown Lands (<i>Mr. Mollison</i>)	210		
" " " " Reply	227		
" " " " Return (C 24)	210	...	703
C.			
Castlemaine Local Court Regulations—laid on Council Table (A 3)	14	357	
" " " " Additional—laid on Council Table (A 33)	31	769	
" Mechanics' Institute—Address for Correspondence (<i>Mr. Wheeler</i>)	140		
" " " " Reply	175		
" " " " Return (C 18)	140	...	677
Cattle unclaimed—Statement of the distribution of the proceeds of sale of—laid on Council Table (A 105)	215	...	225

	Votes.		Printed Papers.	
	Vol. I.	Page.	Vol. I.	Vol. II.
Census—Population Tables No. 2, for the year 1854—laid on Council Table (A 20)		14	611	
Central Road Board. <i>See</i> "Roads."				
Chinese Passengers and Protection Rates—Statement of Receipt and Expenditure from 23rd November to 31st December, 1855 (A 80)		145	1177	
Clunes—Auriferous land at. <i>See</i> "Auriferous Land."				
Colonial Bank of Australasia—Petitions presented		179-189		
Standing Orders suspended—Incorporation Bill initiated and referred to Select Committee		188		
Report brought up		220	...	1253
Colonial Barristers and Attorneys Admission Bill—Initiated		107		
Collingwood Bridge Bill—Petition presented		81		
Initiated and referred to Select Committee		121		
Report brought up		158	...	1221
Church-street—Motion for Return negatived		189		
East—Mechanics' Institution—Address for Grant (<i>Dr. Embling</i>)		267		
Reply		285		
Committee of Elections and Qualifications. <i>See</i> "Elections and Qualifications."				
Common Law Practice Bill—Initiated		12		
Referred to Select Committee		65		
Special Meetings of Committee authorised		82		
Report brought up (D 2)		125	...	893
Constitution Act—Message No. 1 with		4	...	527
Proclamation of Royal Assent entered		83		
Motion for Address (<i>Mr. Grant</i>)		188		
Reply		210		
Return (C 34)		275	...	783
Convict Labor at Williamstown—Return of Colonial Engineer for October, 1855, laid on Council Table (A 5)		14	361	
Council—Proclamation for convening—read		1		
Resignation of Seats by Members		1		
New Members sworn		7		
Governor's opening Speech		11		
Read by the Speaker and appointment of Committee to prepare Address in reply thereto		25		
Report brought up (D 1)		29		
" agreed to		44		
" presented and Governor's reply		3		
Chairman of Committees appointed		5		
Days of business agreed to		8	...	893
" presented and Governor's reply		14		
Chairman of Committees appointed		21		
Days of business agreed to		12		
Days for Government business to take precedence agreed to		12		
Standing Orders Committee appointed		12		
Library Committee appointed		12		
Committee of Elections and Qualifications—Warrant appointing, laid on Council Table		17-21		
" Motion for disapproval of—Agreed to		26		
" Amended warrant laid on Council Table		35-39-43		
Club—Committee of Management appointed		32		
" Report brought up—Resolution thereon		276		
Special meetings of Select Committees authorised		59-82		
Evening sittings of—Motion for—negatived		127		
Breach of privilege and proceedings thereon		139		
House counted out		166		
Lapsed Notices and Orders of the Day restored to paper		180		
Motion—that a Petitioner be heard by Counsel in Select Committee—negatived		224		
Notice of Motion erased from Paper		251		
Member voting on a question in which he was interested—his name struck out of the division list		183		
Business of the Session—Speaker's Report		255		
Prorogation of—Governor's Speech		189		
Members of—Address for Return (<i>Mr. O'Shanassy</i>)		198		
" Reply		211		
" Return (C 37)		286		
" Reply		286		
County Courts—Bourke and Grant—Address for Return (<i>Mr. Greeves</i>)		127	...	885
Reply		157		
Crown Lands—Message No. 2 with "Repeal of Waste Lands Act"		263		
		193		
		210		
		4	...	563

0.34

	Printed Papers.	
	Vol. I.	Vol. II.
	Page.	Page.
Crown Lands under Pre-emptive right—Valuation of—continuation of Return to Address (<i>Mr. Highett</i>) 1st December, 1854—laid on Council Table (C 1)	15	591
„ Sale of—Ovens District—Address for Return (<i>Mr. Cameron</i>)	44	
„ Reply	77	
„ Return (C. 6)	77	615
„ Pre-emptive grant of—to Frederick Taylor, Esq. <i>See</i> “Taylor.”		
„ Grants of—to Railway Companies—Address for Return (<i>Mr. Lalor</i>).	59	
„ Reply	105	
„ Return (C 5)	77	613
„ Pastoral Tenants of the Crown—Resolution proposed and disposed of by previous question	119	
„ Prahran—Sale of Crown Lands. <i>See</i> “Prahran.”		
„ Licenses—Return to Address, 8th June, 1855, on the motion of <i>Mr. Fawcner</i> (C 36)	276	815
„ Huntley Land Sale—Resolution proposed and withdrawn	281	
„ Sold in 1855—Return laid on Council Table (A 122)	285	515
Customs' Consolidation Act (16 & 17 Vict. c. 107)—Copy Despatch from Secretary of State, and Correspondence with Lords of the Committee of the Privy Council for Trade—laid on Council Table (A 61)	125	1055
„ Motion for Address to the Queen—agreed to and Address to the Governor with same	149	
„ Reply	175	
Customs—Department of—Report of Board appointed to inquire into—laid on Council Table (A 99)	198	47
Customs' Duties in Colonies—Return of Customs' Duties in the several British Colonies—laid on Council Table (A 13)	14	517
„ Accounts relating to Trade and Customs for 1855—laid on Council Table (A 118)	275	375
„ River Murray, Copies of additional correspondence respecting collection of—laid on Council Table (A 87)	150	1191
D.		
Dandenong Road—Address for Return (<i>Mr. Chapman</i>)	176	
„ Reply	210	
„ Return (C 17)	176	675
Deaths. <i>See</i> “Registrar General.”		
Debentures—Statement shewing number issued—laid on Council Table (A 85)	150	1187
„ Statement of proceeds of Sale from (A 86)	150	1189
Denominational School—Report from the Board for 1854-5—laid on Council Table (A 60)	122	1019
„ Pupil Teachers—Motion for Grant—House in Committee—no Report	267	
Disher, Mr.—Motion for Address—negatived (<i>Mr. Fyffe</i>)	126	
District Surveyors. <i>See</i> “Surveyor.”		
Doran—Mr. George—Address for Grant (<i>Mr. Beaver</i>)	193	
„ Reply	210	
E.		
Education in the United Kingdom—Reports of the Inspector of Schools and Minutes of Privy Council on Education in the United Kingdom—laid on Council Table, (A 8)	14	411
Elections and Qualifications— <i>See</i> “Council.”		
Elections Regulation Bill—Initiated by Message, No. 3	7	567
Electoral Bill—Initiated by Message, No. 4	7	569
„ Motion for referring same to Select Committee—Negatived	13	
„ Act—Duties of Officers under—Resolutions thereon	283	
Emigration—Report of Immigration Agent on Colonial Immigration and Emigration for 1854—laid on Council Table, (A 7)	14	365
„ Despatch and Enclosure relating to—from the United Kingdom—laid on Council Table, (A 24)	14	707
Escort Gold—Resolution	171	
Execution of Criminals Act—Entry of Royal Assent to	83	
Expenditure of Government Departments <i>See</i> “Government Departments”		
F.		
Finance—Progress Report of the Finance Commission, No. 2—laid on Council Table (A 25)	14	711

	Votes.	Printed Papers.	
	Vol. I.	Vol. I.	Vol. II.
	Page.	Page.	Page.
Finance—Revenue and Expenditure—Appropriations under Schedule B— laid on Council Table (A 47)	81	899	
„ Estimates for 1856—laid on Council Table (A 48)	82	915	
„ „ House in Committee thereon	169 <i>et seq.</i>		
„ „ Motion for Select Committee thereon— moved and withdrawn (<i>Dr. Greeves</i>)	99		9
„ „ „ Additional—laid on Council Table (A 91)	169	...	
„ „ „ Supplementary—for 1855—laid on Council Table (A 92)	169	...	15
„ „ „ House in Committee thereon	239		
„ Abstract of the General Revenue and Expenditure on account of the Year 1854—laid on Council Table (A 64)	135	1063	
„ Abstract of the Territorial Revenue and Expenditure for the Year 1854—laid on Council Table (A 65)	135	1077	
„ Abstract of the Revenue and Expenditure from 1st January to 22nd November, 1855, under Schedule B. 13 & 14 Vict. c. 59, (A 66)	135	1091	
„ Abstract of the General Revenue and Expenditure from 1st January to 22nd November, 1855 (A 67)	135	1095	
„ Abstract of the Territorial Revenue and Expenditure from 1st January to 22nd November, 1855 (A 68)	135	1105	
„ Abstract of Receipts and Expenditure of Consolidated Revenue from 23rd November to 31st December, 1855, (A 76)	145	1151	
„ Abstract of Receipts and Expenditure of Territorial Revenue from 23rd November to 31st December, 1855, (A 77)	145	1163	
„ Abstract of Receipts and Expenditure under Schedule B, 13 & 14 Vict. c. 56, from 23rd November to 31st December, 1855, (A 78)	145	1171	
„ Statement of Expenditure under Schedule D to Constitution Act, from 23rd November to 31st December, 1855, (A 79)	145	1175	
„ Statement of Cash Balances of the several Colonial Revenues and Special Funds on 31st December, 1855, (A 83)	145	1183	
„ Further Additional Estimates for 1856—laid on Council Table (A 112)	255	...	343
„ Resolutions on Estimates reported	268		
„ „ Explanatory Notes of Alterations therein— in Committee (A 47*) . . . . .	...	903	
Fire (Careless Use of) restriction Act Amendment Bill—Initiated	176		
Fitz Roy Ward Improvement Act—Return of Receipts and Expenditure to 31st August, 1855—laid on Council Table (A 6)	14	363	
G.			
Geelong Corporation—Return of Expenditure laid on Council Table (A 19)	14	609	
„ and Western District Agricultural and Horticultural Society Address for Grant of Money	158		
„ Reply	175		
„ Inspector of Weights and Measures—Address for Correspondence (<i>Mr. Myles</i>)	121		
„ „ Reply	157		
„ „ Return (C 11)	121	...	631
„ Public Works—Address for Correspondence (<i>Mr. Fyffe</i>)	82		
„ „ Reply	105		
„ „ Return (C. 12)	125	...	633
„ Union Bank—The Manager of—and Mr. Stamp—Address for Cor- respondence (<i>Mr. Wills</i>).	159		
„ „ Reply	175		
„ „ Return (C 30)	231	...	765
„ Water Supply—Motion for Address—withdrawn (<i>Mr. Fyffe</i>)	44		
Geological Surveyor—Report of—laid on Council Table (A 108)	231	...	231
Gipps Land—Road to—Motion for Address for Grant (<i>Mr. King</i>) House in Committee—No Report	78		
Gold Commission—“Miners Right” on parchment and free use of Escort— Resolution	171		
Gold—Discovery of—Letter from Rev. W. B. Clarke, acknowledging the receipt of his portion of reward—laid on Council Table (A 50)	96	999	
„ „ The like from Mr. Hargreaves—laid on Council Table (A 89)	161	1211	
Gold Export Duty—Return of amount collected from May to November, 1855, both inclusive—laid on Council Table (A 39)	45	807	
„ „ Resolution proposed	140		
„ „ Debated and negatived	143		
„ „ Extraction from Quartz, &c.—Motion for Address, and House in Committee (<i>Mr. Wills</i>)	58		
Gold Fields. See “Auriferous Lands.”			
„ Local Courts. See “Local Courts.”			

	Votes.		Printed Papers.	
	Vol. I.	Page.	Vol. I.	Vol. II.
Gold Fields Laws—Petition from the Local Court at Avoca to His Excellency the Governor—laid on Council Table (A 45)		77	893	
" " Referred to Select Committee		82		
" " Amendment Bill—Initiated		251		
Gold Mining on Private Property—Motion for and appointment of Select Committee (<i>Mr. Pyke</i>)		21		
" " Petition from Gold Miners and others at Castlemaine relating to—laid on Council Table		31		
" " Referred to Committee		35		
" " Claims for Compensation by Mr. John Selby, for destruction of Property by Miners—laid on Council Table (A 75)		143	1149	
" " Referred to Committee		149		
" " Report brought up (D 7)		183		949
" " Report read by Clerk—considered—resolutions proposed—debated—disposed of on the previous question		211		
" " Report read by Clerk—considered—resolutions proposed—debated—disposed of on the previous question		224		
" " Report read by Clerk—considered—resolutions proposed—debated—disposed of on the previous question		227		
" " Report read by Clerk—considered—resolutions proposed—debated—disposed of on the previous question		231		
" " Report read by Clerk—considered—resolutions proposed—debated—disposed of on the previous question		235		
" " Resolution proposed—disposed of on the previous question		278		
Gold Mining Regulations—laid on Council Table (A 1)		14	345	
" Amended ditto—laid on Council Table (A 2)		14	349	
" " Letters suggesting certain amendments in laid on Council Table		122-125		
" Plate Manufactured—Address (<i>Mr. Wills</i>)		59		
" " Reply		105		
Gold—Resolutions proposed—House in Committee, and Select Committee appointed		77		
Report brought up (D 18)		285		1083
Government Debentures. See "Debentures."				
Government Departments—Expenditure during 1855—Address for Return (<i>Mr. O'Brien</i>)		101		
Reply		119		
Return (C 35)		275		785
Government Officers—Release from office—House in Committee—Address agreed to		8		
Reply to Address		11		
Release notified to the Council		11		
Return to Address (B 7)		12		575
Resolutions proposed		25		
" " negatived		31		
Government Responsible—Motion for Address for instructions to Governor (withdrawn)		22		
" Observations of Officers on His Excellency's Minute, and His Excellency's reply—laid on Council Table (A 30)		31	763	
Governor's Commission—Message No. 8 with Commission and Instructions relating to Bills		43		583
" " and Instructions—Address for Return (<i>Mr. Greeves</i>)		49		
" " Reply		77		
" " Return (C 4)		77		607
" Salary Increase Act—Entry of Royal Assent to		82		
Grant County Court. See "County Court."				
H.				
Hassall, Mr. B. S.—Address agreed to (<i>Mr. Humffray</i>)		201		
Reply		227		
Return (C 23)		205		699
Health, Central Board of—First Report—laid on Council Table (A 102)		209		201
Heathcote—Local Court Regulations—laid on Council Table (A 98)		198		45
Hepburn Local Court Regulations—laid on Council Table (A 94)		176		19
Heytesbury—Unsurveyed Country in—Report of the Acting Surveyor as to Physical Character of (A 103)		215		213
Horticultural and Agricultural Statistics. See "Statistics."				
Hotham, Sir Charles—Message No 9, announcing death of		87		587
Funeral Expenses and Monument to—Address (<i>Mr. Fawkner</i>)		95		
Reply		157		
Lady—Motion for Address of Sympathy—and Address agreed to		91		
Lady Hotham's Reply		105		
Houses of Parliament. See "Parliament."				
Humane Society—Motion for Address—House in Committee—No Report		244		
Huntley Land Sale. See "Crown Lands."				

	Votes.		Printed Papers.	
	Vol. I.		Vol. I.	Vol. II.
	Page.		Page.	Page.
I.				
Immigrants Fund—Receipts and Expenditure for 1854—laid on Council Table (A 36)	40		801	
Immigration—Report of Acting Immigration Agent upon Colonial Immigration and Emigration for 1854—laid on Council Table (A 7)	14		365	
” Copy of Despatch from Secretary to Her Majesty’s Colonial Land and Emigration Commissioners relative to the difficulty of obtaining a suitable class of Emigrants—laid on Council Table (A 90)	163		...	1
” Copy Despatch from Secretary of State respecting Land Deposit and Remittance Regulations (A 95)	189		...	21
” under Remittance Regulations—Despatches—laid on Council Table (A 40)	59		809	
Imports of Agricultural Produce and of Preserved Meats. See “Agricultural Produce”				
Impounding of Stock from Crown Reserves—Address for Return (<i>Mr. Wills</i>)	64			
Reply	105			
Influx of Criminals Prevention Act Continuation Bill—Initiated	100			
Inheritance—Law of—Bill—Initiated	278			
Inn of Court Bill—Initiated	188			
Insurance Company—Victoria Fire and Marine—See “Victoria.”				
Inverleigh Bridge. See “Leigh River.”				
J.				
Jews—Fund for Public Worship—Copy Despatch—laid on Council Table (A 52)	106		1003	
K.				
Keefer’s Admission Bill—Petition for leave presented	43			
” Bill initiated and referred to Select Committee	59			
” Report brought up	81		...	1157
” Petition from A. Keefer to reconsider Clauses	187			
Kilmore Road—Expenditure—Address for Return (<i>Mr. Snodgrass</i>)	21			
” Reply	43			
” Return (C 2)	21		...	603
L.				
Lancefield—See “Bylands.”				
Leases Mining—See “Mining Licenses.”				
Leigh River—Bridge across—at Inverleigh—Motion for Copy Contract for construction of (<i>Mr. Mollison</i>)—and Paperlaid on Council Table	159-161			
Letters Patent—Address for Return (<i>Mr. Humffray</i>)	228			
” Reply	285			
” Return (C 29)	229		...	763
Libel Law Amendment Bill—Initiated	93			
Library—Committee appointed	12			
” Report brought up and read (D 19)	285			
Lighthouse on King’s Island—Report—laid on Council Table (A 23)	14		703	
” Correspondence relating to—laid on Council Table (A 96)	198		...	25
Liquors Sale Laws Amendment Bill—Initiated	40			
” Debate on Motion for Second Reading	78			
Live Stock—Importation of—Motion for Address (<i>Mr. Taylor</i>)—withdrawn	64			
” Motion for and appointment of Select Committee	99			
” Report brought up (D 3)	153		...	903
” Imported—Registration Bill—Initiated	224			
Local Courts—Gold Fields—Motion for—and Appointment of Select Committee to consider the Powers and Regulations of	44			
” Report brought up (D 8)	193		...	991
” Considered and Resolutions agreed to	243			
” Address for Correspondence (<i>Mr. Benson</i>)	53			
” Reply	105			
Local Court Regulations. See “Avoca,” “Beechworth,” “Blackwood,” “Castlemaine,” “Heathcote,” “Hepburn,” “Sandhurst,” “Yackandandah.”				
Loddon River—Bridge across—at Guildford—Motion for Address—House in Committee—No Report	120			
Lunatics in Gaols—Address for Return (<i>Mr. Fyffe</i>)	233			
” Reply	285			
” Return (C 31)	240		...	769

	Votes.		Printed Papers.	
	Vol. I.	Page.	Vol. I.	Vol. II.
Lunatic Asylum--Yarra Bend—Address for Return (<i>Mr. Mollison</i>)		64		
” ” ” Reply		105		
” ” ” Return (C 3)		65	...	605
” ” ” Address for Return (<i>Mr. Mollison</i>)		126		
” ” ” Reply		157		
” ” ” Return (C 13)		131	...	655
” ” ” Order that Reports on—be taken into consideration with the Estimates		189		
M.				
McDonald, Mr. F.—Petition presented		81		
” ” Ordered to be printed (E 8)		107	...	1281
” ” Motion for refering same to a Select Committee—negated		150		
Mails—Departure of—for Great Britain—Resolution agreed to (<i>Mr. Greaves</i>)		21		
” Westward—Address for Return (<i>Mr. Knight</i>)		189		
” ” ” Reply		210		
” ” ” Return (C 21)		193	...	695
” Coastwise by Steamers—Address (<i>Mr. Knight</i>)		216		
” ” ” Reply		227		
Marriages. See “Registrar General.”				
Meats Preserved. See “Agricultural Produce.”				
Melbourne, City of—Plans and Specifications of intended improvements in—laid on Council Table (A 49)		96	995	
” Corporation—Return of Expenditure—laid on Council Table—(A 18)		14	607	
” and Hobson’s Bay Railway Extension Bill—Petition for leave to bring in Bill presented		12		
” ” ” Initiated and referred to Select Committee		40		
” ” ” Special Meetings of Committee agreed to		59		
” ” ” Petition to Council to pass Bill during the present session		69		
” ” ” Referred to Committee		78		
” ” ” Report brought up		119	...	1175
” ” ” Petition from Ratepayers and Inhabitants of Municipality of Emerald Hill against the Bill presented		125		
” ” ” ” for postponing second reading of Bill.		158		
” ” ” Select Committee revived and Bill referred back to Committee		158		
” ” ” Second Report brought up		215	...	1241
” ” ” Railway Company Receipts and Expenditure to 31st October, 1855—laid on Council Table (A 41)		63	811	
” ” ” Motion for Return of quantity of Land granted to. See “Crown Lands.”		59		
” and Mount Alexander Railway Company—Motion for Return of quantity of Land granted to—(<i>Mr. Lalor</i>)		169		
” ” ” Purchase Bill—Initiated		179		
” ” ” Referred to the Select Committee on Railways		135	1115	
” Sewerage and Water Supply—Statement of sums advanced from the Colonial Treasury to the Commissioners of—and of the proceeds of Debentures—laid on Council Table (A 69)		150		
” ” ” Address for Return (<i>Mr. Rae</i>)		175		
” ” ” Reply		169	...	665
” ” ” Return (C 16)		150	1189	
” ” ” Statement of sums advanced to—from the 23rd November to 31st December, 1855—laid on Council Table (A 86)		194		
” Water and Sewerage Commission. See “Sewerage.”				
Members of Council. See “Council.”				
Merri River—Bridge over—Motion for Grant—House in Committee		189		
” ” No Report		4	...	527
Message, No. 1, with Copies Despatches accompanying the Victoria Constitution Act (B 1)		4	...	563
” No. 2, with Copy of Despatch accompanying Act of Parliament repealing Waste Lands Act (B 2)		7	...	567
” No. 3, with Elections Regulation Bill (B 3)		7	...	569
” No. 4, with Victoria Electoral Bill (B 4)		8	...	571
” No. 5, with Party Processions Act Continuation Bill (B 5)		8	...	573
” No. 6, with Assessment on Stock Act Continuation Bill (B 6)		12	...	575
” No. 7, with Correspondence relating to the Resignation of Members of Executive Government (B 7)		43	...	583
” No. 8, with Copy Governor’s Commission and the usual instructions relating to Bills		87	...	587
” No. 9, announcing the death of the late Governor Sir C. Hotham				

	Votes.	Printed Papers.	
	Vol. I.	Vol. I.	Vol. II.
	Page.	Page.	Page.
Message, No. 10, recommending additional Grant for Steam Postal Communication with the United Kingdom (B 10)	223	...	589
Meteorological—Report and Diagrams of Barometric pressure for eight months, ending January 31st, 1856 (A 115)	263	...	351
Military and Naval Stores—Articles used in the manufacture of certain—Copy Despatch—laid on Council Table (A 113)	263	...	349
Mining Leases—Copy Despatch—laid on Council Table (A 54).	106	1007	
Miners Right—To be printed on parchment—Resolution	171		
Ministry—Resignation of—Discussion thereon	91		
Ministry, The—Incidental Motion of Want of Confidence in—withdrawn.	111		
Moranding. <i>See</i> "Bylands."			
Mornington— <i>See</i> "Dandenong."			
Municipal Institutions Act Amendment Bill—Initiated	176		
Murray River— <i>See</i> "Customs Duties."			
" Navigation of—Motion for Grant (<i>Mr. Horne</i>)—House in Committee—No Report	159		
" " Motion respecting—withdrawn	166		
N.			
National Bank—Financial Scheme for the establishment of a—laid on Council Table (A 58)	121	1015	
National Education, Board of—School at Avoca—Address for Return (<i>Mr. Longden</i>)	139		
" " Reply	175		
" " Return (C 32)	275	...	771
" " Ordered to be printed	267		
" " Third Report—for 1854 and 1855 (A 109)	251		
" " Normal School—Address for Grant—House in Committee, and resolution	247		
" " Reply	285		
Naval and Military Stores. <i>See</i> "Military."			
Normal School—National Board of Education—Address for Grant (<i>Mr. Smith</i>)	247		
" " Reply	285		
Notice—Erased from the Paper	198		
O.			
Ovens District Local Court Regulations—laid on Council Table (A 32)	31	767	
" Post Offices—Address for Return—(<i>Mr. Cameron</i>)	100		
" " Reply	119		
" " Return (C 15)	161	...	661
P.			
Paris Exhibition—Report of Special Commissioner for Victoria—laid on Council Table (A 29)	25	761	
Parliament—Houses of—Address (<i>Mr. Greaves</i>)	82		
" " Reply	105		
Party Processions Act Continuation Bill—Initiated by Message, No. 5	8	...	571
Patent Laws Amendment Bill—Initiated	277		
" Letters. <i>See</i> "Letters Patent."			
Passengers' Act—Copy Despatch—laid on Council Table (A 51)	106	1001	
" Rate Fund—Statement of Receipts and Expenditure to 31st December, 1853—laid on Council Table (A 71)	135	1119	
" From 23rd November to 31st December, 1855 (A 82)	145	1181	
Passengers' Act Amendment Bill—Initiated	149		
Pastoral Tenants of the Crown—Resolution proposed and disposed of by the previous question.	119		
Patriotic Fund—Copies of Despatch and Correspondence respecting Contribution to—laid on Council Table (A 4)	14	359	
" " Copy Despatch—laid on Council Table (A 53)	106	1005	
Penal Establishments—Report of Inspector General for the Year ending September, 1855—laid on Council Table (A 44)	76	845	
Petition—From John Drew—Quartz Reefs	11		
" " the Shareholders of the Melbourne and Hobson's Bay Railway Company—For leave, &c.	12		
" " Michael O'Reilly—Education	39		
" " Municipal Council, Emerald Hill—Melbourne and St. Kilda Railway Bill	43		
" " Alexander Keefer, Esq.—for Private Bill	43		
" " Miners, Forest Creek—Vote by Falloit	43		
" " The Very Rev. the Dean of Melbourne and others—Liquors Sale Laws Amendment Bill	44		
" Ordered to be printed and taken into consideration (E 1)	49	...	1265

	Votes.		Printed Papers.	
	Vol. I.	Page.	Vol. I.	Vol. II.
Petition—From Inhabitants of Williamstown—Liquors Sale Law Bill		44		
Ordered to be printed and taken into consideration (E 2)		49	...	1267
" " The Rev. D. Macdonald, Moderator of the Presbyterian Synod of Victoria—Against State Aid to Religion		53		
" " Gold Diggers and others, Epsom		53		
" " " to be printed (E 3) and referred.		59	...	1269
" " Directors of the Victoria Fire and Marine Insurance Company—for leave to introduce Bill		53		
" " Committee of Richmond Political Association—Against State Aid to Religion		57		
" " Inhabitants of the Municipality of East Collingwood—Against State Aid to Religion		57		
" " Inhabitants of East Collingwood and Richmond—Against State Aid to Religion		57		
" " Patrick Curtin and others		57		
" " " Ordered to be printed (E 4)		64	...	1271
" " " Referred		121		
" " Margaret Louisa Barrow		57		
" " " Ordered to be printed (E 5)		65	...	1273
" " Municipal District of Richmond—Vote by Ballot		63		
" " Collingwood Fire Brigade		63		
" " South Bourke Reform Association—Vote by Ballot		63		
" " Collingwood Wesleyan Methodist Association—Inhabitants of Collingwood—and Free Presbyterian Church, Kilmore—Sale of Liquors Law		63		
" " Wesleyan Methodists, Portland Bay—Sale of Liquors Law		69		
" " Proprietors of Bank of Victoria—Leave to Introduce Private Bill		69		
" " Inhabitants of Brunswick, Philipstown, &c.—Sale of Liquors Laws		69		
" " Inhabitants of Belfast—Sale of Liquors Law		69		
" " Owners of Property, &c., St. Kilda—Railway to St. Kilda		69		
" " " Referred		78		
" " Inhabitants of Fitz Roy Ward, Melbourne		75		
" " Spirit Merchants in Melbourne		75		
" " Forty-five various places and Religious Congregations—Against the Liquors Sale Laws Amendment Bill		75		
" " Certain Tenants of Waste Lands of the Crown—Crown Lands Question		77		
" " " Ordered to be printed and referred (E 6)		82	...	1275
" " John Rutherford and James Tingman		81		
" " Farquhar McDonald		81		
" " " Ordered to be printed (E 8)		107	...	1281
" " " Motion for referring same to Select Committee negatived		150		
" " Messrs. Lush and Company—Contract with Government		81		
" " Shareholders of Collingwood Bridge Company for leave to introduce Bill		81		
" " Members of Wesleyan Church, North Melbourne, Inhabitants of Prahran, Members of St. John's Church, Melbourne, and Inhabitants of Kilmore—Sale of Liquors Law		81		
" " Fourteen various Religious Congregations—Sale of Liquors Law		84		
" " William Robertson, of Hobart Town		87		
" " " Ordered to be printed (E 7)		93	...	1279
" " " Referred		176		
" " James Murray, late cooper in charge of the Powder Magazine, Melbourne		87		
" " " Motion that same be printed, negatived.		224		
" " Free Presbyterian Church, Prahran—Liquors Sale Laws		87		
" " Members and Friends of the Geelong Teetotal Society, and Congregation of the Independent Chapel, Prahran—Liquors Sale Laws		95		
" " Certain Miners of the Ovens District		95		
" " " Referred to Local Courts Committee		101		
" " William John Disher, Merchant, Blackwood		99		
" " Certain Inhabitants of the Municipal District of Richmond—Bridge across the Yarra		106		
" " John Winter, Esq., of Bonshaw—Title to Land		106		
" " " Referred to Committee on Mining on Private Property		111		
" " " " " "		111		
" " Certain Agriculturists and others—Scotch Thistle		111	...	1283
" " " Ordered to be printed (E 9)		115		
" " " Referred to Select Committee		121		

	Votes.		Printed Papers.	
	Vol. I.	Page.	Vol. I.	Vol. II.
Petition—From Miners—Ovens District—Creeks and Water Holes . . .		115		
” ” ” Referred to Local Courts Committee . . .		127		
” ” Certain Merchants, Traders, and others, Melbourne—Gold Export Duty . . .		125		
” ” ” Ordered to be printed (E 11) . . .		131	...	1287
” ” James Balmain . . .		125		
” ” John C. Denny . . .		125		
” ” ” Ordered to be printed (E 10) . . .		131	...	1285
” ” Ratepayers and Inhabitants of Emerald Hill—Railway to St. Kilda . . .		125		
” ” Samuel Gordon, Esq.		139		
” ” ” Ordered to be referred to Committee on Gold . . .		158		
” ” James Thomson, Esq.—Assessment on Stock Bill . . .		143		
” ” Miners on Forest Creek—Gold Export Duty . . .		144		
” ” Miners on Forest Creek—Electoral Roll . . .		158		
” ” Certain Inhabitants of St. Kilda—St. Kilda Railway . . .		158		
” ” Storekeepers and Miners on Forest Creek—Local Postmaster . . .		158		
” ” Wesleyan Methodists of Australia—Liquors Sale Laws . . .		161		
” ” Shareholders of the St. Kilda Sea Bathing Company—For Suspension of Standing Orders . . .		161		
” ” Wesleyan Methodists of Australia—Against State Aid to Religion . . .		161		
” ” Inhabitants of East Collingwood and Fitz Roy Ward—Collingwood Bridge Bill . . .		171		
” ” Inhabitants of St. Peter's Parish—Liquors Sale Laws . . .		175		
” ” Certain Inhabitants of Richmond—Municipal Institutions . . .		175		
” ” Shareholders of Colonial Bank of Australasia—Suspension of Standing Orders . . .		179		
” ” ” For Leave to bring in Bill . . .		189		
” ” Charles Smith—Ballaarat . . .		179		
” ” Henry Harris—Ballaarat . . .		179		
” ” ” Motion for printing same withdrawn . . .		184		
” ” William Robertson—To be heard by Counsel in Select Committee . . .		179		
” ” Alexander Keefer—To reconsider Clauses in Keefer's Admission Bill . . .		189		
” ” The Municipal District of Emerald Hill—Presented and not received . . .		187		
” ” Shareholders of Colonial Bank of Australasia—Petition for leave &c. . .		187		
” ” The Members of the Brunswick and Pentridge Athenæum . . .		193		
” ” Certain Residents at Forest Creek . . .		193		
” ” Ratepayers of East Collingwood—Creation of Wards . . .		197, 201		
” ” John G. M. Wigley . . .		197		
” ” The Ratepayers of Municipal District of East Collingwood—Division of Districts into Wards . . .		201		
” ” Certain Landholders and others of Baringup . . .		201		
” ” Inhabitants of East Collingwood and Fitz Roy Ward—Bridge over the Yarra . . .		209		
” ” George Breading . . .		209		
” ” ” Ordered to be printed (E 12) . . .		216	...	1289
” ” Landholders and Householdors of East Collingwood . . .		209		
” ” Emerald Hill Vigilance Association—Sunday Trading . . .		209		
” ” Landholders and Householdors of East Collingwood—Annual Election of Municipal Councillors . . .		209		
” ” The President and Vice President of the Licensed Victuallers' Association . . .		215		
” ” Inhabitants of Richmond—St. Kilda Railway Bill . . .		219		
” ” Jacob Braché . . .		223		
” ” ” Ordered to be printed (E 13) . . .		240	...	1291
” ” Committee of Diggers at Castlemaine—Presented and not received . . .		223		
” ” Inhabitants of Heathcote—Daily Mail . . .		223		
” ” Inhabitants of East Collingwood—Division into Wards . . .		227		
” ” ” Referred to Committee on Municipal Institutions Act Amendment Bill . . .		244		
” ” Inhabitants of the Neighbourhood of the Upper Plenty Road . . .		231		
” ” C. F. Nicholls, Chairman of Meeting of Miners at the Hard Hill . . .		231		
” ” Edward Hill—Discoverer of New Gold Field—Received and referred to Gold Committee . . .		248		
” ” Richard Robertshaw . . .		255		
” ” Inhabitants of the Township of Castlemaine—Murray River Railway . . .		275		

	Votes. Vol. I.	Printed Papers.	
		Vol. I.	Vol. II.
	Page.	Page.	Page.
Petition—From Walter Smith—Municipal Council of Castlemaine—Murray River Railway	275		
Petty Sessions—Address for Return (<i>Mr. Fellows</i>)	100		
Reply	119		
Return (C 9)	111	...	627
Philosophical Institute—Address for Grant (<i>Mr. Hodgson</i>)	144		
Reply	175		
Pilot Board—Account of Receipts and Expenditure for 1855—laid on Council Table (A 120)	281	...	419
Pilot Station on Albany Island—Copies of Correspondence respecting the Establishment of a—laid on Council Table (A 11)	14	427	
Police—Report of Commissioners appointed to enquire into the State of—laid on Council Table (A 35)	31	779	
" Reward Fund—Statement of Receipts and Expenditure to 31st December, 1853,—laid on Council Table (A 70)	135	1117	
" From 23rd November to 31st December, 1855, (A 81).	145	1179	
" Monies for Sustenance of Horses—Address for Return (<i>Mr. Humffray</i>)	210		
Reply	227		
Return (C 27)	227	...	751
" Detective—Expenditure for the year 1855 (A 106)	227	...	227
Population Table. See "Census."			
Postal Communication (Steam) with the United Kingdom—Correspondence—laid on Council Table (A 34)	31	771	
" Motion for and Appointment of Select Committee	193		
" Despatch from Secretary of State—laid on Council Table (A 104)	215	...	217
" Report brought up (D 9)	219	...	1009
" " Adopted and Address agreed to	220		
" Reply	223		
" Message, No. 10, recommending additional Grant for—House in Committee—Resolution thereon.	224	...	589
Post Office Department—Report of Board appointed to enquire into Condition and Management of—laid on Council Table (A 12).	14	431	
" Law Amendment Bill—Initiated	228		
Poundage Fund—Return shewing the amount standing to the credit of the Poundage Fund, on the 31st December, 1855—laid on Council Table (A 84)	145	1185	
Prahran—Sale of Crown Lands in—Address for Return (<i>Mr. Goodman</i>)	194		
Reply	210		
Return (C 22)	195	...	697
Prayers—Motion that daily proceedings of the Council be commenced with Prayers—Negatived by the previous question	35		
Preserved Meats. See "Agricultural Imports."			
Proclamation of Royal Assent to Reserved Bills—			
" Governor's Salary Increase Act "	82		
" Execution of Criminals Act "	83		
" Constitution Act "	83		
Public Worship—Expenditure for Buildings and Ministers of Religion for 1854—laid on Council Table (A 46)	81	809	
" Grant for—Act—Repeal Bill Initiated	165		
R.			
Railways—Grants for. See "Crown Lands."			
Railways—Motion for, and appointment by ballot, of Select Committee	106		
Progress Report brought up—read by the Clerk—ordered to be printed (D 11)	255	...	1021
Report brought up (D 17)	283	...	1065
Registrar General—Second Annual Report—Births, Deaths, Marriages—laid on Council Table (A 43)	76	817	
Religion—State Aid to—Resolution proposed and negatived (<i>Dr. Embling</i>)	57		
Responsible Government. See "Government."			
Roads—Return of Works and Expenditure of the Central Road Board, for the half-year ending 30th June, 1855—laid on Council Table (A 28)	14	751	
" Return of Appropriations and Expenditure on the Mount Alexander, and branch Roads on the Gold Fields—laid on Council Table (A 31)	31	765	
" Return of Monies paid into the Treasury, derived from Punts and Tolls, during 1855 (A 93)	176	...	17
" Return of Works and Expenditure for the year 1855—laid on Council Table (A 119)	281	...	409
" Return shewing the amount and nature of work performed from the formation of Road Board to 31st December, 1855—laid on Council Table (A 121)	285	...	511
" and Bridges—Expenditure on—Motion for Address, and House in Committee (<i>Mr. O'Brien</i>)	53-101		
" " " Resolution agreed to and Address.	121		
	153		

	Votes.		Printed Papers.	
	Vol. I.		Vol. I.	Vol. II.
	Page.		Page.	Page.
Roads—Motion for Committee to consider the state of—withdrawn.	65			
Robertson, Mr.—Petition presented	87			
" Ordered to be printed (E 7)	93		...	1279
" Referred to Select Committee	176			
" Address for Return (<i>Mr. Fellows</i>)	96			
" Reply	119			
" Return ordered to lie on Table	101			
" Motion for Select Committee on Petition of—negatived.	121			
" agreed to.	126			
" Progress Report brought up (D 6).	183		...	945
" Motion to be heard by Counsel in Select Committee	189			
" negatived	223		...	1049
" Report brought up (D 16)				
Royal Assent, Acts of Council—Copy Despatch—laid on Council Table				
(A 56)	106		1011	
(A 57)	115		1013	
" List of Acts which have lately received the—laid on				
Council Table (A 62)	125		1059	
" (A 63)	131		1061	
" (A 72)	135		1123	
" to reserved Bills—Proclaimed. See "Proclamations."				
S.				
St. Kilda Sea Bathing Company—Petition for Suspension of Standing				
Orders presented	161			
" Read by the Clerk, and Motion made,				
" and House counted out	166			
" Motion renewed and Bill initiated, and				
" referred to a Select Committee	176			
" Report brought up	205		...	1233
Sandhurst District—Local Court Regulations—laid on Council Table				
(A 3)	14		357	
" Additional Regulations (A 37).	40		803	
" (A 100).	205		...	195
" (A 101).	209		...	199
" (A 110).	248		...	337
" (A 116).	272		...	371
" Letter from—Suggesting amendments				
" in Gold Fields Laws—laid on				
" Council Table (A 59)	122		1017	
" Land Sale—Address for Return (<i>Mr. Benson</i>).	120			
" Reply	157			
" Return (C 10)	120		...	629
" Resolution of Local Court respecting the alienation of				
" Auriferous Lands—laid on Council Table, and referred				
" (A 38)	44		805	
Savings' Banks—Accounts for the year ending 30th June, 1855—laid on				
Council Table (A 14)	14		583	
Selby, Mr. John. See "Gold Mining on Private Property."				
Snapper Point—Address for Return (<i>Mr. Chapman</i>)	224			
" Reply	285			
" Motion for Address—House in Committee—No Report	278			
Soldiers British—Rewards to—Motion thereon negatived by previous				
" question	99			
Speaker, The—Resolution and Address to	283			
" Speaker's Reply	283			
Standing Orders—Committee. See "Council."	57			
State Aid to Religion—Resolution proposed and negatived (<i>Dr. Embling</i>)				
Statistics Agricultural and Horticultural—Motion for and appointment of				
Select Committee	39			
" Report brought up (D 5)	169		...	913
" of the Colony for 1854—laid on Council Table (A 21)	14		651	
Stock—Impounding from Crown Reserves. See "Impounding Stock."				
" (Live)—Importation of. See "Live Stock."				
Supreme Court—Rule No. 36, Chap. 10—laid on Council Table (A 16)	14		603	
" Rule No. 37, Chap. 10—laid on Council Table (A 17)	14		605	
" Registry Memorials—Address for Grant (<i>Mr. Horne</i>)	71			
" Reply	105			
" Survey of Coast—Address (<i>Mr. Knight</i>)	171			
" Reply	210			
" Surveyors (District)—Instructions to—Address for Return (<i>Mr. Lalor</i>)	94			
" Reply	119			
" Return (C 7)	95		...	617
" Syme & Co.—Quartz Claim of—Address for Correspondence (<i>Mr. Humfray</i>)	171			
" Reply	209			
" Return (C 26)	227		...	739

	Votes. Vol. I.	Printed Papers.	
		Vol. I.	Vol. II.
	Page.	Page.	Page.
T.			
Taylor, Frederick, Esq.—Address relating to pre-emptive Grant of Land to (<i>Mr. Wheeler</i>)	35		
" " Reply	57		
" " Return ordered to lie on Table and referred to Committee on Gold Mining on Private Property	95		
Thistle—Scotch—Petition presented	111		
" " Ordered to be printed (E 9)	115	...	1283
" " Motion for, and appointment of Select Committee, and Petition referred	121		
" " Report brought up (D 4)	169	...	909
Thistle Bill—Initiated	172		
Toorak—Expenditure at—Return to Address—moved by <i>Mr. Goodman</i> , 16th February, 1855 (C 28).	228	...	755
" " Resolution thereon	281		
Tower Hill Cemetery—Motion made and withdrawn	176		
Trade. <i>See</i> "Customs."			
Trustees Bill—Initiated	172		
V.			
Vagrancy Act—Convictions under—Address for Return (<i>Mr. Mollison</i>)	120		
" " Reply	157		
" " Return (C 14)	149	...	657
Victoria—Bank of. <i>See</i> "Bank of Victoria."			
" Fire and Marine Insurance Company, Petition from Directors for leave to introduce Bill	53		
" " Bill—Initiated	59		
" " Referred to Select Committee	71		
" " Report brought up	81	...	1169
Villiers and Heytesbury Association. <i>See</i> "Heytesbury"			
Volunteer Corps Act—Copy of Despatch—laid on Council Table (A 55)	106	1009	
" " Amendment Bill—Initiated	165		
W.			
Wallan Wallan. <i>See</i> "Bylands."			
Warrnambool Mechanics' Institute—Motion for Grant—House in Committee	189		
Waste Lands of the Crown. <i>See</i> "Crown Lands."			
Water and Sewerage Commission. <i>See</i> "Melbourne"			
Westward Mails. <i>See</i> "Mails Westward."			
Wigley, Mr. J. G. M.—Motion for the appointment of a Select Committee to consider the Claim of—Negatived	247		
Wine and Spirit Merchants—Motion for Address—(<i>Mr. O'Brien</i>) House counted out	251		
" " Motion renewed and negatived	259		
Wright, W. H., Esq.—Letter from, to the Chief Secretary—laid on Council Table (A 111)	251	...	339
Y.			
Yackandandah—Local Court Regulations—laid on Council Table (A 100)	205	...	195
Yarra Bend Lunatic Asylum. <i>See</i> "Lunatic Asylum."			

VICTORIA.

SUMMARY OF PROCEEDINGS ON BILLS INTRODUCED DURING THE SESSION 1855-6.

No.	SHORT TITLES OF BILLS.	BY WHOM AND WHEN INITIATED.		PROGRESS.											Number of Act.	REMARKS.
				First Reading.	Second Reading.	Committee.	Report.	Amendments proposed by the Lieutenant Governor.	Recommittal.	Report after Recommittal.	Passing.	Assent.	Publication in the Government Gazette.			
1	Elections Regulation Bill	By Message, No. 3 ...	Nov. 27	Nov. 28	Jan. 9	Jan. 9	Feb. 6	...	Feb. 27; Mar. 4	Feb. 27; Mar. 4	Mar. 12	Mar. 19	Mar. 26	XI.		
2	Victoria Electoral Bill	By Message, No. 4 ...	Nov. 27	Nov. 28	Jan. 9	Jan. 9	Feb. 6	...	{ Feb. 6, 14, 26; Mar. 4, 6, 11 }	{ Feb. 6, 15, 27; Mar. 4, 6, 11 }	Mar. 13	Mar. 19	Mar. 26	XII.		
3	Party Processions Continuation Bill	By Message, No. 5 ...	Nov. 27	Nov. 28	Dec. 5	Dec. 6	Dec. 6	...	...	...	Dec. 7	Dec. 17	Dec. 21	I.	
4	Assessment on Stock Act Continuation Bill	By Message, No. 6 ...	Nov. 27	Nov. 28	Dec. 5	Dec. 6	Jan. 9	...	...	...	...	...	...	...	Jan. 9, 1856—Withdrawn upon Report of Committee.
5	Common Law Practice Bill	Mr. Fellows ...	Nov. 28	Nov. 28	Dec. 18	Jan. 29	Feb. 19	...	Feb. 26; Mar. 4, 11, 18	Feb. 26; Mar. 4, 11, 18	Mar. 18	Mar. 19	Apr. 4	XIX.	{ Dec. 18, 1855—Referred to Select Committee. Jan. 22, 1856—Report brought up.	
6	Melbourne and Hobson's Bay Railway Extension Bill	Mr. Miller ...	Dec. 7	Dec. 7	Feb. 28	Feb. 28	Mar. 14	...	...	...	Mar. 17	Mar. 19	Mar. 28	...	{ Dec. 7, 1855—Referred to Select Committee. Jan. 18, 1856—Report brought up. Feb. 1—Select Committee revived, and Bill referred back. Feb. 27—Report brought up.
7	Liquors Sale Laws Amendment Bill	Mr. Greeves ...	Dec. 7	Dec. 7	Jan. 25	Jan. 25	...	...	...	...	...	...	...	...	{ Feb. 28, 1856—In Committee of the whole Council. The Chairman to report progress, and ask leave to sit again that day six months.
8	Bills of Exchange Bill	Mr. Grant ...	Dec. 14	Dec. 14	Dec. 21	Dec. 21	Jan. 11	...	Jan. 18	Jan. 18	Jan. 22	Jan. 29	Feb. 1	II.		
9	Keefer's Admission Bill	Mr. O'Shanassy ...	Dec. 14	Dec. 14	Feb. 5	Feb. 5	Feb. 12	...	Feb. 15	Feb. 15	Feb. 19	Feb. 27	Feb. 29	...	Dec. 14, 1855—Referred to Select Committee. Dec. 21—Report brought up.	
10	Victoria Fire and Marine Insurance Company Bill	Mr. Miller ...	Dec. 14	Dec. 14	Jan. 11	Jan. 11	Jan. 15	...	Jan. 18	Jan. 18	Jan. 22	Mar. 3	Mar. 7	...	Dec. 19, 1855—Referred to Select Committee. Dec. 21—Report brought up.	
11	Bank of Victoria Incorporation Act Amendment Bill	Mr. Miller ...	Dec. 19	Dec. 19	Jan. 18	Jan. 18	Jan. 18	...	...	...	Jan. 22	Feb. 1	Feb. 5	...	Dec. 20, 1855—Referred to Select Committee. Jan. 15, 1856—Report brought up.
12	Libel Law Amendment Bill	Mr. Grant ...	Jan. 9	Jan. 9	Jan. 15	Jan. 15	Jan. 22	...	Jan. 25	Jan. 25	Jan. 29	Feb. 12	Feb. 15	IV.		
13	Influx of Criminals Prevention Act Continuation Bill	The Chief Secretary ...	Jan. 11	Jan. 11	Jan. 15	Jan. 15	Jan. 22	...	...	...	Jan. 23	Feb. 5	Feb. 8	III.	
14	Assessment on Stock Bill	The Chief Secretary ...	Jan. 11	Jan. 11	Jan. 15	Jan. 15	Jan. 31	...	Jan. 31	Jan. 31	Feb. 6	Feb. 12	Feb. 15	V.		
15	Colonial Barristers and Attorneys Admission Bill	Mr. Grant ...	Jan. 15	Jan. 15	Feb. 5	Feb. 5	...	...	...	...	...	...	...	...	{ Feb. 12, 1856—Disposed of on the Chairman of Committees reporting progress, and asking leave to sit again this day six months.
16	Collingwood (Studley Park) Bridge Bill	Mr. Miller ...	Jan. 18	Jan. 18	Feb. 8	Feb. 8	Feb. 15	...	...	...	Feb. 26	Mar. 3	Mar. 7	...	Jan. 18, 1856—Referred to Select Committee. Feb. 1—Report brought up.
17	Passengers' Act Amendment Bill	{ The Commissioner of Trade and Customs ... }	Jan. 30	Jan. 30	Feb. 8	Feb. 8	Feb. 13	...	Feb. 13, 15	Feb. 13, 15	Feb. 15	Feb. 27	Feb. 29	VII.		
18	Administration of Justice Act Amendment Bill	The Attorney General ...	Feb. 6	Feb. 6	Feb. 14	Feb. 14	Feb. 15	...	Feb. 27; Mar. 5, 7, 12	Feb. 28; Mar. 5, 7, 12	Mar. 13	Mar. 19	Mar. 26	XIII.		
19	Volunteer Corps Act Amendment Bill	{ Commissioner of Public Works ... }	Feb. 6	Feb. 6	Feb. 8	Feb. 8	Feb. 12	...	Feb. 19	Feb. 19	Feb. 20	Feb. 27	Feb. 29	VIII.		
20	Grant for Public Worship Act Repeal Bill	The Attorney General ...	Feb. 6	Feb. 6	Feb. 8	Feb. 13	Feb. 13	...	...	...	Feb. 14	Feb. 27	Feb. 29	VI.	
21	{ Melbourne, Mount Alexander and Murray River Railway } Purchase Bill	The Surveyor General ...	Feb. 7	Feb. 7	Mar. 14	Mar. 14	Mar. 15	...	...	...	Mar. 17	Mar. 19	Mar. 28	XV.	Feb. 13, 1855—Referred to the Select Committee on "Railways."
22	Thistle Bill	Mr. Snodgrass ...	Feb. 8	Feb. 8	Feb. 19	Feb. 19	Mar. 14	...	...	...	Mar. 17	Mar. 19	Mar. 28	XIV.	
23	Municipal Institutions Act Amendment Bill	The Surveyor General ...	Feb. 12	Feb. 12	Feb. 22	Feb. 28	Mar. 11	...	Mar. 14, 15	Mar. 14, 15	Mar. 17	Mar. 19	Mar. 28	XVI.		
24	Careless use of Fire Restriction Act Amendment Bill	Mr. Knight ...	Feb. 12	Feb. 12	Feb. 15	Feb. 15	Feb. 19	...	...	...	Feb. 22	Feb. 27	Feb. 29	IX.	
25	St. Kilda Sea Bathing Company Incorporation Bill	Mr. Greeves ...	Feb. 12	Feb. 12	Feb. 26	Feb. 26	...	...	...	...	...	...	...	...	{ Feb. 12, 1856—Referred to a Select Committee. Feb. 22—Report brought up. Mar. 17—Report progress—sit again this day six months.
26	Trustees' Bill	Mr. Grant ...	Feb. 12	Feb. 12	Mar. 14	Mar. 14	Mar. 15	...	Mar. 17	Mar. 17	Mar. 19	Mar. 20	Apr. 8	XX.		
27	Colonial Bank of Australasia Incorporation Bill	Mr. O'Shanassy ...	Feb. 15	Feb. 15	Mar. 5	Mar. 5	Mar. 11	...	...	...	Mar. 13	Mar. 19	Apr. 8	...	Feb. 15, 1856—Referred to Select Committee. Feb. 28—Report brought up.
28	Inn of Court Bill	Mr. Fellows ...	Feb. 15	Feb. 15	...	...	...	...	...	...	...	...	...	...
29	Imported Live Stock Registration Bill	Mr. Wills ...	Feb. 29	Feb. 29	Mar. 4	Mar. 4	Mar. 11	...	Mar. 15, 18	Mar. 17, 18	Mar. 19	Mar. 20	Apr. 8	XXI.		
30	Post Office Law Amendment Bill	The Treasurer ...	Mar. 4	Mar. 4	Mar. 5	Mar. 5	Mar. 5	...	...	...	Mar. 6	Mar. 10	Mar. 11	X.	
31	Gold Fields Law Amendment Bill	The Attorney General ...	Mar. 12	Mar. 12	Mar. 13	Mar. 14	...	...	...	...	...	...	...	...	Mar. 15, 1856—Report progress—sit again this day six months.
32	Appropriation Bill	The Treasurer ...	Mar. 14	Mar. 14	Mar. 18	Mar. 18	Mar. 18	...	...	...	Mar. 18	Mar. 19	Mar. 28	XVII.	
33	Patent Law Amendment Bill	Mr. Humfray ...	Mar. 18	Mar. 18	...	...	...	...	...	...	...	...	...	...	Mar. 18, 1856—Thrown out on second reading.
34	Law of Inheritance Bill	Mr. Grant ...	Mar. 18	Mar. 18	...	...	...	...	...	...	...	...	...	...	No further proceedings taken.
35	Appropriation Act, 1855, Amendment Bill	The Attorney General ...	Mar. 18	Mar. 18	Mar. 18	Mar. 18	Mar. 18	...	...	...	Mar. 18	Mar. 19	Mar. 28	XVIII.	

RECAPITULATION.

Bills initiated during the Session	35
Passed and assented to	27
Lapsed in the Council	2
Negated on motion for second reading	1
Disposed of on the question "this day six months"	4
Withdrawn on report of Committee	1
	35

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 1.

FRIDAY, 23RD NOVEMBER, 1855.

1. Council met pursuant to Proclamation of His Excellency the Governor, bearing date the 30th day of October, 1855. The Clerk read the said Proclamation by order of the Speaker.
2. RESIGNATION OF MEMBERS.—The Speaker announced that during the recess it having been established to his satisfaction that the seats of George Ward Cole, Esq., George Annand, Esq., and James Murphy, Esq., Elective Members of Council for the Electoral Districts of Gipps Land, North Bourke, and Melbourne, respectively, had become vacant by the respective resignations of the said George Ward Cole, George Annand, and James Murphy, he had, pursuant to the Act of Council, issued Writs for the returns of Members for such Electoral Districts respectively, in the room of the said George Ward Cole, George Annand, and James Murphy, and that by the returns of the Returning Officers, endorsed on such Writs respectively, it appeared that John King, Esq., had been duly elected Member to serve for the said Electoral District of Gipps Land, that Thomas Embling, Esq., had been duly elected Member to serve for the said Electoral District of North Bourke, and that Thomas Rae, Esq., had been duly elected Member to serve for the said Electoral District of Melbourne.
3. NEW MEMBERS.—Thomas Embling, Esq., and Thomas Rae, Esq., were then severally introduced, and having severally taken the Oath, and handed to the Clerk at the Table the following Declarations, took their seats as Members for the respective Electoral Districts of North Bourke and of Melbourne.

“I THOMAS EMBLING, 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 two thousand pounds, sterling money, above all charges and incumbrances affecting the same: And further that the lands or tenements out of which such qualification arises are situate in Gore-street, Collingwood, being house number 31, in my own occupation, and also a farm at Booroondara, being subdivision of portion 83, with buildings erected thereon; also a farm at Dandenong, being part of portion XXX., in the occupation of Mr. Jennings: And I further declare, that I have not collusively or colourably obtained a title to or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

“THOMAS EMBLING.”

“I, THOMAS RAE, 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 two thousand pounds, sterling money, above all charges and incumbrances affecting the same: And further that the lands or tenements out of which such qualification arises are situate at St. Kilda, being part of allotment B of portion No 69, in the parish of Prahran, having a frontage of 45 feet 9 inches to a Government road, by a depth of 150 feet through to a road 40 feet wide, called Wellington-street, upon which land a house has been erected and now in the occupation of Mr. Peter Langwill; And I further declare that I have not collusively or colourably obtained a title to or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

“THOMAS RAE.”

4. NEW MEMBERS.—The Speaker also announced that there had been handed to him Writs issued by His Excellency the Governor, in pursuance of the Act of the Governor and Legislative Council of the Colony of Victoria, passed in the eighteenth year of the reign of Her Majesty Queen Victoria, intituled “*An Act to further alter ‘The Victoria Electoral Act of 1851,’ and to increase the Number of Members of the Legislative Council of Victoria,*” for the election of Members for the Electoral Districts of the said Colony hereafter mentioned, and that by the Returns respectively endorsed on such Writ it

appeared the following Members were duly elected for the several Electoral Districts set opposite their respective names, viz. :—

Vincent Pyke, Esq., and	... }	Castlemaine.
James Atkin Wheeler, Esq.,	... }	
Robert Benson, Esq., and	... }	Sandhurst.
James McPherson Grant, Esq.,	... }	
Peter Lalor, Esq., and	... }	Ballaarat.
John Basson Humffray, Esq.,	... }	
Duncan Longden, Esq.,	... }	Avoca.
Daniel Cameron, Esq.,	... }	Ovens.

Vincent Pyke, Esq., James Atkin Wheeler, Esq., Robert Benson, Esq., James McPherson Grant, Esq., and Duncan Longden, Esq., were then introduced, and having severally taken the Oath, and respectively handed to the Clerk the following Declarations, took their seats as Members of the said Legislative Council.

“ I, VINCENT PYKE, 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 annual value of one hundred pounds, sterling money, above all charges and incumbrances affecting the same : And further that the lands or tenements out of which such qualification arises are situate in the parish of Prahran, in the county of Bourke, being lot 49 of portion 3, of Murphy’s Paddock, having a house thereon in my own occupation ; and also a piece of land situate in Mostyn-street, in the parish of Castlemaine, being lot 10 of subdivision of allotment 4 of section 19, having a house erected thereon, in the occupation of James Vallyly and others ; And I further declare that I have not collusively or colourably obtained a title to or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

“ VINCENT PYKE.”

“ I, JAMES ATKIN WHEELER, 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 annual value of one hundred pounds, sterling money, above all charges and incumbrances affecting the same : And further that the lands or tenements out of which such qualification arises are sections 30 and 31, section 1A, Campbell’s Creek, Castlemaine, with buildings erected thereon, in my own occupation : And I further declare that I have not collusively or colourably obtained a title to or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

“ JAMES ATKIN WHEELER.”

“ I, ROBERT BENSON, 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 annual value of one hundred pounds, sterling money, above all charges and incumbrances affecting the same : And further that the lands or tenements out of which such qualification arises, are situate in the Township of Sandhurst, and situate in Maclaren-street, allotments 15 and 16, section 7, with four buildings erected thereon : And I further declare, that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

“ ROBERT BENSON.”

“ I, JAMES MCPHERSON GRANT, 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 annual value of one hundred pounds, sterling money, above all charges and incumbrances affecting the same : And further that the lands or tenements out of which such qualification arises are situate in Budd-street, Collingwood, with the dwelling house and premises thereon erected now in the occupation of one Mr. Anslow, as also twenty acres of land with the houses and premises thereon erected, situated in East Brighton, in the occupation of one Mr. Baily : And I further declare, that I have not collusively or colourably obtained a title to or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

“ J. M. GRANT.”

“ I, DUNCAN LONGDEN, 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 annual value of one hundred pounds, sterling money, above all charges and incumbrances affecting the same : And further that the lands or tenements out of which such qualification arises are situate at Prahran, in the county of Bourke, being allotments 3 and 4 of section 14, with two dwelling houses thereon erected, in the occupation of William Saunders and another : And I further declare, that I have not collusively or colourably obtained a title to or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

“ DUNCAN LONGDEN.”

5. GOVERNOR'S SPEECH.—His Excellency the Governor having arrived at the Chamber, and having been duly announced by the Serjeant-at-Arms, was received by the Speaker and the Colonial Secretary, and was by them conducted to an elevated seat provided for him near the Speaker's chair, and read the following Speech :—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE COUNCIL,—

I HAVE much pleasure in announcing to you that the Bill embodying the New Constitution has received Her Majesty's Assent, and I earnestly hope that the establishment in this Colony of those great principles by which the Mother Country is governed, may be productive of the happiness and prosperity which have hitherto marked the course of the Anglo-Saxon race.

I could have desired that the Members for the Mining Districts had been present to do honor to the occasion for which the Legislative Council is on this day summoned; but the conditions of the Act of Parliament prevent further delay.

I shall transmit to you two Bills—one to regulate Elections, the other to prevent Bribery. These, although formally separate, are substantially one. With reference to the latter, I have availed myself of the provisions which experience has shewn to be useful in promoting due regularity in Electoral proceedings. You will observe in the former a departure from the practice which now prevails. It is of no small importance, in my opinion, that those persons upon whom the franchise is conferred should be made to feel the value of the trust reposed in them, and I therefore think it better that they should be required to claim their privilege, rather than that it should be, as now, claimed for them by a public officer.

Two Acts, which would otherwise lapse, require to be renewed. The interests of the public compel me to lay before you Bills for extending their operation until the end of the next ensuing Session; but I shall not submit any other Bills for your consideration, as it is of importance that the Legislatures established under the Constitutional Act should assemble as early as possible.

The state of the Gold Fields gives me great cause for satisfaction; good order and quiet generally prevail, and I trust that a spirit of contentment exists amongst the mining population. These results have been mainly produced by the Acts passed during the last Session; they may require some modification, but the principal object of the Legislature in framing these Acts has been attained. The credit and reputation of the Colony depend upon its social condition, and the improvement which has taken place, must be a subject of deep congratulation.

Much consideration was required to resolve upon the best mode of defending Hobson's Bay. I have satisfied myself that permanent works at the Heads would be inefficient, and prove a heavier charge than the resources of the Colony could well bear. I found also that the steam vessels in this port were too slightly constructed to permit them to carry an adequate armament; in short, that the means of equipping a steam flotilla did not exist. I believe that the plan adopted is the most suited to the circumstances of the Colony, and I make no doubt that when supported by the armed steam vessel which may shortly be expected to arrive, the shipping in the harbor will receive efficient protection.

I have already communicated to the Legislative Council, my own views regarding the urgent necessity for establishing Railways in this Colony. In accordance with the resolution of the Select Committee of last Session, the surveys preparatory to their introduction, have, during the recess, been actively carried on; and I trust that the time is not far distant, when the Government may have acquired sufficient information to enable them to bring some comprehensive measure on this important subject before the Legislature.

My attention has constantly been directed to the financial condition of the Colony. Like other young countries, its wants are so far beyond the means which the Revenue can command, that if proper development is to be given to its wealth, recourse must be had to foreign loans. Various alterations have been already made in the Departments of the Government, and it is further contemplated to effect an entire change in the Treasury and Audit Departments, requiring the former to keep all the Public Accounts, and confining the latter to its proper sphere of check and control. I confidently hope that increased economy will produce the natural consequences which invariably attend a prudent administration of the public resources.

This is not the occasion on which it would be expedient to enter into a detailed exposition of the financial position of the Colony. I may, however, be permitted to congratulate the House on the contrast which it now presents to the aspect it wore at the time when I assumed the government.

The statement which will be laid before you will shew that the Colony has been relieved of a large portion of those embarrassments to which it was my duty then to direct your attention, and that on the 30th of last September the actual debt of the Colony—exclusive of the debentures issued on account of the Water Supply and Sewerage Commission, and the balance of £150,000 due to the Corporation on the 1st May, 1856—was only £126,924 2s. 7d. It may be stated, however, that a sum of £82,954 16s. is at the credit of the Appropriated Moiety, which, if taken in diminution of the debt, reduces it to £43,969 6s. 7d. I have also pleasure in informing you that I have been enabled, by strict economy, to confine the Supplementary Estimate for 1855 to the small sum of £9,800.

I trust, therefore, I am justified in assuming that with the exceptions above stated the Colony will, at the end of this year, be nearly, if not quite, free from debt. The reductions which have been effected in the expenditure, and the determination which has been manifested, both by the Legislature and the Government, to keep it within the Revenue, have materially tended to retrieve and elevate the credit of the Colony, as is clearly evinced by the increased value of the debentures which have been recently issued.

A Despatch from the Secretary of State relating to the Agent General, will be laid before you. The Council will determine whether the present system should be continued, or whether an Agent should be especially selected to transact the large amount of business which this important Colony will require to be undertaken. I would request your early attention to this subject, as it involves the payment of dividends, and matters of considerable moment, which will not brook delay.

The correspondence connected with the abolition of the Customs Duties on the River Murray, will be presented to the Council. You will perceive that the views of the Governments most concerned in the navigation of that river were identical; the traffic is at present comparatively unimportant, but probably the time is not far distant when large and flourishing towns will be constructed in the valley of the Murray. If the trade of these towns is to be retained in the Colony, and Melbourne continue the great emporium, no time should be lost in obtaining means of rapid transit to the river.

The mercantile community having represented the dangers which exist in the navigation of Bass's Straits, and the facility which a Lighthouse on King's Island would afford to the shipping, I lost no time in despatching the *Lælia* cutter, to obtain the necessary local information. I am now in communication with the Governor General, and I am not without hope, that the Australian Colonies may be induced to combine their efforts, and consider the erection and support of Lighthouses as a question of common interest. I feel, that whilst the Australian trade has largely increased, proper attention has not been paid to the welfare of the seaman, and no effort on my part shall be wanting to bring about an amendment so much required.

The report of the Finance Committee, and the reports of the Commissions of Enquiry into the Customs, Post Office, and Police Departments, to which allusion was made in my Speech at the close of the last Session, will be laid before you. I again repeat the obligation under which I feel myself to the gentlemen who undertook these gratuitous services. They have obtained most valuable information, and made suggestions on the several subjects entrusted to them, which cannot fail to be most beneficial to the Public Service.

The time has now arrived when the responsibility attending the administration of their affairs will largely devolve upon the Community, and increased foresight and judgment will be required at the hands of the Legislature. I earnestly pray, that the blessing of the Almighty may attend your deliberations during the present Session, and that the results may redound to the prosperity and happiness of the inhabitants of this rich and fertile Colony.

(Signed) CHAS. HOTHAM.

Government Offices,
Melbourne, 23rd November, 1855.

His Excellency then retired being conducted to the door by the Speaker and the Colonial Secretary.

6. MESSAGES FROM HIS EXCELLENCY THE GOVERNOR.—The following Messages from His Excellency the Governor received and read:—

VICTORIA CONSTITUTION ACT.

CHAS. HOTHAM,

Message No. 1.

Governor.

The Governor lays before the Legislative Council the enclosed Copies of Despatches from the Right Honorable the Secretary of State, respectively dated 20th July, 1855, No. 36, and 21st July, 1855, No. 1, the former enclosing an Act, to enable Her Majesty to assent to the Constitutional Bill of the Colony (as amended); and the other forwarding an Order in Council giving Her Majesty's assent to such Act.

The Governor would invite attention to the terms employed by the Secretary of State. They shew not only the desire of Her Majesty's Government to promote by every means in their power the prosperity of this portion of Her Majesty's dominions, but the confidence reposed in the loyalty of its inhabitants.

The Governor avails himself of this opportunity to assure the Legislative Council that it will ever be his desire to co-operate with them, and give effect to the principles of Government contained in the New Constitution.

*Government Offices,
Melbourne, 23rd November, 1855.*

Ordered to be printed, together with the accompanying documents.

REPEAL OF WASTE LANDS ACTS.

CHAS. HOTHAM,

Message No. 2.

Governor.

The Governor transmits for the information of the Legislative Council, a Copy of a Despatch with which he has been honored by the Secretary of State, enclosing, "An Act to Repeal the Acts of Parliament now in force, respecting the disposal of Waste Lands of the Crown in Her Majesty's Australian Colonies, and to make other provision in lieu thereof."

*Government Offices,
Melbourne, 23rd November, 1855.*

Ordered to be printed together with the accompanying documents.

7. **GOVERNOR'S SPEECH**—The Speaker read a copy of the Speech of His Excellency the Governor on the opening of the Session.

8. **ADDRESS IN REPLY TO THE GOVERNOR'S OPENING SPEECH**.—Mr. Longden moved that a Committee be appointed to frame an Address in reply to the speech of His Excellency the Governor, and that such Committee do consist of the Colonial Secretary, Mr. Fawcner, Mr. Rae, Mr. Grant, Mr. Greeves, Mr. Fellows and the mover, and do report to this Council on Tuesday next.

Question—put and passed.

On the motion of the Colonial Secretary the Council adjourned at five minutes past one o'clock until three o'clock on Tuesday next.

NOTICES OF MOTION.

TUESDAY, 27TH NOVEMBER, 1855.

NOTICES OF MOTION :—

1. **THE COLONIAL SECRETARY** : To move, That Peter Snodgrass, Esq., be the Chairman of Committees of the Council.
2. **THE COLONIAL SECRETARY** : To move, That Tuesday, Wednesday, Thursday, and Friday, in each week, 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.
3. **THE COLONIAL SECRETARY** : To move, That on Wednesday and Thursday in each week during the present Session, the transaction of Government business shall take precedence of all other business.
4. **THE COLONIAL SECRETARY** : To move, That the following Members do form the Committee of Standing Orders during the present Session :—The Speaker, The Attorney General, The Collector of Customs, The Chairman of Committees, Mr. Griffith, Mr. Murphy, Mr. Horne, and Mr. Miller.
5. **THE COLONIAL SECRETARY** : To move, That the following Members do form the Library Committee for the present Session :—The Speaker, The Auditor General, Mr. Fawcner, Mr. Greeves, Mr. Pohlman, Mr. Riddell, The Surveyor General, and Mr. Embling.

MEETING

OF

SELECT COMMITTEE.

Tuesday, 27th November.

ADDRESS IN REPLY TO THE GOVERNOR'S SPEECH ON THE OPENING OF THE COUNCIL—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 2.

TUESDAY, 27TH NOVEMBER, 1855.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. NEW MEMBERS.—Peter Lalor, Esq., and John King, Esq., having been severally introduced, and having severally taken the Oath, and handed to the Clerk at the Table the following Declarations, took their seats as Members for the Electoral Districts of Ballarat and Gipps' Land respectively.

"I, PETER LALOR, 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 annual value of one hundred pounds sterling money, above all charges and incumbrances affecting the same: And further that the lands or tenements out of which such qualification arises are situate in the county of Talbot, in the parish of Glendaruel, being portions 45 and 86, consisting of one hundred and sixty acres of freehold land in my own occupation: And I further declare that I have not collusively or colourably obtained a title to or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

"PETER LALOR."

"I, JOHN KING, 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 two thousand pounds sterling money, above all charges and incumbrances affecting the same: And further that the lands or tenements out of which such qualification arises are situate in the district of Gipps' Land, and consist of land adjoining the parish of Rosedale, being one thousand nine hundred and twenty acres, in my own occupation: And I further declare that I have not collusively or colourably obtained a title to or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a member of the Legislative Council of the Colony of Victoria.

"JOHN KING."

3. MESSAGES FROM HIS EXCELLENCY THE GOVERNOR.—The following Messages from His Excellency the Governor received and read:—

ELECTIONS REGULATION BILL.
CHAS. HOTHAM,
Governor.

Message No. 3.

In pursuance of the provisions of the Statute 5 and 6 Victoria, cap. 76, the Governor transmits to the Legislative Council for its consideration the draft of—

"A Bill to provide for the better regulation of proceedings at Elections of
"Members of the Legislative Council and Legislative Assembly of Victoria
"respectively."

*Government Offices,
Melbourne, 27th November, 1855.*

Ordered to be printed, and, together with the accompanying Bill, taken into consideration to-morrow.

VICTORIA ELECTORAL BILL.
CHAS. HOTHAM,

*Message No. 4.**Governor.*

In pursuance of the provisions of the Statute 5 and 6 Victoria, cap. 76, the Governor transmits to the Legislative Council for its consideration the draft of—

"A Bill to provide for the Election of Members to serve in the Legislative
"Council and Legislative Assembly of Victoria respectively."

*Government Offices,
Melbourne, 27th November, 1855.*

Ordered to be printed, and, together with the accompanying Bill, taken into consideration to-morrow.

PARTY PROCESSIONS ACT CONTINUATION BILL.

CHAS. HOTHAM,

*Message No. 5.**Governor.*

In pursuance of the provisions of the Statute 5 and 6 Victoria, cap. 76, the Governor transmits to the Legislative Council for its consideration the draft of—

*“ A Bill to further continue an Act, intituled, ‘ An Act to prevent for a limited
“ time Party Processions and certain other Public Exhibitions in the
“ Colony of New South Wales.’ ”*

*Government Offices,**Melbourne, 27th November, 1855.*

Ordered to be printed, and, together with the accompanying Bill taken into consideration to-morrow.

ASSESSMENT ON STOCK CONTINUATION BILL.

CHAS. HOTHAM,

*Message, No. 6.**Governor.*

In pursuance of the provisions of the Statute 5 and 6 Victoria, chapter 76, the Governor transmits to the Legislative Council for its consideration the draft of—

*“ A Bill to continue an Act, intituled, ‘ An Act to authorise for a limited period an
“ Assessment on Stock.’ ”*

*Government Offices,**Melbourne, 27th November, 1855.*

Ordered to be printed, and, together with the accompanying Bill, taken into consideration to-morrow.

4. RESIGNATION OF SEATS BY GOVERNMENT OFFICERS.—The Colonial Engineer stated to the Council that the following Members of the Government, The Colonial Secretary, The Attorney General, The Collector of Customs, and the Surveyor General had tendered to His Excellency the Governor their resignation of office, which resignations His Excellency had been pleased to accept.
5. ADJOURNMENT OF THE COUNCIL.—The Colonial Engineer moved, That the Council do, at its rising this day, adjourn until three o'clock to-morrow.
Question—put and passed.
6. ADDRESS IN REPLY TO GOVERNOR'S SPEECH.—Mr. Longden brought up the Report from the Committee appointed to prepare the Address in reply to the Governor's speech on opening this Session, and moved that it be received, printed, and taken into consideration to-morrow.
Question—put and passed.
7. SUSPENSION OF STANDING ORDER.—On the motion of Mr. Fawkner, the Council ordered that Standing Order No. 18 be suspended.
8. RESIGNATION OF SEATS BY GOVERNMENT OFFICERS.—Mr. Fawkner then moved that this House resolve itself into a Committee of the whole in order to consider the present state of the Colony during the suspension of the Executive Council, and to order thereon.
Question—put and passed.
Whereupon the Speaker left the Chair and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported that the Committee considered it expedient that an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to afford this Council the fullest information with reference to the dismissal or resignation of certain members of the Executive Government, as stated to this House, together with all Papers or Documents that may afford explanation of the reasons that have influenced His Excellency to adopt this present measure.—The Council adopted such Report and ordered the Address to be presented accordingly.
9. POSTPONEMENT OF NOTICES OF MOTION.—The Colonial Engineer postponed the Motions standing in name of the Colonial Secretary on the Notice Paper of to-day, until to-morrow.
Council adjourned at four minutes to five o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 28TH NOVEMBER, 1855.

NOTICES OF MOTION :—

1. THE COLONIAL SECRETARY: To move, That Peter Snodgrass, Esq., be the Chairman of Committees of the Council.
2. THE COLONIAL SECRETARY: To move, That Tuesday, Wednesday, Thursday, and Friday, in each week, 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.
3. THE COLONIAL SECRETARY: To move, That on Wednesday and Thursday in each week during the present Session, the transaction of Government business shall take precedence of all other business.

- 4. THE COLONIAL SECRETARY: To move, That the following Members do form the Committee of Standing Orders during the present Session :—The Speaker, The Attorney General, The Collector of Customs, The Chairman of Committees, Mr. Griffith, Mr. Murphy, Mr. Horne, and Mr. Miller.
- 5. THE COLONIAL SECRETARY: To move, That the following Members do form the Library Committee for the present Session :—The Speaker, The Auditor General, Mr. Fawkner, Mr. Greaves, Mr. Pohlman, Mr. Riddell, The Surveyor General, and Mr. Embling.
- 6. MR. FELLOWS: To move, For leave to bring in “ A Bill to alter and simplify the practice and mode of procedure in an action at law and for other purposes in relation thereto.”

ORDERS OF THE DAY :—

- 1. ELECTIONS REGULATION BILL—Consideration of His Excellency the Governor’s Message No. 3.
- 2. VICTORIA ELECTORAL BILL—Consideration of His Excellency the Governor’s Message No. 4.
- 3. PARTY PROCESSIONS ACT CONTINUATION BILL— Consideration of His Excellency the Governor’s Message No. 5.
- 4. ASSESSMENT ON STOCK CONTINUATION BILL—Consideration of His Excellency the Governor’s Message No. 6.
- 5. ADDRESS IN REPLY TO THE GOVERNOR’S OPENING SPEECH—Consideration of Report from Select Committee.

THURSDAY, 29TH NOVEMBER.

NOTICE OF MOTION :—

- 1. MR. O'BRIEN: To move, That an address be presented to his Excellency the Governor, requesting that His Excellency will be pleased to cause to be laid before the Council at an early date—
 - (1.) A copy of the contract entered into with Mr. John Allen, contractor, for provision and forage for the district of Castlemaine.
 - (2.) Copies of all documents and correspondence between the Government, the aforesaid John Allen, and Mr. R. E. Jacomb, Official Assignee, connected therewith.
 - (3.) Copies of the awards arrived at by the arbitrators in reference to the abovenamed contract.

FRIDAY, 30TH NOVEMBER.

- 1. MR. HIGGETT: To ask the Colonial Secretary by what authority the Postmaster General charges the country rate of postage, (or 4d. each) for letters delivered at the Post Offices of St. Kilda and Sandridge, such Offices being within the City boundary of Melbourne.

NOTICES OF MOTION :—

- 1. MR. PYKE: To move—
 - (1.) That a Select Committee be appointed to enquire into existing laws relative to Mining on private property, and to investigate the present position of the question on the Gold Fields of Victoria, and for the purpose of devising and recommending for the adoption of the Council such remedial measures as may appear best calculated to promote the prosperity of the Mining Districts, and thereby of the Colony at large, without inflicting injury on the owners of the soil.
 - (2.) That such Committee consist of Mr. O'Shanassy, Mr. Fawkner, Mr. Lalor, Mr. Grant, Mr. Longden, Mr. Benson, Mr. Wheeler, the Attorney General, and the Mover.
- 2. MR. GREEVES: To move, That no arrangement for Postal Communication with the United Kingdom will be satisfactory to this Colony, which does not secure the power of regulating, in case of need, the time of the departure of Mails from Melbourne, to the Government of Victoria.
- 3. MR. SNODGRASS: To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid before this Council a return shewing the amount voted at different periods for the formation of the line of road between Melbourne and Kilmore, the amount expended upon the said road, and the probable amount required for the completion of the same.

TUESDAY, 4TH DECEMBER.

NOTICE OF MOTION :—

- 1. MR. CAMPBELL: To move—
 - (1.) That it is the opinion of this House that its proceedings should be commenced on every occasion with prayer to Almighty God.
 - (2.) That a Committee of five Members be appointed by ballot to consider and report on the best means of carrying the above resolution into effect.

FRIDAY, 7TH DECEMBER.

NOTICE OF MOTION :—

1. DR. EMBLING : To move, That inasmuch as State Aid to Religion is repugnant to the conscientious opinions of masses of the community, and as this Honorable House but imperfectly represents the people of Victoria, it is alike equitable and an honorable obligation that this House should recommend His Excellency the Governor that he will be pleased not to take action on the 53rd clause of the *New Constitution Bill* (which provides an appropriation of £50,000 per annum for the endowment of religion) until the colonists have had an opportunity of expressing their views and wishes thereon in the election of their representatives, in accordance with the electoral provisions of the *New Constitution Bill* of Victoria.

CONTINGENT :—

On the Bill, "*To provide for the Election of Members to serve in the Legislative Council and Legislative Assembly of Victoria respectively,*" being read a first time—

MR. NICHOLSON : To move—

- (1.) The suspension of Standing Order No. 34.
- (2.) That the said Bill be referred to a Select Committee, to consist of, the Speaker, the Attorney General, the Collector of Customs, Mr. Miller, Mr. O'Shanassy, Mr. Greeves, Mr. Myles, Mr. Harrison, Mr. Grant, Mr. Fyfe, Mr. Pyke, Dr. Embling, and the Mover.

J. F. PALMER,

Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 3.

WEDNESDAY, 28TH NOVEMBER, 1855.

- 1. Council met pursuant to adjournment.—The Speaker took the Chair.
- 2. PETITION.—Mr. O'Shanassy presented a Petition from John Drew, praying the Council to institute a Commission of Enquiry into the allegations contained in the Petition, and to such other measures as the Council might deem it expedient and necessary, to throw open the Quartz Reefs referred to in Petition to the Miners of Victoria, many of whom, with their families, were located at Clunes.

Petition received.

- 3. ADDRESS.—The Speaker announced that he had, pursuant to the resolution of this Council, presented to His Excellency the Governor the following Address, viz. :—
Resignation of Seats by Government Officers.—Adopted on the 27th November, 1855, on the motion of Mr. Fawkner ;
and that His Excellency had, in reply to such Address, been pleased to state that all papers or documents bearing upon the subject should be laid before the Council.
- 4. The Speaker announced to the Council that he had this day received a letter from the Assistant Colonial Secretary, of which the following is a copy :—

“ Colonial Secretary's Office,
“ Melbourne, 28th November, 1855.

“ SIR,

“ I have the honor by command of His Excellency the Governor, to inform you that he has been pleased to release from Office, on political grounds, the Non-Elective Members of Council named in the margin, whose seats have thereby become vacant.

“ 2. I have it in command also to apprise you, that the undermentioned officers have this day resigned their seats as Non-Elective Members of the Legislative Council, namely,

- “ The Colonial Engineer, and
- “ The Acting Solicitor General.

“ I have the honor to be,

“ Sir,

“ Your most obedient Servant,

“ J. MOORE, A.C.S.

The Honorable the Speaker of the
“ Legislative Council, Melbourne.”

- 5. The Speaker also announced to the Council that there had been handed to him seven several Letters Patent, under the hand of His Excellency the Governor and Seal of the Colony of Victoria, respectively bearing date at Melbourne the 28th day of November instant, appointing William Clark Haines, Esq., as Chief Secretary of the Colony of Victoria, William Foster Stawell, Esq., as Attorney General of the Colony of Victoria, Charles Sladen, Esq., as Treasurer of the Colony of Victoria, Charles Pasley, Esq., as Commissioner of Public Works for the Colony of Victoria, Hugh Culling Eardley Childers, Esq., as Commissioner of Trade and Customs for the Colony of Victoria, Andrew Clarke, Esq., as Surveyor General of the Colony of Victoria, and Robert Molesworth, Esq., as Solicitor General of the Colony of Victoria, Non-Elective Members of the Council until Her Majesty's pleasure be known.

William Clark Haines, Esq., William Foster Stawell, Esq., Charles Sladen, Esq., Charles Pasley, Esq., Hugh Culling Eardley Childers, Esq., Andrew Clarke, Esq., and Robert Molesworth, Esq., having been introduced, and having severally taken the oath, took their seats in the Council as Members thereof.

The Colonial Secretary,
The Attorney General,
The Collector of Customs,
The Surveyor General.

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

CHAS. HOTHAM,
Governor.

Message No. 7.

In reply to the Address of the Legislative Council, requesting the fullest information with reference to the dismissal or resignation of certain Members of the Executive Government, together with all papers or documents that may afford explanation, the Governor herewith transmits the documents and correspondence desired.

Government Offices,
Melbourne, 28th November, 1855.

On the motion of Mr. Greeves, the Message and accompanying documents were read by the Clerk.

The Chief Secretary moved that the Message and documents be printed.

Debate ensued.

Question—put and passed.

Mr. Greeves then moved that the consideration of the above Message do take place on Tuesday next, and that it take precedence of all other business on that day.

Question—put and passed.

7. MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL.—Mr. Miller presented a Petition from certain Shareholders of the Melbourne and Hobson's Bay Railway Company, praying for leave to bring in a Bill to authorise the Melbourne and Hobson's Bay Railway Company to make a Branch Railway from their present Railway to Saint Kilda and Brighton, and to amend their Act of Incorporation, and to extend the powers therein contained, and for other purposes.

Petition received.

8. CHAIRMAN OF COMMITTEES.—The Chief Secretary moved, pursuant to notice, That Peter Snodgrass, Esq., be the Chairman of Committees of the Council.

Question—put and passed.

9. DAYS OF BUSINESS.—The Chief Secretary moved, pursuant to notice, That Tuesday, Wednesday, Thursday, and Friday, in each week, 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.

Question—put and passed.

10. GOVERNMENT BUSINESS.—The Chief Secretary moved, pursuant to notice, That on Wednesday and Thursday in each week during the present Session, the transaction of Government business shall take precedence of all other business.

Question—put and passed.

11. STANDING ORDERS COMMITTEE.—The Chief Secretary moved, pursuant to amended notice, That the following Members do form the Committee of Standing Orders during the present Session :—The Speaker, The Attorney General, The Commissioner of Trade and Customs, The Chairman of Committees, Mr. Griffith, Mr. Murphy, Mr. Horne, and Mr. Miller.

Question—put and passed.

12. LIBRARY COMMITTEE.—The Chief Secretary moved, pursuant to notice, That the following Members do form the Library Committee for the present Session :—The Speaker, The Auditor General, Mr. Fawcner, Mr. Greeves, Mr. Pohlman, Mr. Riddell, The Surveyor General, and Dr. Embling.

Question—put and passed.

13. COMMON LAW PRACTICE BILL.—Mr. Fellows having, pursuant to notice, moved for and obtained leave to bring in a Bill to alter and simplify the form and mode of procedure in an action at Law, brought up a Bill intituled, "*A Bill to alter and simplify the practice and mode of procedure in an action at Law, and for other purposes in relation thereto,*" and moved that it be now read a first time.

Question—put and passed.—Bill read a first time, ordered to be read a second time Tuesday, 4th December, and to be printed.

- 14.—ELECTIONS REGULATION BILL.—The Order of the Day for the consideration of His Excellency the Governor's Message No. 3 having been read—On the motion of the Chief Secretary the Message was read by the Clerk.

The Chief Secretary then moved that the Bill accompanying such Message, intituled, "*A Bill to provide for the better regulation of proceedings at Elections of Members of the Legislative Council and Legislative Assembly of Victoria respectively,*" be now read a first time.

Question—put and passed.—Bill read a first time, ordered to be read a second time Wednesday, 5th December, and to be printed.

15. VICTORIA ELECTORAL BILL.—The Order of the Day for the consideration of His Excellency the Governor's Message No. 4 having been read—On the motion of the Attorney General, the Message was read by the Clerk.

The Attorney General then moved that the Bill accompanying such Message, intituled, "A Bill to provide for the Election of Members to serve in the Legislative Council and Legislative Assembly of Victoria respectively" be now read a first time.

Question—put and passed.—Bill read a first time and ordered to be printed.

Mr. Nicholson moved, pursuant to *contingent* notice, That Standing Order, No. 34, be suspended.

Question—put and passed.

Mr. Nicholson then moved, pursuant to *amended* contingent notice, That the Victoria Electoral Bill be referred to a Select Committee, to consist of fourteen Members, to report thereupon.

Debate ensued.

Question—put and negatived.

The Attorney General then moved that the Victoria Electoral Bill be read a second time this day fortnight.

Mr. O'Brien moved, as an amendment, that the word "*fortnight*" be omitted, and the word "*month*" inserted in lieu thereof.

Debate ensued.

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

Question—That the Victoria Electoral Bill be read a second time this day fortnight—put and passed.

16. PARTY PROCESSIONS ACT CONTINUATION BILL.—The Order of the Day for the consideration of His Excellency the Governor's Message, No. 5, having been read—On the motion of the Chief Secretary, the Message was read by the Clerk.

The Chief Secretary then moved that the Bill accompanying such Message, intituled, "A Bill to further continue an Act intituled 'An Act to prevent for a limited time Party Processions, and certain other Public Exhibitions, in the Colony of New South Wales,'" be now read a first time.

Question—put and passed.—Bill read a first time—ordered to be read a second time Wednesday, 5th December next, and to be printed.

17. ASSESSMENT ON STOCK CONTINUATION BILL.—The Order of the Day for the consideration of His Excellency the Governor's Message, No. 6, having been read—On the motion of The Chief Secretary the Message was read by the Clerk.

The Chief Secretary then moved, That the Bill accompanying such Message, intituled, "A Bill to continue an Act intituled 'An Act to authorise, for a limited period, an Assessment on Stock,'" be now read a first time.

Question—put and passed.—Bill read a first time—ordered to be read a second time, Wednesday, 5th December next, and to be printed.

18. ADDRESS IN REPLY TO GOVERNOR'S SPEECH.—The Order of the Day for the consideration of the report from the Select Committee appointed to prepare an Address in reply to His Excellency the Governor's Speech, on opening this Session, having been read—Mr. Longden moved that the following Address—

To His Excellency SIR CHARLES HOTHAM, K.C.B., Governor of the Colony of Victoria,
&c., &c., &c.

May it please your Excellency,

We the Members of the Legislative Council of Victoria have received with much satisfaction, the announcement which your Excellency has made to us of Her Majesty's assent having been given to the "*Constitution Act*," and we fully share the hopeful sentiments which your Excellency has expressed as to the result of that measure upon the prosperity of Victoria.

We are happy to inform your Excellency that although the writs were not returnable before the opening of the Session, five out of the eight members for the Mining Districts were enabled to be present on that occasion.

It will be our duty to give our immediate and earnest attention to the Electoral Bills which your Excellency proposes to transmit to us, forming as they will the supplement to the Constitution Act; and we shall take into our serious consideration the provisions to which your Excellency has especially referred.

We shall not allow the public interests to suffer by the lapse of measures which it may be necessary to continue for a limited period.

We have heard with satisfaction the announcement which your Excellency has made to us of the present condition of the mining population, and of the causes which have led to a state of things so essential to the prosperity of the country; and we trust that such further measures will at once be enacted as may maintain the satisfactory condition and promote the development of the auriferous resources of the country.

We are glad to hear that your Excellency's continued attention has been given to the subject of fortifying the Port.

We are gratified to learn that the surveys preliminary to the carrying out of

railway communication throughout the Colony have made so much progress, and we are satisfied that for the furtherance of this great object, with the utmost expedition, no expense should be spared.

We shall give due consideration to such papers relative to the present financial condition of the Colony as your Excellency may be able to lay before us, and we shall use our utmost endeavors to co-operate with your Excellency in enforcing a rigid and judicious economy in all the departments of the State.

The subject of the appointment of an Agent General for the Colony shall receive our careful consideration when the despatch relative to it shall have been laid before us.

The subject of Inland Customs' Duties, and the better lighting of Bass's Straits shall receive our attention.

We are fully sensible of the additional responsibilities thrown upon the Country by the alterations in the Constitution now being effected, and we trust under the Divine Blessing, the deliberations of the Legislature will redound to the happiness of our fellow Colonists—be now adopted by the Council.

Debate ensued.

Mr. Chapman moved that the further debate upon the Address in reply to His Excellency the Governor's Opening Speech be adjourned until Tuesday, the 4th December next.

Debate ensued.

Question—That the further debate on the Address in reply to His Excellency the Governor's Opening Speech be adjourned until Tuesday, the 4th December next—put and negatived.

Question—That the above Address be now adopted by the Council—put and passed.

Mr. Longden then moved, That the Speaker and the Chief Secretary be appointed a deputation to wait upon His Excellency the Governor, to ascertain when it would be His Excellency's pleasure to receive the Council's Address in reply to his Speech on opening the Session.

Question—put and passed.

19. PAPERS.—The Chief Secretary, by command of His Excellency the Governor, laid upon the Table of the Council the undermentioned Papers, viz. :—

Gold Mining Regulations, under the Act of Council, 18 Vic., No. 37.

Amended Gold Mining Regulations, under the Act of Council, 18 Vic., No. 37.

Local Court Regulations for the Districts of Castlemaine and Sandhurst.

Patriotic Fund—Copies of Despatch and Correspondence respecting Contribution to.

Convict Labor, Williamstown—Return of Colonial Engineer, shewing quantity and value of—performed at Williamstown from 1st to 31st October, 1855.

Fitz Roy Ward Improvement Act—Return of Receipts and Expenditure for the year ending 31st August, 1855.

Immigration—Report of Acting Immigration Agent upon Colonial Emigration and Immigration for the year 1854.

Education in the United Kingdom—Reports of the Inspectors of Schools and Minutes of Privy Council on Education in the United Kingdom.

Chartered Banks—Copy of Despatch from the Secretary of State for the Colonies, and its Enclosures, on the establishment in the Colonies of Branches of Chartered Banks.

Government Botanist—Annual Report for 1854.

Pilot Station, Albany Island—Copies of Correspondence respecting the establishment of a Pilot Station at Albany Island.

Post Office Department—Report of Board appointed to enquire into Condition and Management of—

Customs Duties in Colonies—Return of Customs Duties in several British Colonies.

Savings' Banks—Savings' Banks Accounts for the year ending 30th June, 1855.

Agency for the Colonies—Secretary of State's Despatch on the subject of the.

Supreme Court Rule, No. 36, chap. X.

Supreme Court Rule, No. 37, chap. X.

Corporation of Melbourne—Return of Expenditure by—under Act of Council, 17 Vic., No. 13.

Corporation of Geelong—Return of Expenditure by—under Act of Council, 17 Vic., No. 23.

Population Tables—Part II., for the year 1854.

Statistics—of the Colony for the year 1854.

North Australian Exploring Expedition—Copy of Additional Correspondence respecting the—

Lighthouse on King's Island—Report as to the necessity for erecting a—

Emigration—Copy of a Despatch and enclosure on the subject of Emigration from the United Kingdom.

Finance—Progress Report of the Finance Committee, No. 2.

Bank Returns—for the quarter ending 30th June, 1855.

Bank Returns—for the quarter ending 30th September, 1855.

Central Road Board.—Return of Works and Expenditure for the half-year ending 30th June, 1855.

Severally ordered to be printed.

- 20.—PAPERS.—The Surveyor General, by command of His Excellency the Governor, laid upon the Table of the Council the following Paper, viz.:—
 Valuation of Crown Lands applied for under pre-emptive right—Continuation of Return to Address, adopted on the motion of Mr. Highett, 1st December, 1854.
 Ordered to be printed.
 Council adjourned at twenty-one minutes past seven o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 29TH NOVEMBER.

General Business :—

- MR. PYKE: To ask the Colonial Secretary whether any arrangements have been made, enabling holders of Miner's Rights to register as Electors; and if so, upon what authority the Clerk of the Bench at Castlemaine refuses to register such rights.

NOTICE OF MOTION :—

1. MR. O'BRIEN: To move, That an address be presented to his Excellency the Governor, requesting that His Excellency will be pleased to cause to be laid before the Council at an early date—
 - (1.) A copy of the contract entered into with Mr. John Allen, contractor, for provision and forage for the district of Castlemaine.
 - (2.) Copies of all documents and correspondence between the Government, the aforesaid John Allen, and Mr. R. E. Jacomb, Official Assignee, connected therewith.
 - (3.) Copies of the awards arrived at by the arbitrators in reference to the abovenamed contract.

FRIDAY, 30TH NOVEMBER.

1. MR. HIGHETT: To ask the Colonial Secretary by what authority the Postmaster General charges the country rate of postage (or 4d. each) for letters delivered at the Post Offices of St. Kilda and Sandridge, such Offices being within the City boundary of Melbourne.
2. MR. MILLER: To ask the Colonial Secretary—
 - (1.) Whether or not the sum of £105,902 voted for Elementary Education during the year 1855, has been duly issued and applied.
 - (2.) If not, what amounts have been paid to the National and Denominational School Boards respectively, and whether the amounts so paid have been in the proportions required by the 17th section of the *Appropriation Act*, No 35.
 - (3.) Whether any intimation has been given to either Board of Education of the intention of the Administrative Government to withhold any portion of the amount voted for Elementary Education; and if so, what amount, and for what reason the same is to be withheld, or whether it is proposed to pay the full amount of the vote before the expiration of the current year.

NOTICES OF MOTION :—

1. MR. PYKE: To move—
 - (1.) That a Select Committee be appointed to enquire into existing laws relative to Mining on private property, and to investigate the present position of the question on the Gold Fields of Victoria, and for the purpose of devising and recommending for the adoption of the Council such remedial measures as may appear best calculated to promote the prosperity of the Mining Districts, and thereby of the Colony at large, without inflicting injury on the owners of the soil.
 - (2.) That such Committee consist of Mr. O'Shanassy, Mr. Fawkner, Mr. Lalor, Mr. Grant, Mr. Longden, Mr. Benson, Mr. Wheeler, the Attorney General, and the Mover.
2. MR. GREEVES: To move, That no arrangement for Postal Communication with the United Kingdom will be satisfactory to this Colony, which does not secure the power of regulating, in case of need, the time of the departure of Mails from Melbourne, to the Government of Victoria.
3. MR. SNODGRASS: To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid before this Council a return shewing the amount voted at different periods for the formation of the line of road between Melbourne and Kilmore, the amount expended upon the said road, and the probable amount required for the completion of the same.

TUESDAY, 4TH DECEMBER.

ORDER OF THE DAY :—

(To take precedence.)

1. RESIGNATIONS OF SEATS BY GOVERNMENT OFFICERS.—Consideration of His Excellency the Governor's Message, No. 7.

NOTICE OF MOTION :—

1. MR. CAMPBELL : To move—
 - (1.) That it is the opinion of this House that its proceedings should be commenced on every occasion with prayer to Almighty God.
 - (2.) That a Committee of five Members be appointed by ballot to consider and report on the best means of carrying the above resolution into effect.

ORDER OF THE DAY :—

1. COMMON LAW PRACTICE BILL.—Second reading.

WEDNESDAY, 5TH DECEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. ELECTIONS REGULATION BILL—Second reading.
2. PARTY PROCESSIONS ACT CONTINUATION BILL—Second reading.
3. ASSESSMENT ON STOCK CONTINUATION BILL—Second reading.

FRIDAY, 7TH DECEMBER.

NOTICE OF MOTION :—

1. DR. EMBLING : To move, That inasmuch as State Aid to Religion is repugnant to the conscientious opinions of masses of the community, and as this Honorable House but imperfectly represents the people of Victoria, it is alike equitable and an honorable obligation that this House should recommend His Excellency the Governor that he will be pleased not to take action on the 53rd clause of the *New Constitution Bill* (which provides an appropriation of £50,000 per annum for the endowment of religion) until the colonists have had an opportunity of expressing their views and wishes thereon in the election of their representatives, in accordance with the electoral provisions of the *New Constitution Bill* of Victoria.

WEDNESDAY, 12TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. VICTORIA ELECTORAL BILL.—Second reading.

CONTINGENT :—

On the "*Bill to alter and simplify the practice and mode of procedure in an Action at Law, and for other purposes in relation thereto,*" being read a second time—

MR. FELLOWS : To move—

That the Bill be referred to a Select Committee, to consist of The Attorney General, The Solicitor General, Mr. Chapman, Mr. A'Beckett, Mr. Horne, Mr. Grant, Mr. Greeves, Mr. Nicholson, Mr. Mollison, and the Mover.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 4.

THURSDAY, 29TH NOVEMBER, 1855.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—In pursuance of "*The Victoria Electoral Act of 1851*," the Speaker 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 1851*,' I do hereby appoint—

Charles James Griffith, Esquire,
 John Carre Riddell, Esquire,
 William Thomas Mollison, Esquire,
 George Samuel Wegg Horne, Esquire,
 Matthew Hervey, Esquire,
 William Nicholson, Esquire, and
 James McPherson Grant, Esquire,

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

Given under my hand this twenty-ninth day of November, 1855.

J. F. PALMER,
 Speaker.

3. MR. JOHN ALLEN.—Mr. O'Brien moved, pursuant to notice, that an address be presented to his Excellency the Governor, requesting that His Excellency will be pleased to cause to be laid before the Council at an early date—
 - (1.) A copy of the contract entered into with Mr. John Allen, contractor, for provision and forage for the district of Castlemaine.
 - (2.) Copies of all documents and correspondence between the Government, the aforesaid John Allen, and Mr. R. E. Jacomb, Official Assignee, connected therewith.
 - (3.) Copies of the awards arrived at by the arbitrators in reference to the abovenamed contract.
 Question—put and passed.
4. ADDRESS IN REPLY TO GOVERNOR'S OPENING SPEECH.—The Chief Secretary reported to the Council, That His Excellency the Governor had stated it to be His Excellency's pleasure to receive the Address of the Council, in reply to his Speech on opening this Session, at the Government Offices to-morrow at a quarter past three o'clock.
 Council adjourned at seventeen minutes past three o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 30TH NOVEMBER.

1. MR. HIGGETT: To ask the Chief Secretary by what authority the Postmaster General charges the country rate of postage (or 4d. each) for letters delivered at the Post Offices of St. Kilda and Sandridge, such Offices being within the City boundary of Melbourne.
2. MR. MILLER: To ask the Chief Secretary—
 - (1.) Whether or not the sum of £105,902 voted for Elementary Education during the year 1855, has been duly issued and applied.
 - (2.) If not, what amounts have been paid to the National and Denominational School Boards respectively, and whether the amounts so paid have been in the proportions required by the 17th section of the *Appropriation Act*, No 35.
 - (3.) Whether any intimation has been given to either Board of Education of the intention of the Administrative Government to withhold any portion of the amount voted for Elementary Education; and if so, what amount, and for what reason the same is to be withheld, or whether it is proposed to pay the full amount of the vote before the expiration of the current year.

3. MR. O'SHANASSY : To ask the Chief Secretary what are the names of the Members at present composing the Executive Council.

NOTICES OF MOTION :—

1. MR. PYKE : To move—
 (1.) That a Select Committee be appointed to enquire into existing laws relative to Mining on private property, and to investigate the present position of the question on the Gold Fields of Victoria, and for the purpose of devising and recommending for the adoption of the Council such remedial measures as may appear best calculated to promote the prosperity of the Mining Districts, and thereby of the Colony at large, without inflicting injury on the owners of the soil.
 (2.) That such Committee consist of Mr. O'Shanassy, Mr. Fawkner, Mr. Lalor, Mr. Grant, Mr. Longden, Mr. Benson, Mr. Wheeler, the Attorney General, and the Mover.
2. MR. GREEVES : To move, That no arrangement for Postal Communication with the United Kingdom will be satisfactory to this Colony, which does not secure the power of regulating, in case of need, the time of the departure of Mails from Melbourne, to the Government of Victoria.
3. MR. SNOGDGRASS : To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council a return shewing the amount voted at different periods for the formation of the line of road between Melbourne and Kilmore, the amount expended upon the said road, and the probable amount required for the completion of the same.
4. MR. GREEVES : To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a Copy of the Instructions promised to be furnished to him previous to the introduction of Responsible Government under the New Constitution Act, in the Despatch of the Secretary of State for the Colonies, of date 20th July, 1855.
5. MR. LALOR : To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence that may have taken place respecting the disposal of certain Auriferous Lands at Clunes.

TUESDAY, 4TH DECEMBER.

ORDER OF THE DAY :—

(To take precedence.)

1. RESIGNATIONS OF SEATS BY GOVERNMENT OFFICERS.—Consideration of His Excellency the Governor's Message, No. 7.

NOTICE OF MOTION :—

1. MR. CAMPBELL : To move—
 (1.) That it is the opinion of this House that its proceedings should be commenced on every occasion with prayer to Almighty God.
 (2.) That a Committee of five Members be appointed by ballot to consider and report on the best means of carrying the above resolution into effect.

ORDER OF THE DAY :—

1. COMMON LAW PRACTICE BILL.—Second reading.

WEDNESDAY, 5TH DECEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. ELECTIONS REGULATION BILL—Second reading.
 2. PARTY PROCESSIONS ACT CONTINUATION BILL—Second reading.
 3. ASSESSMENT ON STOCK CONTINUATION BILL—Second reading.

FRIDAY, 7TH DECEMBER.

NOTICES OF MOTION :—

1. DR. EMBLING : To move, That inasmuch as State Aid to Religion is repugnant to the conscientious opinions of masses of the community, and as this Honorable House but imperfectly represents the people of Victoria, it is alike equitable and an honorable obligation that this House should recommend His Excellency the Governor that he will be pleased not to take action on the 53rd clause of the *New Constitution Bill* (which provides an appropriation of £50,000 per annum for the endowment of religion) until the colonists have had an opportunity of expressing their views and wishes thereon in the election of their representatives, in accordance with the electoral provisions of the *New Constitution Bill* of Victoria.

2. MR. GRANT: To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council Copies of all Despatches or Communications between His Excellency and the, Secretary of State for the Colonies relative to the outbreak at Ballaarat.
3. MR. GRANT: To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council a return of all claims presented to the Government for compensation in consequence of injuries sustained from the military or police at Ballaarat in December last, specifying those claims, if any, which have been approved of, as well as those which have been rejected, with the reasons for approval or rejection respectively.

WEDNESDAY, 12TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. VICTORIA ELECTORAL BILL.—Second reading.

CONTINGENT :—

On the "*Bill to alter and simplify the practice and mode of procedure in an Action at Law, and for other purposes in relation thereto,*" being read a second time—

MR. FELLOWS: To move—

That the Bill be referred to a Select Committee, to consist of The Attorney General, The Solicitor General, Mr. Chapman, Mr. A'Beckett, Mr. Horne, Mr. Grant, Mr. Greeves, Mr. Nicholson, Mr. Mollison, and the Mover.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 5.

FRIDAY, 30TH NOVEMBER, 1855.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ADDRESS IN REPLY TO GOVERNOR'S OPENING SPEECH.—On the motion of the Chief Secretary, the Council proceeded to the Government Offices, there to present to His Excellency the Governor their Address in reply to His Excellency's opening Speech.
The Council having returned, the Speaker reported that the Council had been to the Government Offices, and there presented to His Excellency the Governor their Address in reply to His Excellency's Speech on opening the Session, and that His Excellency had been pleased to make thereto the following answer :—
MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE COUNCIL,—
I beg to thank you for your reply to the Speech which I have had the honor to address to the Legislative Council.
The Council may feel assured that it will ever be my desire to assist them in carrying out such measures as may be deemed necessary for the welfare of the Colony.
CHAS. HOTHAM.
Government Offices,
30th November, 1855.
3. COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The warrant appointing "The Committee of Elections and Qualifications" was again laid upon the Table of the Council.
4. SUSPENSION OF STANDING ORDERS.—On the motion of Mr. Pyke, the Council ordered that Standing Order, No. 34, be suspended.
5. GOLD MINING ON PRIVATE PROPERTY.—Mr. Pyke moved, pursuant to *amended* notice—
(1.) That a Select Committee, to consist of fourteen Members, be appointed to enquire into existing laws relative to Mining on private property, and to investigate the present position of the question on the Gold Fields of Victoria, and for the purpose of devising and recommending for the adoption of the Council such remedial measures as may appear best calculated to promote the prosperity of the Mining Districts, and thereby of the Colony at large, without inflicting injury on the owners of the soil, with power to take evidence and call for papers.
(2.) That such Committee consist of Mr. O'Shanassy, Mr. Fawkner, Mr. Lalor, Mr. Grant, Mr. Longden, Mr. Benson, Mr. Wheeler, the Attorney General, Mr. Taylor, Mr. Mollison, Mr. Smith, Mr. Snodgrass, the Surveyor General, and the Mover.
Debate ensued.
Question—put and passed.
6. DEPARTURE OF MAILS FOR GREAT BRITAIN.—Mr. Greeves moved, pursuant to notice, That no arrangement for Postal Communication with the United Kingdom will be satisfactory to this Colony, which does not secure the power of regulating, in case of need, the time of the departure of Mails from Melbourne to the Government of Victoria.
Question—put and passed.
7. KILMORE ROAD.—Mr. Snodgrass moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council a return shewing the amount voted at different periods for the formation of the line of road between Melbourne and Kilmore, the amount expended upon the said road, and the probable amount required for the completion of the same.
Question—put and passed.
8. PAPERS.—The Chief Secretary, by command of His Excellency the Governor, laid upon the Table of the Council :—
Kilmore Road—Return of Receipts and Expenditure.
Ordered to be printed.

9. RESPONSIBLE GOVERNMENT—INSTRUCTIONS.—Mr. Greeves moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Copy of the Instructions promised to be furnished to him previous to the introduction of Responsible Government under the New Constitution Act, in the Despatch of the Secretary of State for the Colonies, of date 20th July, 1855.

Debate ensued.

Motion, by leave, withdrawn.

10. DISPOSAL OF AURIFEROUS LAND AT CLUNES.—Mr. Lalor moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence that may have taken place respecting the disposal of certain Auriferous Lands at Clunes.

Question—put and passed.

Council adjourned at three minutes past five o'clock until three o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 4TH DECEMBER.

1. MR. NICHOLSON: To ask the Chief Secretary if the Government intend to bring in a Bill to further continue an Act intituled, "*An Act to prevent the influx of Criminals into Victoria.*"
2. MR. LALOR: To ask the Chief Secretary if it is the intention of the Government to place any sum of money on the Estimates for the formation of Railways this Session.
3. MR. MOLLISON: To ask the Chief Secretary to lay on the Table of the Council, Copies of any Correspondence received from the Special Commissioner (Edward Bell, Esquire), on the subject of the Gold Specimens and Ores, the produce of Victoria, sent for exhibition to Paris.

ORDER OF THE DAY:—

(*To take precedence.*)

1. RESIGNATIONS OF SEATS BY GOVERNMENT OFFICERS.—Consideration of His Excellency the Governor's Message, No. 7.

NOTICES OF MOTION:—

1. MR. CAMPBELL: To move—
 - (1.) That it is the opinion of this House that its proceedings should be commenced on every occasion with prayer to Almighty God.
 - (2.) That a Committee of five Members be appointed by ballot to consider and report on the best means of carrying the above resolution into effect.
2. MR. WHEELER: To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between Frederick Taylor, Esquire, of Strath Loddon, and the Government, relating to the Grant of the Pre-emptive Right now in his possession.
3. MR. MILLER: To move, For leave to bring in a Bill to enable the Hobson's Bay Railway Company to extend their line to St. Kilda and Brighton.
Contingent on the Bill being read a first time,—MR. MILLER: To move, That it be referred to a Select Committee, to consist of Mr. Highett, Mr. McCulloch, Mr. Pyke, and the Mover.
4. MR. MOLLISON: To move, That a Select Committee be appointed to manage the affairs of the Council Club, such Committee to consist of Mr. Horne, Mr. Griffith, Mr. Myles, Mr. Wheeler, Mr. Taylor, Mr. Wills, Mr. Fyfe, Mr. Hervey, and the Mover.
5. MR. FAWKNER: To move, That this Council disapproves of the Warrant appointing the Committee of Elections and Qualifications, bearing date 29th November last.

ORDER OF THE DAY:—

1. COMMON LAW PRACTICE BILL—Second reading.

WEDNESDAY, 5TH DECEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. ELECTIONS REGULATION BILL—Second reading.
2. PARTY PROCESSIONS ACT CONTINUATION BILL—Second reading.
3. ASSESSMENT ON STOCK CONTINUATION BILL—Second reading.

FRIDAY, 7TH DECEMBER.

NOTICES OF MOTION :—

1. DR. EMBLING : To move, That inasmuch as State Aid to Religion is repugnant to the conscientious opinions of masses of the community, and as this Honorable House but imperfectly represents the people of Victoria, it is alike equitable and an honorable obligation that this House should recommend His Excellency the Governor that he will be pleased not to take action on the 53rd clause of the *New Constitution Bill* (which provides an appropriation of £50,000 per annum for the endowment of religion) until the colonists have had an opportunity of expressing their views and wishes thereon in the election of their representatives, in accordance with the electoral provisions of the *New Constitution Bill* of Victoria.
2. MR. GRANT : To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council Copies of all Despatches or Communications between His Excellency and the Secretary of State for the Colonies relative to the outbreak at Ballaarat.
3. MR. GRANT : To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council a return of all claims presented to the Government for compensation in consequence of injuries sustained from the military or police at Ballaarat in December last, specifying those claims, if any, which have been approved of, as well as those which have been rejected, with the reasons for approval or rejection respectively.

WEDNESDAY, 12TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. VICTORIA ELECTORAL BILL—Second reading.

CONTINGENT :—

On the "*Bill to alter and simplify the practice and mode of procedure in an Action at Law, and for other purposes in relation thereto,*" being read a second time—

MR. FELLOWS : To move—

That the Bill be referred to a Select Committee, to consist of The Attorney General, The Solicitor General, Mr. Chapman, Mr. A'Beckett, Mr. Horne, Mr. Grant, Mr. Greeves, Mr. Nicholson, Mr. Mollison, and the Mover.

J. F. PALMER,

Speaker.

MEETING

OF

SELECT COMMITTEE.

Wednesday, 5th December.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 6.

TUESDAY, 4TH DECEMBER, 1855.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. NEW MEMBERS.—John Basson Humffray, Esq., and James Mylne Knight, Esq., having been introduced, and having severally taken the Oath, and handed to the Clerk at the Table the following Declarations, took their Seats, the said John Basson Humffray, as Member for the Electoral District of Ballarat, and the said James Mylne Knight, Esq., as Member for the Electoral District of the United Counties of Villiers and Heytesbury, in the place of Claud Farie, Esq., resigned:—

“I, JOHN BASSON HUMFFRAY, 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 annual value of two hundred pounds sterling money, above all charges and incumbrances affecting the same: And further that the lands or tenements out of which such qualification arises are situate in Doveton-street, Township of Ballarat, in the County of Grenville and Colony of Victoria, consisting of allotment 10, section 7, upon which is built a house, in the occupation of William Rainy, Esq.: And I further declare that I have not collusively or colourably obtained a title to or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

(Signed)

“J. B. HUMFFRAY.”

“I, JAMES MYLNE KNIGHT, 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 two thousand pounds sterling money, above all charges and incumbrances affecting the same: And further that the lands or tenements out of which such qualification arises are situate in Boodcarra, near Belfast, and consist of ninety-six acres of land, with a dwelling house and garden, in my own occupation, and I further declare that I have not collusively or colourably obtained a title to or become possessed of the said lands and tenements or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

(Signed)

“J. M. KNIGHT.”

3. PAPERS.—The Chief Secretary, by command of His Excellency the Governor, laid upon the Table of the Council:—
Paris Exhibition—Report of Special Commissioner for Victoria.
Ordered to be printed.
4. RESIGNATIONS OF SEATS BY GOVERNMENT OFFICERS.—The Order of the Day for the consideration of His Excellency the Governor’s Message, No. 7, having been read—On the motion of Mr. Greeves, the Message was read by the Clerk.
Mr. Greeves then moved—
 - (1.) That this Council having had under its consideration the correspondence and documents laid before it, with His Excellency’s Message, No. 7, in reply to an Address of this House, is of opinion that these papers shew that arrangements, without its cognizance, have been made at the instance of persons directly interested, whereby His Excellency the Governor has been induced to release from office, on alleged political grounds, certain high Officers of Government, under the supposition that the mere proclamation of the New Constitution Act brought into operation the powers which can only be exercised after the return of the Writs for the first election, or at farthest of the meeting of the Legislative Council and Legislative Assembly.
 - (2.) That no political grounds such as contemplated by the New Constitution Act have arisen for the release from office of persons so removable.

- (3.) That whereas the New Constitution Act provides that persons accepting such offices shall be amenable to their constituents, and further, that four of such officers at least shall be members of either the future Legislative Council or the Legislative Assembly, and it is manifestly impossible for the present incumbents of such offices to comply with those enactments, this House is of opinion that all such removals and appointments, under colour of the New Constitution Act, are premature, illegal, and void.
- (4.) That the powers of this Council to deal with the public revenue remain actually unaltered, notwithstanding the said Proclamation; that it would be highly unconstitutional and dangerous to expend the public monies without an Act of Appropriation as required by law, and that this House should not separate without legal provision being made for the service of such portion of the year 1856 as may be needful prior to the full operation of the New Constitution Act.
- (5.) That this House views with extreme surprise and regret the principles laid down in His Excellency's minute to the Colonial Secretary, as the conditions under which the present and any future Administration are to consider themselves acting; and feels called upon to express its disapprobation that any persons would accept office on terms so humiliating to themselves, so derogatory to the rights of the people and of the powers of the Legislature of Victoria; so opposed to sound views of responsible Government, and subversive of the principles of the Constitution; and this House disclaims sanctioning any part of, and protests against and censures, the whole proceeding.
- (6.) That an Address embodying the above resolutions be prepared and presented to His Excellency the Governor.

Debate ensued.

Dr. Embling moved, That the further debate upon this subject be adjourned until to-morrow, and that it then take precedence of all other business.

Question—put and passed.

5. POSTPONEMENT OF NOTICES OF MOTION.—Mr. Campbell and Mr. Wheeler postponed the motions standing in their names respectively Nos. 1 and 2 on the Notice Paper of to-day, until Thursday next; and Mr. Nicholson, on behalf of Mr. Miller, and Mr. Greeves, on behalf of Mr. Mollison, postponed the motions standing in the names of Mr. Miller and Mr. Mollison respectively, Nos. 3 and 4 on the Notice Paper of to-day, until to-morrow.
6. COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—Mr. Fawcner moved, pursuant to notice, That this Council disapproves of the Warrant appointing the Committee of Elections and Qualifications, bearing date 29th November last.
- Question—put and passed.
7. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Friday, 7th December instant.

“Common Law Practice Bill—Second reading.”

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 5TH DECEMBER.

ORDER OF THE DAY:—

(To take precedence.)

1. RESIGNATIONS OF SEATS BY GOVERNMENT OFFICERS.—Adjourned debate on the consideration of His Excellency the Governor's Message, No. 7.

Government Business:—

ORDERS OF THE DAY:—

1. ELECTIONS REGULATION BILL—Second reading.
 2. PARTY PROCESSIONS ACT CONTINUATION BILL—Second reading.
 3. ASSESSMENT ON STOCK CONTINUATION BILL—Second reading.

General Business:—

NOTICES OF MOTION:—

1. MR. MILLER: To move, For leave to bring in a Bill to enable the Hobson's Bay Railway Company to extend their line to St. Kilda and Brighton.
Contingent on the Bill being read a first time, —MR. MILLER: To move, That it be referred to a Select Committee, to consist of Mr. Highett, Mr. McCulloch, Mr. Pyke, and the Mover.
2. MR. MOLLISON: To move, That a Select Committee be appointed to manage the affairs of the Council Club, such Committee to consist of Mr. Horne, Mr. Griffith, Mr. Myles, Mr. Wheeler, Mr. Taylor, Mr. Wills, Mr. Fyfe, Mr. Hervey, and the Mover.

THURSDAY, 6TH DECEMBER.

General Business:—

NOTICES OF MOTION:—

1. MR. CAMPBELL: To move—
 - (1.) That it is the opinion of this House that its proceedings should be commenced on every occasion with prayer to Almighty God.
 - (2.) That a Committee of five Members be appointed by ballot to consider and report on the best means of carrying the above resolution into effect.
2. MR. WHEELER: To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between Frederick Taylor, Esquire, of Strath Loddon, and the Government, relating to the Grant of the Pre-emptive Right now in his possession.

FRIDAY, 7TH DECEMBER.

NOTICES OF MOTION:—

1. DR. EMBLING: To move, That inasmuch as State Aid to Religion is repugnant to the conscientious opinions of masses of the community, and as this Honorable House but imperfectly represents the people of Victoria, it is alike equitable and an honorable obligation that this House should recommend His Excellency the Governor that he will be pleased not to take action on the 53rd clause of the *New Constitution Bill* (which provides an appropriation of £50,000 per annum for the endowment of religion) until the colonists have had an opportunity of expressing their views and wishes thereon in the election of their representatives, in accordance with the electoral provisions of the *New Constitution Bill* of Victoria.
2. MR. GRANT: To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council Copies of all Despatches or Communications between His Excellency and the Secretary of State for the Colonies relative to the outbreak at Ballaarat.
3. MR. GRANT: To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council a return of all claims presented to the Government for compensation in consequence of injuries sustained from the military or police at Ballaarat in December last, specifying those claims, if any, which have been approved of, as well as those which have been rejected, with the reasons for approval or rejection respectively.
4. MR. WILLS: To move—
 - (1.) That a Select Committee of this House be appointed to consider, take evidence, and report upon the means which shall appear best adapted to obtain, with certainty and economy, on the first day of February in each year, a Statistical Return of the Agricultural and Horticultural Productions of the country during the twelve months preceding.
 - (2.) That such Committee consist of Mr. Nicholson, Mr. Kennedy, Mr. Lalor, Mr. King, Mr. Chapman, Mr. O'Brien, and the Mover.
5. MR. SNODGRASS: To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to direct that tenders be invited for the immediate completion of such portions of the road between Kilmore and Melbourne as may remain at present unfinished.

ORDER OF THE DAY:—

1. COMMON LAW PRACTICE BILL—Second reading.

TUESDAY, 11TH DECEMBER.

1. DR. EMBLING: To ask the Chief Secretary if the Melbourne Corporation holds in trusteeship a grant of land to be appropriated for the purposes of Public Baths—site of said grant—date of same—the conditions upon which conceded to the Melbourne Corporation—if the said conditions have been complied with, and the baths provided for the public use.
Contingent upon the Chief Secretary's answer—To move: That in the opinion of this House the said grant of land should be resumed by the Government, with the view to its speedy appropriation to the purposes of baths for the people.
2. MR. BENSON: To ask the Chief Secretary whether it is the intention of the Government to bring in any measure relative to the Powers and Regulations of the Local Courts on the Gold Fields, and providing the necessary means for carrying out their arrangements, and in the event of the Government not doing so, to move the appointment of a Committee to take the subject into consideration.

WEDNESDAY, 12TH DECEMBER.

Government Business :—

ORDER OF THE DAY:—

1. VICTORIA ELECTORAL BILL—Second reading.

CONTINGENT :—

On the "*Bill to alter and simplify the practice and mode of procedure in an Action at Law, and for other purposes in relation thereto,*" being read a second time—

MR. FELLOWS : To move—

That the Bill be referred to a Select Committee, to consist of The Attorney General, The Solicitor General, Mr. Chapman, Mr. A'Beckett, Mr. Horne, Mr. Grant, Mr. Greeves, Mr. Nicholson, Mr. Mollison, and the Mover.

J. F. PALMER,
Speaker.

MEETING

OF

SELECT COMMITTEE.

Wednesday, 5th December.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 7.

WEDNESDAY, 5TH DECEMBER, 1855.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. NEW MEMBER.—Daniel Cameron, Esq., having been introduced, and having taken the Oath, and handed to the Clerk at the Table the following Declaration, took his seat as Member for the Electoral District of the Ovens.

“I, DANIEL CAMERON, 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 annual value of one hundred pounds sterling money, above all charges and incumbrances affecting the same: And further that the lands or tenements out of which such qualification arises are situate in the parish of Prahran, in the County of Bourke, in the said Colony, and are three allotments or parcels of land, being parts of portion No. 44, in the said parish, containing 80 feet frontage to the Main Dandenong Road, by a depth of 340 feet to a street 40 feet wide, on which is erected a brick two-story dwelling-house and premises: And I further declare that I have not collusively or colourably obtained a title to or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

“(Signed)

DANL. CAMERON.”

3. RESIGNATIONS OF SEATS BY GOVERNMENT OFFICERS.—The debate upon the motion of Mr. Greeves—

- (1.) That this Council having had under its consideration the correspondence and documents laid before it, with His Excellency's Message, No. 7, in reply to an Address of this House, is of opinion that these papers shew that arrangements, without its cognizance, have been made at the instance of persons directly interested, whereby His Excellency the Governor has been induced to release from office, on alleged political grounds, certain high Officers of Government, under the supposition that the mere proclamation of the New Constitution Act brought into operation the powers which can only be exercised after the return of the Writs for the first election, or at farthest of the meeting of the Legislative Council and Legislative Assembly.
- (2.) That no political grounds such as contemplated by the New Constitution Act have arisen for the release from office of persons so removable.
- (3.) That whereas the New Constitution Act provides that persons accepting such offices shall be amenable to their constituents, and further, that four of such officers at least shall be members of either the future Legislative Council or the Legislative Assembly, and it is manifestly impossible for the present incumbents of such offices to comply with those enactments, this House is of opinion that all such removals and appointments, under colour of the New Constitution Act, are premature, illegal, and void.
- (4.) That the powers of this Council to deal with the public revenue remain actually unaltered, notwithstanding the said Proclamation; that it would be highly unconstitutional and dangerous to expend the public monies without an Act of Appropriation as required by law, and that this House should not separate without legal provision being made for the service of such portion of the year 1856 as may be needful prior to the full operation of the New Constitution Act.
- (5.) That this House views with extreme surprise and regret the principles laid down in His Excellency's minute to the Colonial Secretary, as the conditions under which the present and any future Administration are to consider themselves acting; and feels called upon to express its disapprobation that any persons would accept office on terms so humiliating to themselves, so derogatory to the rights of the people and of the powers of the Legislature of Victoria; so opposed to sound views of responsible Government, and subversive of the principles of the Constitution; and this House disclaims sanctioning any part of, and protests against and censures, the whole proceeding.

(6.) That an Address embodying the above resolutions be prepared and presented to His Excellency the Governor—resumed.

MR. CAMPBELL moved, as an amendment, That all the words after the word "That" be omitted, with a view to insert the words "This House has learned with regret that the Minute of His Excellency the Governor, of 23rd ultimo, was not formally protested against by the present Executive Government prior to their acceptance of office as a responsible Ministry, and on its own part now protests against the introduction of the principles embodied in that Minute as being unconstitutional and hostile to the liberties of the people."—

Debate ensued.

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

Council divided.

Ayes, 28.

Mr. Hodgson,
Mr. Chapman,
Mr. Grant,
Mr. Fyfe,
Mr. Humffray,
Dr. Embling,
Mr. Pyke,
Mr. Wheeler,
Mr. Horne,
Mr. Cameron,
Mr. O'Brien,
Mr. Fawkner,
Mr. Sargood,
Mr. Beaver,
Mr. Wills,
Mr. Rae,
Mr. Benson,
Mr. Burnley,
Mr. Mollison,
Mr. O'Shanassy,
Mr. Nicholson,
Mr. Lalor,
Mr. J. Myles,
Mr. Greeves,
Mr. Hervey,
Mr. King,
Mr. Smith,
Mr. Snodgrass (*Teller*).

Noes, 28.

The Chief Secretary,
The Attorney General,
The Surveyor General,
The Treasurer,
Mr. Russell,
Mr. Pohlman,
Lieut. Col. Anderson,
Mr. Longden,
The Solicitor General,
Mr. Fellows,
Mr. Harrison,
Mr. Knight,
Mr. Highett,
The Acting Chief Commissioner of
Police,
Mr. Ross,
Mr. McCulloch,
Mr. Strachan,
Mr. Taylor,
Mr. Henty,
The Commissioner of Trade and
Customs,
Mr. Wilkinson,
Mr. Kennedy,
Mr. Griffith,
The Commissioner of Public Works,
Mr. Campbell,
Mr. Forlonge,
Mr. Riddell,
Mr. Murphy (*Teller*).

The Tellers having reported that the numbers for the Ayes and for the Noes were respectively 28 or equal, the Speaker gave his vote for the Ayes, and declared the question to have passed in the affirmative.

Mr. Hervey moved that the above resolutions be put to the House seriatim.

Question—put and negatived.

Question—(1.) That this Council having had under its consideration the correspondence and documents laid before it, with His Excellency's Message, No. 7, in reply to an Address of this House, is of opinion that these papers shew that arrangements, without its cognizance, have been made at the instance of persons directly interested, whereby His Excellency the Governor has been induced to release from office, on alleged political grounds, certain high Officers of Government, under the supposition that the mere proclamation of the New Constitution Act brought into operation the powers which can only be exercised after the return of the Writs for the first election, or at farthest of the meeting of the Legislative Council and Legislative Assembly.

(2.) That no political grounds such as contemplated by the New Constitution Act have arisen for the release from office of persons so removable.

(3.) That whereas the New Constitution Act provides that persons accepting such offices shall be amenable to their constituents, and further, that four of such officers at least shall be members of either the future Legislative Council or the Legislative Assembly, and it is manifestly impossible for the present incumbents of such offices to comply with those enactments, this House is of opinion that all such removals and appointments, under colour of the New Constitution Act, are premature, illegal, and void.

(4.) That the powers of this Council to deal with the public revenue remain actually unaltered, notwithstanding the said Proclamation; that it would be highly unconstitutional and dangerous to expend the public monies without an Act of Appropriation as required by law, and that this House should not separate without legal provision being made for the service of such portion of the year 1856 as may be needful prior to the full operation of the New Constitution Act.

(5.) That this House views with extreme surprise and regret the principles laid down in His Excellency's Minute to the Colonial Secretary, as the conditions under which the present and any future Administration are to consider themselves acting; and feels called upon to express its disapprobation that any persons would accept office on terms so humiliating to themselves, so derogatory to the rights of the people and of the powers of the Legislature of Victoria; so opposed to sound views of responsible Government, and subversive of the principles of the Constitution; and this House disclaims sanctioning any part of, and protests against and censures, the whole proceeding.

(6.) That an Address embodying the above resolutions be prepared and presented to His Excellency the Governor—put.
Council divided.

Ayes, 28.

Mr. Hodgson,
Mr. Chapman,
Mr. Grant,
Mr. Fyfe,
Mr. Humffray,
Dr. Embling,
Mr. Pyke,
Mr. Wheeler,
Mr. Cameron,
Mr. O'Brien,
Mr. Fawkner,
Mr. Sargood,
Mr. Beaver,
Mr. Wills,
Mr. Rae,
Mr. Benson,
Mr. Burnley,
Mr. Mollison,
Mr. Horne,
Mr. Nicholson,
Mr. Lalor,
Mr. O'Shanassy,
Mr. Myles,
Mr. Greeves,
Mr. Miller,
Mr. King,
Mr. Smith,
Mr. Snodgrass (*Teller*).

Noes, 29.

The Chief Secretary,
The Attorney General,
The Surveyor General,
The Treasurer,
Mr. Russell,
Mr. Pohlman,
Lieut. Col. Anderson,
Mr. Longden,
The Solicitor General,
Mr. Fellows,
Mr. Harrison,
Mr. Knight,
Mr. Highett,
The Acting Chief Commissioner of
Police,
Mr. Ross,
Mr. McCulloch,
Mr. Strachan,
Mr. Taylor,
Mr. Henty,
The Commissioner of Trade and
Customs,
Mr. Wilkinson,
Mr. Kennedy,
Mr. Griffith,
The Commissioner of Public Works,
Mr. Campbell,
Mr. Riddell,
Mr. Hervey,
Mr. Forlonge,
Mr. Murphy (*Teller*).

4. PAPER.—The Chief Secretary laid upon the Table of the Council, Copy Observations by the responsible Officers of Government upon His Excellency the Governor's Minute, and of His Excellency's reply thereto.

Ordered to be printed.

5. PAPERS.—The Chief Secretary, by command of His Excellency the Governor, laid upon the Table of the Council the following Papers, viz. :—

Central Road Board—Return of Appropriations and Expenditure on the Mount Alexander and Branch Roads on the Gold Fields.

Ordered to be printed.

Avoca and Ovens District—Local Court Regulations for these districts.

Ordered to be printed.

Castlemaine Local Court—Additional Regulation.

Ordered to be printed.

Postal Communication with the United Kingdom—Copy Correspondence respecting.

Ordered to be printed.

Melbourne Police—Report of the Commission appointed to enquire into the State of the Police.

Ordered to be printed.

Petition from certain gold miners and others at Castlemaine presented to His Excellency the Governor praying that certain lands at Mopoke and German Gullies, Fryer's Creek, might be given up for mining purposes, and compensation awarded to the owners; also praying that a Bill be introduced to authorise the general working of miners on purchased land.

Ordered to lie on the Table.

6. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, 11th December instant :—

“*Elections Regulation Bill—Second reading.*”

7. PARTY PROCESSIONS ACT CONTINUATION BILL.—The Chief Secretary moved that this Bill be now read a second time.

Question—put and passed—Bill read a second time and ordered to be considered in Committee to-morrow.

8. **ASSESSMENT ON STOCK ACT CONTINUATION BILL.**—The Chief Secretary moved that this Bill be now read a second time.
Question—put and passed.—Bill read a second time and ordered to be considered in Committee to-morrow.
9. **POSTPONEMENT OF NOTICE OF MOTION.**—Mr Greeves, on behalf of Mr. Miller, postponed the motion standing in his name, No. 1 on the Notice Paper of to day, until Friday, 7th December instant.
10. **COUNCIL CLUB.**—Mr. Mollison moved, pursuant to notice, That a Select Committee be appointed to manage the affairs of the Council Club, such Committee to consist of Mr. Horne, Mr. Griffith, Mr. Myles, Mr. Wheeler, Mr. Taylor, Mr. Wills, Mr. Fyfe, Mr. Hervey, and the Mover.
Question—put and passed.
- Council adjourned at half past eight o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 6TH DECEMBER.

Government Business :—

NOTICES OF MOTION :—

1. **THE CHIEF SECRETARY :** To move, That the Petition from the Gold Miners, and others, at Castlemaine, laid by him upon the Council Table, 5th December instant, be referred to the Select Committee appointed to enquire into existing laws relative to mining on private property.

ORDERS OF THE DAY :—

1. **PARTY PROCESSIONS ACT CONTINUATION BILL**—To be considered in Committee.
2. **ASSESSMENT ON STOCK ACT CONTINUATION BILL**—To be considered in Committee.

General Business :—

NOTICES OF MOTION :—

1. **MR. CAMPBELL :** To move—
(1.) That it is the opinion of this House that its proceedings should be commenced on every occasion with prayer to Almighty God.
(2.) That a Committee of five Members be appointed by ballot to consider and report on the best means of carrying the above resolution into effect.
2. **MR. WHEELER :** To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House copies of all Correspondence between Frederick Taylor, Esquire, of Strath Loddon, and the Government, relating to the Grant of the pre-emptive right now in his possession.

FRIDAY, 7TH DECEMBER.

NOTICES OF MOTION :—

1. **DR. EMBLING :** To move, That inasmuch as State Aid to Religion is repugnant to the conscientious opinions of masses of the community, and as this Honorable House but imperfectly represents the people of Victoria, it is alike equitable and an honorable obligation that this House should recommend His Excellency the Governor that he will be pleased not to take action on the 53rd clause of the *New Constitution Bill* (which provides an appropriation of £50,000 per annum for the endowment of religion) until the colonists have had an opportunity of expressing their views and wishes thereon in the election of their representatives, in accordance with the electoral provisions of the *New Constitution Bill* of Victoria.
2. **MR. GRANT :** To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council Copies of all Despatches or Communications between His Excellency and the Secretary of State for the Colonies relative to the outbreak at Ballaarat.
3. **MR. GRANT :** To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council a return of all claims presented to the Government for compensation in consequence of injuries sustained from the military or police at Ballaarat in December last, specifying those claims, if any, which have been approved of, as well as those which have been rejected, with the reasons for approval or rejection respectively.

4. MR. WILLS : To move—
 (1.) That a Select Committee of this House be appointed to consider, take evidence, and report upon the means which shall appear best adapted to obtain, with certainty and economy, on the first day of February in each year, a Statistical Return of the Agricultural and Horticultural Productions of the country during the twelve months preceding.
 (2.) That such Committee consist of Mr. Nicholson, Mr. Kennedy, Mr. Lalor, Mr. King, Mr. Chapman, Mr. O'Brien, and the Mover.
5. MR. SNODGRASS : To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to direct that tenders be invited for the immediate completion of such portions of the road between Kilmore and Melbourne as may remain at present unfinished.
6. MR. MILLER : To move, For leave to bring in a Bill to enable the Hobson's Bay Railway Company to extend their line to St. Kilda and Brighton.
Contingent on the Bill being read a first time,—MR. MILLER : To move, That it be referred to a Select Committee, to consist of Mr. Highett, Mr. McCulloch, Mr. Pyke, and the Mover.

ORDER OF THE DAY:—

1. COMMON LAW PRACTICE BILL—Second reading.

TUESDAY, 11TH DECEMBER.

1. DR. EMBLING : To ask the Chief Secretary if the Melbourne Corporation holds in trusteeship a grant of land to be appropriated for the purposes of Public Baths—site of said grant—date of same—the conditions upon which conceded to the Melbourne Corporation—if the said conditions have been complied with, and the baths provided for the public use.
Contingent upon the Chief Secretary's answer—To move: That in the opinion of this House the said grant of land should be resumed by the Government, with the view to its speedy appropriation to the purposes of baths for the people.
2. MR. BENSON : To ask the Chief Secretary whether it is the intention of the Government to bring in any measure relative to the Powers and Regulations of the Local Courts on the Gold Fields, and providing the necessary means for carrying out their arrangements, and in the event of the Government not doing so, to move the appointment of a Committee to take the subject into consideration.

ORDER OF THE DAY:—

1. ELECTIONS REGULATION BILL—Second reading.

WEDNESDAY, 12TH DECEMBER.

Government Business:—

ORDER OF THE DAY:—

1. VICTORIA ELECTORAL BILL—Second reading.

CONTINGENT:—

On the "*Bill to alter and simplify the practice and mode of procedure in an Action at Law, and for other purposes in relation thereto*," being read a second time—

MR. FELLOWS : To move—

That the Bill be referred to a Select Committee, to consist of the Attorney General, the Solicitor General, Mr. Chapman, Mr. A'Beckett, Mr. Horne, Mr. Grant, Mr. Greeves, Mr. Nicholson, Mr. Mollison, and the Mover.

J. F. PALMER,
Speaker.

MEETING

OF

SELECT COMMITTEE.

Tuesday, 11th December.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

By Authority : JOHN FERRES, Government Printer, Melbourne.

VICTORIA.
—
VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

No. 8.

THURSDAY, 6TH DECEMBER, 1855.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ELECTIONS AND QUALIFICATIONS.—In pursuance of "*The Victoria Electoral Act of 1851*," the Speaker 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 1851*,' I do hereby appoint—
Henry Samuel Chapman, Esquire,
Charles James Griffith, Esquire,
George Samuel Wegg Horne, Esquire,
Henry Miller, Esquire,
William Thomas Mollison, Esquire,
William Nicholson, Esquire, and
James Ford Strachan, Esquire,
to be Members of a Committee to be called '*The Committee of Elections and Qualifications*.'

"Given under my hand this sixth day of December, 1855.

" J. F. PALMER,
" *Speaker.*"

3. PETITION FROM GOLD MINERS AT CASTLEMAINE.—The Chief Secretary moved, pursuant to notice, That the Petition from the Gold Miners and others, at Castlemaine, laid by him upon the Council Table, 5th December instant, be referred to the Select Committee appointed to enquire into existing laws relative to mining on private property.
Question—put and passed.
4. PARTY PROCESSIONS ACT CONTINUATION BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council having been read—On the motion of the Chief Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill to be read a third time to-morrow.
5. ASSESSMENT ON STOCK ACT CONTINUATION BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council having been read—On the motion of the Chief Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman reported progress, and obtained leave to sit again Thursday, 20th December instant.
6. PRAYERS.—Mr. Campbell moved, pursuant to notice—
(1.) That it is the opinion of this House that its proceedings should be commenced on every occasion with prayer to Almighty God.
(2.) That a Committee of five Members be appointed by ballot to consider and report on the best means of carrying the above resolution into effect.
Mr. Fawcner moved, as an amendment, That the words "by a Minister of the Independent or Congregational Church on the Voluntary principle," be added at the end of the first paragraph.
Amendment by leave withdrawn.
Mr. Snodgrass moved the previous question.
Debate ensued.
Question—That this question be now put—put and negatived.
7. PRE-EMPTIVE GRANT OF LAND TO FREDERICK TAYLOR, Esq.—Mr. Wheeler moved, pursuant to *amended* notice, That an address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House copies of all Correspondence between William Campbell, Esquire, and Frederick Taylor, Esquire, of Strath Loddon, and the Government, relating to the Grant of the pre-emptive right to Mr. Campbell.
Question—put and passed.

Council adjourned at twelve minutes to five o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 7TH DECEMBER.

1. MR. GREEVES: To ask the Chief Secretary—
 - (1.) On what day and hour the Governor's fresh commission under the New Constitution Act, alluded to by Lord John Russell's Despatch, was received.
 - (2.) Whether the Governor and Executive Council will require to be re-sworn under it or not.

NOTICES OF MOTION:—

1. DR. EMBLING: To move, That inasmuch as State Aid to Religion is repugnant to the conscientious opinions of masses of the community, and as this Honorable House but imperfectly represents the people of Victoria, it is alike equitable and an honorable obligation that this House should recommend His Excellency the Governor that he will be pleased not to take action on the 53rd clause of the *New Constitution Bill* (which provides an appropriation of £50,000 per annum for the endowment of religion) until the colonists have had an opportunity of expressing their views and wishes thereon in the election of their representatives, in accordance with the electoral provisions of the *New Constitution Bill* of Victoria.
2. MR. GRANT: To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council Copies of all Despatches or Communications between His Excellency and the Secretary of State for the Colonies relative to the outbreak at Ballaarat.
3. MR. GRANT: To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council a return of all claims presented to the Government for compensation in consequence of injuries sustained from the military or police at Ballaarat in December last, specifying those claims, if any, which have been approved of, as well as those which have been rejected, with the reasons for approval or rejection respectively.
4. MR. WILLS: To move—
 - (1.) That a Select Committee of this House be appointed to consider, take evidence, and report upon the means which shall appear best adapted to obtain, with certainty and economy, on the first day of February in each year, a Statistical Return of the Agricultural and Horticultural Productions of the country during the twelve months preceding.
 - (2.) That such Committee consist of Mr. Nicholson, Mr. Kennedy, Mr. Lalor, Mr. King, Mr. Chapman, Mr. O'Brien, and the Mover.
5. MR. SNODGRASS: To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to direct that tenders be invited for the immediate completion of such portions of the road between Kilmore and Melbourne as may remain at present unfinished.
6. MR. MILLER: To move, For leave to bring in a Bill to enable the Hobson's Bay Railway Company to extend their line to St. Kilda and Brighton.
Contingent on the Bill being read a first time.—MR. MILLER: To move, That it be referred to a Select Committee, to consist of Mr. Highett, Mr. McCulloch, Mr. Pyke, and the Mover.
7. MR. GREEVES: To move, For leave to bring in a Bill to amend the laws relating to licensed victuallers.

ORDERS OF THE DAY:—

1. COMMON LAW PRACTICE BILL—Second reading.
2. PARTY PROCESSIONS ACT CONTINUATION BILL.—Third reading.

TUESDAY, 11TH DECEMBER.

1. MR. WHEELER: To ask the Honorable the Chief Secretary whether it is the intention of Government to bring forward any measure this session to reduce the license fee now imposed upon the licensed victuallers for the sale of fermented and spirituous liquors.
2. MR. FYFE: To ask the Chief Secretary if it is the intention of the Government to allow the Exhibition Building to fall to ruin for want of repair; and whether it is to be appropriated to public uses, and its management placed on such a footing as will secure funds sufficient to defray the expenses incident to its effectual repair and support.
3. DR. EMBLING: To ask the Chief Secretary if the Melbourne Corporation holds in trusteeship a grant of land to be appropriated for the purposes of Public Baths—site of said grant—date of same—the conditions upon which conceded to the Melbourne Corporation—if the said conditions have been complied with, and the baths provided for the public use.
Contingent upon the Chief Secretary's answer.—To move: That in the opinion of this House the said grant of land should be resumed by the Government, with the view to its speedy appropriation to the purposes of baths for the people.

4. MR. BENSON : To ask the Chief Secretary whether it is the intention of the Government to bring in any measure relative to the Powers and Regulations of the Local Courts on the Gold Fields, and providing the necessary means for carrying out their arrangements, and in the event of the Government not doing so, to move the appointment of a Committee to take the subject into consideration.

NOTICE OF MOTION :—

1. MR. FYFE : To move, That an address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this Council copies of all correspondence or other information connected with the Water Works for Geelong—what surveys have been made, and which one is decided on—what locality has been fixed upon for the supply of water, and if any analysis has been made as to quality or purity of the water—what arrangements are made, or intended to be made, in order to commence and carry out the works at once, and if a Board of Commissioners will be appointed at Geelong to superintend and have the management and supervision of the works—and why the Government, if in possession of funds, have not already set about their commencement.

ORDER OF THE DAY :—

1. ELECTIONS REGULATION BILL—Second reading.

WEDNESDAY, 12TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. VICTORIA ELECTORAL BILL—Second reading.

THURSDAY, 20TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. ASSESSMENT ON STOCK ACT CONTINUATION BILL—To be further considered in Committee.

CONTINGENT :—

On the "*Bill to alter and simplify the practice and mode of procedure in an Action at Law, and for other purposes in relation thereto,*" being read a second time—

MR. FELLOWS : To move—

That the Bill be referred to a Select Committee, to consist of the Attorney General, the Solicitor General, Mr. Chapman, Mr. A'Beckett, Mr. Horne, Mr. Grant, Mr. Greeves, Mr. Nicholson, Mr. Mollison, and the Mover.

MEETINGS

OF

SELECT COMMITTEES.

Tuesday, 11th December.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

Wednesday, 12th December.

LIBRARY COMMITTEE—at 12 o'clock.

J. F. PALMER,

Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 9.

FRIDAY, 7TH DECEMBER, 1855.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The Warrant appointing "The Committee of Elections and Qualifications" was again laid upon the Table of the Council.
3. PETITION.—Mr. Fawkner presented a Petition from Michael O'Reilly, praying the Council to cause an inquiry into the management of the School at Belfast, referred to in the Petition, with a view to such amendments being introduced into the present system as would prevent the Educational Institutions of the country being converted into engines of political and ecclesiastical tyranny, in which the education of the children is (in some instances) considered but of secondary importance; and, also, with a view of fixing the responsibility on some person connected with them in order that teachers might not be driven to the necessity of incurring the risk of a series of law suits to recover their salary.
Petition received.
4. BALLAARAT OUTBREAK.—Mr. Grant moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council Copies of all Despatches or Communications between His Excellency and the Secretary of State for the Colonies, also all Despatches or Communications from the 7th October, 1854, to the 1st January, 1855, to and from the Resident Commissioner and other Officials of the Government then in office at Ballaarat, relative to the outbreak at Ballaarat.
Question—put and passed.
5. CLAIMS FOR COMPENSATION, BALLAARAT.—Mr. Grant moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council a return of all claims presented to the Government for compensation in consequence of injuries sustained from the military or police at Ballaarat in December last, specifying those claims, if any, which have been approved of, as well as those which have been rejected, with the reasons for approval or rejection respectively; and similar information relative to losses sustained during the disturbances on the 17th October and 28th of November respectively, which have formed the subject of investigation before a Commission in Melbourne.
Question—put and passed.
6. AGRICULTURAL AND HORTICULTURAL STATISTICS.—Mr. Wills moved, pursuant to *amended* notice—
 - (1.) That a Select Committee of this House be appointed to consider, take evidence, and report upon the means which shall appear best adapted to obtain, with certainty and economy, on the first day of March in each year, a Statistical Return of all available information respecting Agricultural and Horticultural Productions of the country during the twelve months preceding.
 - (2.) That such Committee consist of Mr. Nicholson, Mr. Kennedy, Mr. Lalor, Mr. King, Mr. Chapman, Mr. O'Brien, and the Mover.
 Mr. Snodgrass moved as an amendment that the words "The Chief Secretary and Mr. Knight" be added at the end of the second resolution.
Question—That the words proposed to be added be so added—put and passed.
Question—(1.) That a Select Committee of this House be appointed to consider, take evidence, and report upon the means which shall appear best adapted to obtain, with certainty and economy, on the first day of March in each year, a Statistical Return of all available information respecting Agricultural and Horticultural Productions of the country during the twelve months preceding.
(2.) That such Committee consist of Mr. Nicholson, Mr. Kennedy, Mr. Lalor, Mr. King, Mr. Chapman, Mr. O'Brien, The Chief Secretary, Mr. Knight, and the Mover—put and passed.

7. **MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL.**—Mr. Miller moved, pursuant to *amended* notice, for leave to bring in a Bill to enable the Melbourne and Hobson's Bay Railway Company to make a Branch Railway, from their present Railway, to St. Kilda and Brighton.
- Question—put and passed.—Ordered that the mover and seconder do prepare and bring in the Bill.
- Mr. Miller having produced a certificate that the sum of £25 had been paid into the hands of the Treasurer for the public uses of the Colony, presented the Bill, intituled, "*A Bill to authorise the Melbourne and Hobson's Bay Railway Company to make a Branch Railway from their present Railway to St. Kilda and Brighton,*" and moved that the Bill be now read a first time.
- Question—put and passed.—Bill read a first time.
- Mr. Miller then moved, pursuant to *amended contingent* notice: That this Bill be referred to a Select Committee, to consist of Mr. Highett, Mr. McCulloch, Mr. Pyke, the Surveyor General, Mr. Hervey, Mr. Hodgson, Mr. Sargood, Mr. O'Shanassy, and the Mover.
- Question—put and passed.
8. **LIQUORS SALE LAWS AMENDMENT BILL.**—Mr. Greeves having, pursuant to notice, moved for and obtained leave to bring in a Bill to amend the Laws relating to the Sale of fermented and spirituous Liquors, brought up a Bill, intituled, "*A Bill to amend the Laws relating to the Sale of fermented and spirituous Liquors,*" and moved that it be now read a first time.
- Question—put and passed.—Bill read a first time—Ordered to be read a second time, Tuesday, 11th December instant, and to be printed.
9. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, 11th December, instant,—
"*Common Law Practice Bill—Second reading.*"
10. **PARTY PROCESSIONS ACT CONTINUATION BILL.**—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Chief Secretary, read a third time and *passed*.
- The Chief Secretary then moved that the following be the Title of the Bill—"*An Act to further continue an Act, intituled, 'An Act to prevent for a limited time Party Processions and certain other Public Exhibitions in the Colony of New South Wales.'*"
- Question—put and passed.
11. **PAPERS.**—The Chief Secretary, by command of His Excellency the Governor, laid upon the Table of the Council the following Papers, viz. :—
Immigrants' Fund—Statement shewing the Receipts and Expenditure under the provisions of the local Act, 16 Victoria, No. 17, for the year 1854.
Local Court Regulations (additional) for Sandhurst District.
- Council adjourned at five minutes after four o'clock until three o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 11TH DECEMBER.

1. **MR. WHEELER:** To ask the Honorable the Chief Secretary whether it is the intention of Government to bring forward any measure this session to reduce the license fee now imposed upon the licensed victuallers for the sale of fermented and spirituous liquors.
2. **MR. FYFE:** To ask the Chief Secretary if it is the intention of the Government to allow the Exhibition Building to fall to ruin for want of repair; and whether it is to be appropriated to public uses, and its management placed on such a footing as will secure funds sufficient to defray the expenses incident to its effectual repair and support.
3. **DR. EMBLING:** To ask the Chief Secretary if the Melbourne Corporation holds in trusteeship a grant of land to be appropriated for the purposes of Public Baths—site of said grant—date of same—the conditions upon which conceded to the Melbourne Corporation—if the said conditions have been complied with, and the baths provided for the public use.
Contingent upon the Chief Secretary's answer—To move: That in the opinion of this House the said grant of land should be resumed by the Government, with the view to its speedy appropriation to the purposes of baths for the people.
4. **MR. BENSON:** To ask the Chief Secretary whether it is the intention of the Government to bring in any measure relative to the Powers and Regulations of the Local Courts on the Gold Fields, and providing the necessary means for carrying out their arrangements, and in the event of the Government not doing so, to move the appointment of a Committee to take the subject into consideration.
5. **MR. GRANT:** To ask the Colonial Secretary whether it be the intention of the Government to place any sum upon the Estimates for formation of streets in the Township of Sandhurst.

6. **MR. GRANT** : To ask the Colonial Secretary whether it be the intention of the Government to establish direct postal communication between Heathcote and Sandhurst.

NOTICES OF MOTION :—

1. **MR. FYFE** : To move, That an address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this Council copies of all correspondence or other information connected with the Water Works for Geelong—what surveys have been made, and which one is decided on—what locality has been fixed upon for the supply of water, and if any analysis has been made as to quality or purity of the water—what arrangements are made, or intended to be made, in order to commence and carry out the works at once, and if a Board of Commissioners will be appointed at Geelong to superintend and have the management and supervision of the works—and why the Government, if in possession of funds, have not already set about their commencement.
2. **MR. CAMERON** : To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council a Return of the Crown Lands sold during each of the two years preceding the 30th day of November last within the mining district of the Ovens, including the Township of Beechworth; the amount of money received for such lands, and the amount of money expended by the Government on roads, bridges or other public improvements in the above district during the same period.

ORDERS OF THE DAY :—

1. **ELECTIONS REGULATION BILL**—Second reading.
2. **LIQUORS SALE LAWS AMENDMENT BILL**—Second reading.
3. **COMMON LAW PRACTICE BILL**—Second reading.

WEDNESDAY, 12TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. **VICTORIA ELECTORAL BILL**—Second reading.

FRIDAY, 14TH DECEMBER.

NOTICES OF MOTION :—

1. **DR. EMBLING** : To move—
 - (1.) That inasmuch as State Aid to Religion is most repugnant to the conscientious views of masses of the community, it is a matter of deep regret that the Legislative Council, which imperfectly represents the people of Victoria, should, in framing the New Constitution Bill, have inserted a clause tending to the perpetuance of religious endowments in the Colony.
 - (2.) That it is alike equitable, and an honorable obligation, that this House should recommend His Excellency the Governor that he will be pleased not to take action on the 53rd clause of the New Constitution Bill until the colonists generally have had an opportunity of expressing their views and wishes thereon in the election of their representatives under the electoral provisions of the New Constitution Bill of Victoria.
2. **MR. WILLS** : To move, That this House resolve itself into a Committee of the whole for the purpose of taking into consideration the expediency of requesting His Excellency the Governor to place on the Estimates for the year 1856, a sum not exceeding £10,000 sterling as premium to the party who shall devise within a period of _____ from that date the most economical and practical means of extracting from quartz and other matrices, and rendering available, all gold therein contained; and in the event of such course, for bringing to light the vast but for the present comparatively hidden resources of this country, being decided upon by such Committee, that His Excellency be further requested to order an immediate shipment of such quantity or quantities of quartz, and other matrices containing gold, as may in the opinion of His Ministry be sufficient in furnishing material for experiment to men of European celebrity to enable them to contest such premium, and also to take such further steps as His Excellency's Ministry may deem advisable for fully carrying out the intention of such Committee.
3. **MR. WILLS** : To move, That this House having learned that an import duty of twenty-five per cent. is levied in the ports of Great Britain and Ireland on articles manufactured in foreign countries from the precious metals, including thereby all such articles the manufacture of this Colony, takes the earliest opportunity to record thereupon this the expression of its surprise and regret; and in order to the doing away with such causes of disaffection towards the Parent State in this loyal portion of her dominions, by obtaining the abrogation or alteration (as in relation to this Colony) of all laws obtaining in such cases, His Excellency the Governor be requested to bring this resolution under the immediate notice of the Home Government.
4. **MR. GRANT** : To move, For leave to introduce a Bill to facilitate the remedies on Bills of Exchange and Promissory Notes by the prevention of frivolous or fictitious defences to actions thereon.

THURSDAY, 20TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. ASSESSMENT ON STOCK ACT CONTINUATION BILL—To be further considered in Committee.

CONTINGENT :—

On the "*Bill to alter and simplify the practice and mode of procedure in an Action at Law, and for other purposes in relation thereto,*" being read a second time—

MR. FELLOWS : To move—

That the Bill be referred to a Select Committee, to consist of the Attorney General, the Solicitor General, Mr. Chapman, Mr. A'Beckett, Mr. Horne, Mr. Grant, Mr. Greeves, Mr. Nicholson, Mr. Mollison, and the Mover.

MEETINGS

OF

SELECT COMMITTEES.

Tuesday, 11th December.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

Wednesday, 12th December.

LIBRARY COMMITTEE—at 11 o'clock.

MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL—at 11 o'clock.

J. F. PALMER,

Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 10.

TUESDAY, 11TH DECEMBER, 1855.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The Warrant appointing "The Committee of Elections and Qualifications" was again laid upon the Table of the Council.
3. PETITION.—Mr. O'Shanassy presented a Petition from James Service and others, styling themselves the Council for the Municipal District of Emerald Hill, praying the Council, 1st, Not to pass any Act authorising the construction of any Railway through any portion of the Town of Emerald Hill proper as laid down on the Government Maps; 2ndly, In any enactment that might be made by this Council, authorising the construction of any Railway through any portion of the Municipal District of Emerald Hill, such powers might be granted to the Petitioners with respect to such Railway crossing any present or future road within the Municipal District, and with respect to all other matters connected with such Railway, as may be requisite to ensure or promote the safety, convenience, and general welfare of its owners of property and residents within this district and of the public generally; 3rdly, That if adjudged to be necessary by the Petitioners, they may be heard in support of the prayer of the Petition, either by Counsel or otherwise, before the Bar of the Council, and before the Select Committee appointed to report on the Bill for extending the Melbourne and Hobson's Bay Railway to St. Kilda and Brighton, as the Petitioners might deem advisable.
Petition received.
4. ADDRESSES.—The Speaker announced that he had, pursuant to the resolutions of the Council, presented to His Excellency the Governor the following Addresses, viz. :—
Mr. John Allen.—Adopted on the 29th November, 1855, on the motion of Mr. O'Brien;
and that His Excellency had, in reply to such Address, been pleased to state that he would cause to be laid upon the Table of the Council all papers bearing on the subject of Mr. John Allen's Contract.
Kilmore Road.—Adopted on the 30th November, 1855, on the motion of Mr. Snodgrass;
and that His Excellency had, in reply to such Address, been pleased to state that the return moved for had been already laid before the Council.
Auriferous Lands at Clunes.—Adopted on the 30th November, 1855, on the motion of Mr. Lalor;
and that His Excellency had, in reply to such Address, been pleased to state that he would cause to be laid upon the Table the papers required.
5. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor received and read :—
GOVERNOR'S COMMISSION.
CHAS. HOTHAM, *Message No. 8.*
Governor.
The Governor transmits a copy of the Royal Commission, and the usual instructions relating to Bills, for the information of the Legislative Council.
Government Offices,
Melbourne, 11th December, 1855.
Ordered to be printed, together with the accompanying documents.
6. PETITIONS.—Mr. O'Shanassy presented a Petition from Alexander Keefer, late of the City of Toronto, in Canada, a Member of the Bar of Upper Canada, but now of Melbourne, in the Colony of Victoria, praying the Council would be pleased to pass an Act to enable the petitioner, upon submitting his certificates of admission to the Board of Examiners of the Supreme Court for Barristers, to be admitted to practice as a Barrister of the Supreme Court of the Colony of Victoria, upon motion by any Barrister of the said Court, or by himself, on any day in which the said Court sits *in banco*.
Petition received.
Mr. Pyke presented a Petition from certain miners and others resident on Forest Creek, praying the Council would afford every facility to the introduction and passing an Act for securing Vote by Ballot during the present session.
Petition received.

7. PAPERS.—The Chief Secretary, by command of His Excellency the Governor, laid upon the Table of the Council—
 Alienation of Auriferous Lands—Resolution of Local Court, Sandhurst, respecting alienation of Auriferous Lands.
 Ordered to be printed and referred to Committee on Mining on Private Property.
8. PETITIONS.—The Attorney General presented a Petition from the Very Rev. H. B. Macartney, Dean of Melbourne, and others, styling themselves the Acting Committee of the Association for Sabbath Observance, praying the Council would take the statements set forth in the Petition into favorable consideration, and delay the second reading of the Bill to amend the laws relating to Licensed Victuallers for such a period of time as will allow the general sense of the community to be formally expressed.
 Petition received.
 The Attorney General presented a Petition from George Thomas, on behalf of the inhabitants of Williamstown in public meeting assembled, praying the Council to take the statements set forth in the Petition into consideration, and to refuse its sanction to the proposed amendment of the Publicans' Act.
 Petition received.
9. NEW MEMBER.—The Speaker announced to the Council that there had been handed to him Letters Patent under the hand of His Excellency the Governor and Seal of the Colony bearing date at Melbourne, the fifth day of November, 1855, appointing John Downes Owens, Esquire, a Non-Elective Member of the Council and until Her Majesty's pleasure be known.
 JOHN DOWNES OWENS, Esquire, having been introduced, and having taken the Oath, took his seat in the Council as Member thereof.
10. WATER SUPPLY, GEELONG.—Mr. Fyfe moved, pursuant to notice, That an address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this Council copies of all correspondence or other information connected with the Water Works for Geelong—what surveys have been made, and which one is decided on—what locality has been fixed upon for the supply of water, and if any analysis has been made as to quality or purity of the water—what arrangements are made, or intended to be made, in order to commence and carry out the works at once, and if a Board of Commissioners will be appointed at Geelong to superintend and have the management and supervision of the works—and why the Government, if in possession of funds, have not already set about their commencement.
 Debate ensued.
 Motion by leave withdrawn.
11. SALE OF CROWN LANDS, OVENS DISTRICT.—Mr. Cameron moved, pursuant to amended notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council a Return of the Crown Lands sold during each of the two years preceding the 30th day of November last within the Electoral district of the Ovens, including the Township of Beechworth; the amount of money received for such lands, and the amount of money expended by the Government on roads, bridges or other public improvements in the above district during the same period.
 Debate ensued.
 Question put and passed.
12. SUSPENSION OF STANDING ORDER.—On the motion of Mr. Benson, the Council ordered that Standing Order, No. 34, be suspended.
13. GOLD FIELDS LOCAL COURTS.—Mr. Benson moved, pursuant to amended notice, That a Committee be appointed to take into consideration the Powers and Regulations of the Local Courts on the Gold Fields, and the necessary means for carrying out their arrangements, with power to take evidence, and that such Committee do consist of the Attorney General, the Surveyor General, Mr. O'Shanassy, Mr. Beaver, Mr. Fyfe, Mr. Lalor, Mr. Humffray, Mr. Pyke, Mr. Wheeler, Mr. Cameron, Mr. Grant, and the mover.
 Question—put and passed.
14. ELECTIONS REGULATION BILL.—The Order of the Day for the second reading of this Bill having been read, the Chief Secretary moved, That the consideration of such Order of the Day be postponed until Friday, 14th December instant.
 Mr. Grant moved, as an amendment, That the words "Friday, 14th" be omitted, with a view to insert the words "Wednesday, 19th" in lieu thereof.
 Question—That the words proposed to be omitted stand part of the question—put and negatived.
 Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put and passed.
 Question—that the consideration of such Order of the Day be postponed until Wednesday, 19th December instant—put and passed.

15. LIQUOR SALE LAWS AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read—Mr. Greeves moved, That the consideration of such Order of the Day be postponed until “Thursday, 20th December instant.”
Mr. Fawkner moved as an amendment, That the words “Thursday, 20th December instant” be omitted, with a view to insert the words “this day six months” in lieu thereof.
Question—That the words proposed to be omitted stand part of the question—put and passed.
Question—That the consideration of such Order of the Day be postponed until Thursday, 20th December instant—put and passed.
16. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered the consideration of the following Order of the Day to be postponed until Thursday, the 13th instant :—
“Common Law Practice Bill—Second reading”
17. PAPER.—The Commissioner of Trade and Customs, by command of His Excellency the Governor, laid upon the Table of the Council the following paper, viz. :—
Gold Export Duty.—An account of the Export Duty on Gold collected under the Acts 18 Victoria, No. 27, and 18 Victoria, No. 29, during the seven months, May to November, 1855, both inclusive.
Ordered to be printed.
Council adjourned at quarter past four o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 12TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. VICTORIA ELECTORAL BILL—Second reading.

General Business :—

1. MR. SARGOOD : To ask the Chief Secretary whether it is the intention of the Government to make any public demonstration expressive of the satisfaction and sympathy felt by the people of Victoria with the success and sufferings of the Allied Armies in the Crimea.

NOTICES OF MOTION :—

1. MR. GREEVES : To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council a Copy of His Excellency's Commission authorising him to act under the New Constitution Act, and also a Copy of the Instructions of the Right Honorable the Secretary of State accompanying the same.
2. MR. MILLER : To move, For leave to bring in a Bill to enable the Victoria Fire and Marine Insurance Company to sue and be sued in the name of the Chairman for the time being, and for other purposes therein named.
3. THE ATTORNEY GENERAL : To move, That the Petition of the Very Rev. H. B. Macartney, Dean of Melbourne, and Others, presented by him to the Council on the 11th December instant, be printed, and taken into consideration on the second reading of the Liquors Sale Laws Amendment Bill.
4. THE ATTORNEY GENERAL : To move, That the Petition of George Thomas, on behalf of the Inhabitants of Williamstown, presented by him to the Council on the 11th December instant, be printed, and taken into consideration on the second reading of the Liquors Sale Laws Amendment Bill.

THURSDAY, 13TH DECEMBER.

General Business :—

1. MR. HUMFFRAY : To ask the Chief Secretary what steps have been taken by the Government towards erecting a Court House and establishing a Circuit Court at Ballaarat.
2. MR. HUMFFRAY : To ask the Chief Secretary whether it is the intention of the Government to grant Municipal Institutions to Ballaarat, in compliance with the Petitions which have been presented from the inhabitants thereof.
3. MR. HUMFFRAY : To ask the Surveyor General what steps have been taken relative to the construction of an Electric Telegraphic line from Geelong to Ballaarat.

NOTICES OF MOTION :—

1. MR. O'BRIEN : To move, That the Council resolve itself into a Committee of the whole for the purpose of adopting an Address to His Excellency the Governor, praying that the sum of £250,000 from the proposed vote for Roads and Bridges for the year 1856, be placed at the disposal of the Central Road Board to be expended during the next four months on the Roads and Bridges of the Colony.
2. MR. MILLER : To move, For leave to bring in a Bill to amend an Act intituled “An Act to incorporate the proprietors of a certain Banking Company called the Bank of Victoria,” and for other purposes therein mentioned.

ORDER OF THE DAY :—

1. COMMON LAW PRACTICE BILL—Second reading.

FRIDAY, 14TH DECEMBER.

1. MR. PYKE : To ask the Chief Secretary, whether it is the intention of the Government to place on the Estimates a sum sufficient to ensure the completion, previous to the coming winter, of the main trunk line of road between Castlemaine and Melbourne, more particularly that very dangerous portion thereof passing through the Black Forest, and that between Woodend and Carlsruhe.

NOTICES OF MOTION :—

1. DR. EMBLING : To move—

(1.) That inasmuch as State Aid to Religion is most repugnant to the conscientious views of masses of the community, it is a matter of deep regret that the Legislative Council, which imperfectly represents the people of Victoria, should, in framing the New Constitution Bill, have inserted a clause tending to the perpetuance of religious endowments in the Colony.

(2.) That it is alike equitable, and an honorable obligation, that this House should recommend His Excellency the Governor that he will be pleased not to take action on the 53rd clause of the New Constitution Bill until the colonists generally have had an opportunity of expressing their views and wishes thereon in the election of their representatives under the electoral provisions of the New Constitution Bill of Victoria.

2. MR. WILLS : To move, That this House resolve itself into a Committee of the whole for the purpose of taking into consideration the expediency of requesting His Excellency the Governor to place on the Estimates for the year 1856, a sum not exceeding £10,000 sterling as premium to the party who shall devise within a period of _____ from that date the most economical and practical means of extracting from quartz and other matrices, and rendering available, all gold therein contained; and in the event of such course, for bringing to light the vast but for the present comparatively hidden resources of this country, being decided upon by such Committee, that His Excellency be further requested to order an immediate shipment of such quantity or quantities of quartz, and other matrices containing gold, as may in the opinion of His Ministry be sufficient in furnishing material for experiment to men of European celebrity to enable them to contest such premium, and also to take such further steps as His Excellency's Ministry may deem advisable for fully carrying out the intention of such Committee.
3. MR. WILLS : To move, That this House having learned that an import duty of twenty-five per cent. is levied in the ports of Great Britain and Ireland on articles manufactured in foreign countries from the precious metals, including thereby all such articles the manufacture of this Colony, takes the earliest opportunity to record thereupon this the expression of its surprise and regret; and in order to the doing away with such causes of disaffection towards the Parent State in this loyal portion of her dominions, by obtaining the abrogation or alteration (as in relation to this Colony) of all laws obtaining in such cases, His Excellency the Governor be requested to bring this resolution under the immediate notice of the Home Government.
4. MR. GRANT : To move, For leave to introduce a Bill to facilitate the remedies on Bills of Exchange and Promissory Notes by the prevention of frivolous or fictitious defences to actions thereon.
5. MR. O'SHANASSY : To move, For leave to bring in a Bill to authorise the admission of Alexander Keefer, to practice as a barrister in the Supreme Court of the Colony of Victoria.

Contingent on the Bill being read a first time : To move, That it be referred to a Select Committee, to consist of Mr. Grant, Mr. Fyfe, Mr. Pyke, Dr. Embling, Mr. Humfray, and the Mover, for consideration and report.

TUESDAY, 18TH DECEMBER.

NOTICE OF MOTION :—

1. MR. HARRISON : To move—

(1st.) That it is the opinion of this Council, the portion of the General Revenue which may be available for Public Works should be divided among the various districts of the Colony in proportion to their respective populations.

(2nd.) That the portion of the Land Revenue available for Public Works should be expended within the respective districts where the lands from the sale of which the revenue accrued may be situate.

WEDNESDAY, 19TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. ELECTIONS REGULATION BILL.—Second reading.

THURSDAY, 20TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. ASSESSMENT ON STOCK ACT CONTINUATION BILL—To be further considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. LIQUORS SALE LAWS AMENDMENT BILL.—Second reading.

CONTINGENT :—

On the "*Bill to alter and simplify the practice and mode of procedure in an Action at Law, and for other purposes in relation thereto,*" being read a second time—

MR. FELLOWS: To move—

That the Bill be referred to a Select Committee, to consist of the Attorney General, the Solicitor General, Mr. Chapman, Mr. A'Beckett, Mr. Horne, Mr. Grant, Mr. Greeves, Mr. Nicholson, Mr. Mollison, and the Mover.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 12th December.

LIBRARY COMMITTEE—at 11 o'clock.

MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL—at 11 o'clock.

Thursday, 13th December.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

Friday, 14th December.

GOLD FIELDS LOCAL COURTS—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 11.

WEDNESDAY, 12TH DECEMBER, 1855.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
 2. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Wednesday, the 19th December instant :—
“ Victoria Electoral Bill—Second reading.”
 3. GOVERNOR'S COMMISSION AND INSTRUCTIONS.—Mr. Greeves moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council a Copy of His Excellency's Commission authorising him to act under the New Constitution Act, and also a Copy of the Instructions of the Right Honorable the Secretary of State accompanying the same.
 Question—put and passed.
 4. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Miller postponed the Motion standing in his name, No. 2 on the Notice Paper of to-day, until Friday, 14th December instant.
 5. LIQUORS SALE LAWS AMENDMENT BILL.—The Commissioner of Trade and Customs moved, pursuant to notice given by the Attorney General, That the Petition of the Very Rev. H. B. Macartney, Dean of Melbourne, and Others, presented by him to the Council on the 11th December instant, be printed, and taken into consideration on the second reading of the Liquors Sale Laws Amendment Bill.
 Question—put and passed.
 6. LIQUORS SALE LAWS AMENDMENT BILL.—The Commissioner of Trade and Customs moved, pursuant to notice given by the Attorney General, That the Petition of George Thomas, on behalf of the Inhabitants of Williamstown, presented by him to the Council on the 11th December instant, be printed, and taken into consideration on the second reading of the Liquors Sale Laws Amendment Bill.
 Question—put and passed.
- Council adjourned at seventeen minutes past three o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 13TH DECEMBER.

General Business :—

1. MR. HUMFFRAY : To ask the Chief Secretary what steps have been taken by the Government towards erecting a Court House and establishing a Circuit Court at Ballarat.
2. MR. HUMFFRAY : To ask the Chief Secretary whether it is the intention of the Government to grant Municipal Institutions to Ballarat, in compliance with the Petitions which have been presented from the inhabitants thereof.
3. MR. HUMFFRAY : To ask the Surveyor General what steps have been taken relative to the construction of an Electric Telegraphic line from Geelong to Ballarat.
4. MR. McCULLOCH : To ask the Chief Secretary whether it is the intention of the Government to bring in a Bill to constitute a Trust for the management of the River Yarra and the Port of Melbourne.
5. MR. HIGHETT : To ask the Chief Secretary whether it is the intention of the Government to place any sum on the Estimates for 1856 towards the support of the families of the soldiers and sailors that have fallen during the present war.

NOTICES OF MOTION :—

1. MR. O'BRIEN : To move, That the Council resolve itself into a Committee of the whole for the purpose of adopting an Address to His Excellency the Governor, praying that the sum of £250,000 from the proposed vote for Roads and Bridges for the year 1856, be placed at the disposal of the Central Road Board to be expended during the next four months on the Roads and Bridges of the Colony.

2. MR. MILLER : To move, For leave to bring in a Bill to amend an Act intituled "*An Act to incorporate the proprietors of a certain Banking Company called the Bank of Victoria,*" and for other purposes therein mentioned.
3. MR. BENSON : To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of the Council Copies of all Correspondence between the Government and the various Local Courts on the Gold Fields.

ORDER OF THE DAY :—

1. COMMON LAW PRACTICE BILL—Second reading.

FRIDAY, 14TH DECEMBER.

1. MR. PYKE : To ask the Chief Secretary, whether it is the intention of the Government to place on the Estimates a sum sufficient to ensure the completion, previous to the coming winter, of the main trunk line of road between Castlemaine and Melbourne, more particularly that very dangerous portion thereof passing through the Black Forest, and that between Woodend and Carlsruhe.

NOTICES OF MOTION :—

1. DR. EMBLING : To move—

(1.) That inasmuch as State Aid to Religion is most repugnant to the conscientious views of masses of the community, it is a matter of deep regret that the Legislative Council, which imperfectly represents the people of Victoria, should, in framing the New Constitution Bill, have inserted a clause tending to the perpetuance of religious endowments in the Colony.

(2.) That it is alike equitable, and an honorable obligation, that this House should recommend His Excellency the Governor that he will be pleased not to take action on the 53rd clause of the New Constitution Bill until the colonists generally have had an opportunity of expressing their views and wishes thereon in the election of their representatives under the electoral provisions of the New Constitution Bill of Victoria.

2. MR. WILLS : To move, That this House resolve itself into a Committee of the whole for the purpose of taking into consideration the expediency of requesting His Excellency the Governor to place on the Estimates for the year 1856, a sum not exceeding £10,000 sterling as premium to the party who shall devise within a period of _____ from that date the most economical and practical means of extracting from quartz and other matrices, and rendering available, all gold therein contained; and in the event of such course, for bringing to light the vast but for the present comparatively hidden resources of this country, being decided upon by such Committee, that His Excellency be further requested to order an immediate shipment of such quantity or quantities of quartz, and other matrices containing gold, as may in the opinion of His Ministry be sufficient in furnishing material for experiment to men of European celebrity to enable them to contest such premium, and also to take such further steps as His Excellency's Ministry may deem advisable for fully carrying out the intention of such Committee.
3. MR. WILLS : To move, That this House having learned that an import duty of twenty-five per cent. is levied in the ports of Great Britain and Ireland on articles manufactured in foreign countries from the precious metals, including thereby all such articles the manufacture of this Colony, takes the earliest opportunity to record thereupon this the expression of its surprise and regret; and in order to the doing away with such causes of disaffection towards the Parent State in this loyal portion of her dominions, by obtaining the abrogation or alteration (as in relation to this Colony) of all laws obtaining in such cases, His Excellency the Governor be requested to bring this resolution under the immediate notice of the Home Government.
4. MR. GRANT : To move, For leave to introduce a Bill to facilitate the remedies on Bills of Exchange and Promissory Notes by the prevention of frivolous or fictitious defences to actions thereon.
5. MR. O'SHANASSY : To move, For leave to bring in a Bill to authorise the admission of Alexander Keefer, to practise as a barrister in the Supreme Court of the Colony of Victoria.
Contingent on the Bill being read a first time : To move, That it be referred to a Select Committee, to consist of Mr. Grant, Mr. Fyfe, Mr. Pyke, Dr. Embling, Mr. Humffray, and the Mover, for consideration and report.
6. MR. LALOR : To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid on the Table of the House a statement of the Quantity of Land granted to the Melbourne and Hobson's Bay Railway Company, and also the length of frontage possessed by such Company to Flinders-street.
7. MR. MILLER : To move, For leave to bring in a Bill to enable the Victoria Fire and Marine Insurance Company to sue and be sued in the name of the Chairman for the time being, and for other purposes therein named.

TUESDAY, 18TH DECEMBER.

NOTICES OF MOTION :—

1. MR. HARRISON : To move—

(1st.) That it is the opinion of this Council, the portion of the General Revenue which may be available for Public Works should be divided among the various districts of the Colony in proportion to their respective populations.

(2nd.) That the portion of the Land Revenue available for Public Works should be expended within the respective districts where the lands from the sale of which the revenue accrued may be situate.

2. MR. NICHOLSON : To move, That in the opinion of this House any new Electoral Act should provide for electors recording their votes by secret ballot.

3. MR. FAWKNER : To move, That the Council resolve itself into a Committee of the whole for the purpose of considering the propriety of presenting an Address to Her Most Gracious Majesty, congratulating Her Majesty upon the success that has attended the arms of our fellow-countrymen and their brave allies, both by sea and land, in the war with Russia.

WEDNESDAY, 19TH DECEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. ELECTIONS REGULATION BILL—Second reading.
2. VICTORIA ELECTORAL BILL—Second reading.

THURSDAY, 20TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. ASSESSMENT ON STOCK ACT CONTINUATION BILL—To be further considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. LIQUORS SALE LAWS AMENDMENT BILL—Second reading.

CONTINGENT :—

On the “ *Bill to alter and simplify the practice and mode of procedure in an Action at Law, and for other purposes in relation thereto,*” being read a second time—

MR. FELLOWS : To move—

That the Bill be referred to a Select Committee, to consist of the Attorney General, the Solicitor General, Mr. Chapman, Mr. A'Beckett, Mr. Horne, Mr. Grant, Mr. Greeves, Mr. Nicholson, Mr. Mollison, and the Mover.

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 13th December.

MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL—at 10 o'clock.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

Friday, 14th December.

GOLD FIELDS LOCAL COURTS—at 11 o'clock.

LIBRARY—at 12 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 12.

THURSDAY, 13TH DECEMBER, 1855.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITIONS.—Mr. McCulloch presented a petition from the Rev. D. Macdonald, Moderator of the Free Presbyterian Synod of Victoria, praying that the present method of granting assistance to religion should be discontinued; and that, failing the establishment of a system founded on intelligent views of divine truth, that the most expedient policy would be to leave the support of religious ordinances in the hands of the religious people of the Colony.
Petition received.
Mr. Benson presented a petition from certain gold diggers, landholders, and residents at Epsom, on the Bendigo Gold Field, requesting the earliest attention of the Council to the subject set forth in the petition.
Petition received.
Mr. Miller presented a petition from certain Directors of "The Victoria Fire and Marine Insurance Company," praying the Council would grant leave to petitioners to lay before the Council a Bill to enable the members and shareholders of "The Victoria Fire and Marine Insurance Company" to sue and prosecute, and be sued, and hold and deal with real and personal estate and effects, in the name of the Chairman for the time being of the Board of Directors of the said Company, and for other the purposes therein to be mentioned.
Petition received.
3. EXPENDITURE FOR ROADS AND BRIDGES.—Mr. O'Brien moved, pursuant to notice, That the Council resolve itself into a Committee of the whole for the purpose of adopting an Address to His Excellency the Governor, praying that the sum of £250,000 from the proposed vote for Roads and Bridges for the year 1856, be placed at the disposal of the Central Road Board to be expended during the next four months on the Roads and Bridges of the Colony.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman reported progress, and obtained leave to sit again Friday, 21st instant.
4. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Miller postponed the motion standing in his name, No. 2 on the Notice Paper for to-day, until Wednesday, 19th instant.
5. LOCAL COURTS—GOLD FIELDS.—Mr. Benson moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of the Council copies of all correspondence between the Government and the various Local Courts on the Gold Fields.
Question—put and passed.
6. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, the 18th December instant :—
"Common Law Practice Bill—Second reading."
Council adjourned at four minutes past four o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 14TH DECEMBER.

1. MR. PYKE: To ask the Chief Secretary whether it is the intention of the Government to place on the Estimates a sum sufficient to ensure the completion, previous to the coming winter, of the main trunk line of road between Castlemaine and Melbourne, more particularly that very dangerous portion thereof passing through the Black Forest, and that between Woodend and Carlsruhe.

NOTICES OF MOTION:—

1. DR. EMBLING: To move—
 - (1.) That inasmuch as State Aid to Religion is most repugnant to the conscientious views of masses of the community, it is a matter of deep regret that the Legislative Council, which imperfectly represents the people of Victoria, should, in framing the New Constitution Bill, have inserted a clause tending to the perpetuance of religious endowments in the Colony.
 - (2.) That it is alike equitable, and an honorable obligation, that this House should recommend His Excellency the Governor that he will be pleased not to take action on the 53rd clause of the New Constitution Bill until the colonists generally have had an opportunity of expressing their views and wishes thereon in the election of their representatives under the electoral provisions of the New Constitution Bill of Victoria.
2. MR. WILLS: To move, That this House resolve itself into a Committee of the whole for the purpose of taking into consideration the expediency of requesting His Excellency the Governor to place on the Estimates for the year 1856, a sum not exceeding £10,000 sterling as premium to the party who shall devise within a period of _____ from that date the most economical and practical means of extracting from quartz and other matrices, and rendering available, all gold therein contained; and in the event of such course, for bringing to light the vast but for the present comparatively hidden resources of this country, being decided upon by such Committee, that His Excellency be further requested to order an immediate shipment of such quantity or quantities of quartz, and other matrices containing gold, as may in the opinion of His Ministry be sufficient in furnishing material for experiment to men of European celebrity to enable them to contest such premium, and also to take such further steps as His Excellency's Ministry may deem advisable for fully carrying out the intention of such Committee.
3. MR. WILLS: To move, That this House having learned that an import duty of twenty-five per cent. is levied in the ports of Great Britain and Ireland on articles manufactured in foreign countries from the precious metals, including thereby all such articles the manufacture of this Colony, takes the earliest opportunity to record thereupon this the expression of its surprise and regret; and in order to the doing away with such causes of disaffection towards the Parent State in this loyal portion of her dominions, by obtaining the abrogation or alteration (as in relation to this Colony) of all laws obtaining in such cases, His Excellency the Governor be requested to bring this resolution under the immediate notice of the Home Government.
4. MR. GRANT: To move, For leave to introduce a Bill to facilitate the remedies on Bills of Exchange and Promissory Notes by the prevention of frivolous or fictitious defences to actions thereon.
5. MR. O'SHANASSY: To move, For leave to bring in a Bill to authorise the admission of Alexander Keefer, to practise as a barrister in the Supreme Court of the Colony of Victoria.

Contingent on the Bill being read a first time: To move, That it be referred to a Select Committee, to consist of Mr. Grant, Mr. Fyfe, Mr. Pyke, Dr. Embling, Mr. Humffray, and the Mover, for consideration and report.
6. MR. LALOR: To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid on the Table of the House a statement of the quantity of land granted to the Melbourne and Hobson's Bay Railway Company, and also the length of frontage possessed by such Company to Flinders-street.
7. MR. MILLER: To move, For leave to bring in a Bill to enable the Victoria Fire and Marine Insurance Company to sue and be sued in the name of the Chairman for the time being, and for other purposes therein named.
8. MR. MILLER: To move the suspension of the necessary Standing Orders to enable the Committee on the Melbourne and Hobson's Bay Railway Extension Bill to sit on Saturday and Monday next.

TUESDAY, 18TH DECEMBER.

1. DR. EMBLING : To ask the Chief Secretary if the Government contemplates taking measures to relieve the acting members of the Fire Brigades of Victoria from Jury duties and Taxes.
2. MR. CAMERON : To ask the Chief Secretary whether it has been suggested or recommended to the Government, through the Postmaster General or otherwise, that certain Branch or District Post Offices should be established on the Ovens Gold Fields, and if so, why such suggestion or recommendation has not been carried out; and, further, whether it is the intention of the Government to establish such Branch or District Post Offices on the Ovens Gold Fields, and if so, when such intention is likely to be carried into effect.

NOTICES OF MOTION :—

1. MR. HARRISON : To move—
 - (1st.) That it is the opinion of this Council, the portion of the General Revenue which may be available for Public Works should be divided among the various districts of the Colony in proportion to their respective populations.
 - (2nd.) That the portion of the Land Revenue available for Public Works should be expended within the respective districts where the lands from the sale of which the revenue accrued may be situate.
2. MR. NICHOLSON : To move, That in the opinion of this House any new Electoral Act should provide for electors recording their votes by secret ballot,
3. MR. FAWKNER : To move, That the Council resolve itself into a Committee of the whole for the purpose of considering the propriety of presenting an Address to Her Most Gracious Majesty, congratulating Her Majesty upon the success that has attended the arms of our fellow-countrymen and their brave allies, both by sea and land, in the war with Russia.
4. MR. TAYLOR : To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause such steps to be taken as may be necessary to procure an annual return of all live stock imported into Victoria from the adjacent Colonies of New South Wales and South Australia.
5. MR. CAMPBELL : To move, That it is the opinion of this House that this Colony should prove its sympathy with the great interests of the British Empire in the present war by every means in its power, and that the Crown Lands of the Colony might be made available for the purpose of encouraging the meritorious services of British soldiers, under suitable regulations.
6. MR. MOLLISON : To move, That an Address be presented to His Excellency the Governor requesting that His Excellency will be pleased to lay on the Table of the Council—
 - (1.) Copies of the two last reports laid before the Government on the state of the Asylum at Yarra Bend, and the condition of its inmates.
 - (2.) Also a return showing the names of the official visitors and the number of visits paid by each visitor during the present year 1855.
7. MR. WILLS : To move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to cause to be laid upon the Table of the Council Copies of all correspondence between the Government and the Commissioner of Crown Lands for the County of Grant relative to the impounding of stock from Crown reserves.

ORDER OF THE DAY :—

1. COMMON LAW PRACTICE BILL—Second reading.

WEDNESDAY, 19TH DECEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. ELECTIONS REGULATION BILL—Second reading.
2. VICTORIA ELECTORAL BILL—Second reading.

General Business :—

NOTICE OF MOTION :—

1. MR. MILLER : To move, For leave to bring in a Bill to amend an Act, intituled, "*An Act to incorporate the proprietors of a certain Banking Company called the Bank of Victoria,*" and for other purposes therein mentioned.

THURSDAY, 20TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. ASSESSMENT ON STOCK ACT CONTINUATION BILL—To be further considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. LIQUORS SALE LAWS AMENDMENT BILL—Second reading.

FRIDAY, 21ST DECEMBER.

ORDER OF THE DAY :—

1. EXPENDITURE FOR ROADS AND BRIDGES—To be further considered in Committee.

CONTINGENT :—

On the "*Bill to alter and simplify the practice and mode of procedure in an Action at Law, and for other purposes in relation thereto,*" being read a second time—

MR. FELLOWS : To move—

That the Bill be referred to a Select Committee, to consist of the Attorney General, the Solicitor General, Mr. Chapman, Mr. A'Beckett, Mr. Horne, Mr. Grant, Mr. Greeves, Mr. Nicholson, Mr. Mollison, and the Mover.

MEETINGS

OF

SELECT COMMITTEES.

Friday, 14th December.

GOLD FIELDS LOCAL COURTS—at 11 o'clock.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

LIBRARY—at 12 o'clock.

Tuesday, 18th December.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 13.

FRIDAY, 14TH DECEMBER, 1855.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITION.—Dr. Embling presented a petition from certain persons styling themselves the Committee of the Richmond Political Association, praying the Council to take such steps as might be necessary for the postponement of any action upon that part of the Imperial Act embodying the New Constitution which refers to the £50,000 grant for Public Worship, until such time as under that Act the inhabitants of Victoria have through their representatives had an opportunity of expressing their opinion upon the subject.
Petition received.
Dr. Embling presented Petitions from certain Inhabitants of the Municipality of East Collingwood, and from the Inhabitants of East Collingwood and of Richmond, praying the Council would be pleased to recommend His Excellency the Governor to suspend the operation of the 53rd clause of the Constitution Act until opportunity has been afforded for expression of public opinion thereon through the medium of the forthcoming elections.
Petitions received.
3. ADDRESSES.—The Speaker announced to the Council that he had, pursuant to the resolutions of this Council, presented to His Excellency the Governor the following Addresses, viz:—
Pre-emptive Grant of Land to Frederick Taylor, Esq.—Adopted on the 6th December, 1855, on the motion of Mr. Wheeler;
and that his Excellency had, in reply to such Address, been pleased to state that the wishes of the Council should be complied with.
Ballaarat Outbreak.—Adopted on the 7th December, 1855, on the motion of Mr. Grant;
and that His Excellency had, in reply to such Address, been pleased to state that he would comply with the wishes of the Council.
Claims for Compensation, Ballaarat.—Adopted on the 7th December, 1855, on the motion of Mr. Grant;
and that His Excellency had, in reply to such Address, been pleased to state that these papers should be furnished for the information of the Legislative Council.
4. PETITIONS.—Mr. Lalor presented a Petition from Patrick Curtin and Others, praying the Council simply to consider that agreeably with justice and the opinion of the people, as expressed in the resolutions given in the Petition, and by the signatures which follow, they are entitled to and pray the favorable consideration of the Council—and moved that the Petition be received.
Question—put and passed.—Petition received.
Mr. Smith presented a Petition from Margaret Louisa Barrow, formerly of Victoria, but at present residing at Hobart Town, Van Diemen's Land, widow of the late Samuel Barrow, Esq., Immigration Agent of the Colony of Victoria, praying the Council would take her case as set forth in the Petition into its humane consideration, and grant her such aid or otherwise as to it may seem meet to enable her to support and educate her five fatherless children.
Petition received.
5. STATE AID TO RELIGION.—Dr. Embling moved, pursuant to notice—
(1.) That inasmuch as State Aid to Religion is most repugnant to the conscientious views of masses of the community, it is a matter of deep regret that the Legislative Council, which imperfectly represents the people of Victoria, should, in framing the New Constitution Bill, have inserted a clause tending to the perpetuance of religious endowments in the Colony.
(2.) That it is alike equitable, and an honorable obligation, that this House should recommend His Excellency the Governor that he will be pleased not to take action on the 53rd clause of the New Constitution Bill until the colonists generally have had an opportunity of expressing their views and wishes thereon in the election of their representatives under the electoral provisions of the New Constitution Bill of Victoria.
Mr. Sargood moved, as an amendment, That all the words after the word "Colony" at the end of the first resolution, be omitted from the above question.

Debate ensued.

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

Question—(1.) That inasmuch as State Aid to Religion is most repugnant to the conscientious views of masses of the community, it is a matter of deep regret that the Legislative Council, which imperfectly represents the people of Victoria, should, in framing the New Constitution Bill, have inserted a clause tending to the perpetuance of religious endowments in the Colony.

(2.) That it is alike equitable, and an honorable obligation, that this House should recommend His Excellency the Governor that he will be pleased not to take action on the 53rd clause of the New Constitution Bill until the colonists generally have had an opportunity of expressing their views and wishes thereon in the election of their representatives under the electoral provisions of the New Constitution Bill of Victoria—put

Council divided.

Ayes, 4.

Mr. Myles,
Mr. Lalor,
Mr. Wilkinson,
Dr. Embling (*Teller*).

Noes, 42.

The Chief Secretary,
The Attorney General,
The Treasurer,
Mr. Smith,
Mr. Greeves,
Mr. Miller,
Mr. Hodgson,
Mr. Chapman,
Mr. O'Shanassy,
Mr. Russell,
Mr. Nicholson,
Mr. Sargood,
Mr. Pyke,
Mr. Cameron,
The Solicitor General,
Mr. Grant,
Dr. Owens,
Mr. Benson,
The Surveyor General,
Mr. Beaver,
Mr. Knight,
Mr. Longden,
Lieut. Col. Anderson,
Mr. Campbell,
The Commissioner of Trade and
Customs,
Mr. Morrison,
Mr. Highett,
Mr. Humffray,
Mr. Riddell,
Mr. Snodgrass,
Mr. Murphy,
Mr. McCulloch,
Mr. Rae,
Mr. O'Brien,
Mr. Wheeler,
Mr. Wills,
Mr. Taylor,
Mr. Griffith,
Mr. King,
Mr. Hervey,
Mr. Goodman,
The Chief Commissioner of Public
Works (*Teller*).

6. GOLD EXTRACTION.—Mr. Wills moved, pursuant to notice, That this House resolve itself into a Committee of the whole for the purpose of taking into consideration the expediency of requesting His Excellency the Governor to place on the Estimates for the year 1856, a sum not exceeding £10,000 sterling as premium to the party who shall devise within a period of _____ from that date the most economical and practical means of extracting from quartz and other matrices, and rendering available, all gold therein contained; and in the event of such course, for bringing to light the vast but for the present comparatively hidden resources of this country, being decided upon by such Committee, that His Excellency be further requested to order an immediate shipment of such quantity or quantities of quartz, and other matrices containing gold, as may in the opinion of His Ministry be sufficient in furnishing material for experiment to men of European celebrity to enable them to contest such premium, and also to take such further steps as His Excellency's Ministry may deem advisable for fully carrying out the intention of such Committee.

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

The Chairman reported progress, and obtained leave to sit again Tuesday, 18th December instant.

7. **GOLD PLATE.**—Mr. Wills moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Governor, setting forth—That this House having learned that an import duty exceeding that of Excise is levied in the ports of Great Britain and Ireland on articles manufactured in foreign countries from the precious metals, including thereby all such articles the manufacture of this Colony, takes this opportunity of requesting His Excellency to bring this matter under the notice of the Home Government, with a view of placing Victorian artists in the precious metals on equal footing with British manufacturers.

Question—put and passed.

8. **BILLS OF EXCHANGE BILL.**—Mr. Grant having, pursuant to notice, moved for and obtained leave to bring in a Bill to facilitate remedies on bills of exchange and promissory notes by the prevention of frivolous or fictitious defences to actions thereon, brought in the Bill, intituled, "*A Bill to facilitate the remedies on Bills of Exchange and Promissory Notes by the prevention of Frivolous or Fictitious Defences to Actions thereon,*" and moved that it be now read a first time.

Question—put and passed.—Bill read a first time, ordered to be read a second time Friday, 21st December instant, and to be printed.

9. **KEEFER'S ADMISSION BILL.**—Mr. O'Shanassy moved, pursuant to notice, for leave to bring in a Bill to authorise the admission of Alexander Keefer to practise as a barrister in the Supreme Court of the Colony of Victoria.

Question—put and passed.—Ordered that the mover and seconder do prepare and bring in the Bill.

Mr. O'Shanassy having produced a certificate that the sum of £25 had been paid into the hands of the Treasurer for the public uses of the Colony, presented the Bill, intituled, "*A Bill to authorise the admission of Alexander Keefer to practise as a Barrister in the Supreme Court of the Colony of Victoria,*" and moved that the Bill be now read a first time.

Question—put and passed.—Bill read a first time.

Mr. O'Shanassy then moved, pursuant to *contingent* notice, That this Bill be referred to a Select Committee, to consist of Mr. Grant, Mr. Fyfe, Mr. Pyke, Dr. Embling, Mr. Humfray, and the Mover, for consideration and report.

Question—put and passed.

10. **PAPERS.**—The Commissioner of Trade and Customs, by command of His Excellency the Governor, laid upon the Table of the Council the following Paper, viz. :—
Immigration under Remittance Regulations.

Ordered to be printed.

11. **GRANTS OF LAND TO RAILWAY COMPANIES.**—Mr. Lalor moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid on the Table of the House a statement of the quantity of land granted to the Melbourne and Hobson's Bay Railway Company, and also the length of frontage possessed by such Company to Flinders-street. Also a statement of the quantity of land to be granted to the Melbourne and Mount Alexander Railway Company.

Question—put and passed.

12. **THE VICTORIA FIRE AND MARINE INSURANCE COMPANY BILL.**—Mr. Miller moved, pursuant to notice, for leave to bring in a Bill to enable the Victoria Fire and Marine Insurance Company to sue and be sued in the name of the Chairman for the time being, and for other purposes therein named.

Question—put and passed.—Ordered that the mover and seconder do prepare and bring in the Bill.

Mr. Miller having produced a Certificate that the sum of £25 had been paid into the hands of the Treasurer, for the public uses of the Colony, presented the Bill, intituled, "*A Bill to enable the Shareholders and Members of a certain Joint Stock Insurance Company, carrying on business in the Colony of Victoria, under the name, style, and firm of 'The Victoria Fire and Marine Insurance Company,' to sue and be sued in the name of the Chairman, for the time being, of the Board of Directors of the said Company; and for other purposes therein mentioned,*" and moved that the Bill be now read a first time.

Question—put and passed.—Bill read a first time.

13. **SUSPENSION OF STANDING ORDERS.**—Mr. Miller moved, pursuant to notice, the suspension of the necessary Standing Orders to enable the Committee on the Melbourne and Hobson's Bay Railway Extension Bill to sit on Saturday and Monday next.

Question—put and passed.

14. **GOLD DIGGERS, EPSOM.**—Mr. Benson moved, That the Petition from certain Gold Diggers, Landholders and Residents at Epsom, presented by him to the Council yesterday, be printed and referred to the Committee now sitting on Gold Mining on Private Property.

Question—put and passed.

Council adjourned at twenty-eight minutes past six o'clock until three o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 18TH DECEMBER.

1. **DR. EMBLING** : To ask the Chief Secretary if the Government contemplates taking measures to relieve the acting members of the Fire Brigades of Victoria from Jury duties and Taxes.
2. **MR. CAMERON** : To ask the Chief Secretary whether it has been suggested or recommended to the Government, through the Postmaster General or otherwise, that certain Branch or District Post Offices should be established on the Ovens Gold Fields, and if so, why such suggestion or recommendation has not been carried out; and, further, whether it is the intention of the Government to establish such Branch or District Post Offices on the Ovens Gold Fields, and if so, when such intention is likely to be carried into effect.
3. **MR. SARGOOD** : To ask the Chief Secretary whether the appropriation of £50,000 for Ecclesiastical purposes under the New Constitution supersedes the former grant of £30,000; and if not, does the Government intend to bring in a Bill this Session for the repeal of the last-mentioned grant.

NOTICES OF MOTION :—

1. **MR. HARRISON** : To move—
 - (1st.) That it is the opinion of this Council, the portion of the General Revenue which may be available for Public Works should be divided among the various districts of the Colony in proportion to their respective populations.
 - (2nd.) That the portion of the Land Revenue available for Public Works should be expended within the respective districts where the lands from the sale of which the revenue accrued may be situate.
2. **MR. NICHOLSON** : To move, That in the opinion of this House any new Electoral Act should provide for electors recording their votes by secret ballot.
3. **MR. FAWKNER** : To move, That the Council resolve itself into a Committee of the whole for the purpose of considering the propriety of presenting an Address to Her Most Gracious Majesty, congratulating Her Majesty upon the success that has attended the arms of our fellow-countrymen and their brave allies, both by sea and land, in the war with Russia.
4. **MR. TAYLOR** : To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause such steps to be taken as may be necessary to procure an annual return of all live stock imported into Victoria from the adjacent Colonies of New South Wales and South Australia.
5. **MR. CAMPBELL** : To move, That it is the opinion of this House that this Colony should prove its sympathy with the great interests of the British Empire in the present war by every means in its power, and that the Crown Lands of the Colony might be made available for the purpose of encouraging the meritorious services of British soldiers, under suitable regulations.
6. **MR. MOLLISON** : To move, That an Address be presented to His Excellency the Governor requesting that His Excellency will be pleased to lay on the Table of the Council—
 - (1.) Copies of the two last reports laid before the Government on the state of the Asylum at Yarra Bend, and the condition of its inmates.
 - (2.) Also a return showing the names of the official visitors and the number of visits paid by each visitor during the present year 1855.
7. **MR. WILLS** : To move, That an Address be presented to His Excellency the Governor praying that His Excellency will be pleased to cause to be laid upon the Table of the Council Copies of all correspondence between the Government and the Commissioner of Crown Lands for the County of Grant relative to the impounding of stock from Crown reserves.
8. **MR. HUMFFRAY** : To move—
 - (1.) That inasmuch as Gold Mining is the chief source of wealth in the Colony of Victoria at present, it is desirable to facilitate such mining operations in every legitimate way, and carefully preventing, as far as possible, the clashing of the public mining interests with the special interests of any other class or section of the community.
 - (2.) That in order to give practical effect to the above object, To move, That the House resolve itself into a Committee of the whole to take into consideration the propriety of requesting His Excellency the Governor to place a liberal sum upon the Estimates for 1856 for the purpose of making a Mineralogical and Topographical Survey of the principal Gold Fields, which, independently of its great scientific value, would form a guide to the Miner and indicate more clearly to the Government the great auriferous tracts of land in the Colony, and thereby prevent the alienation of such lands to private individuals, to the great injury of the individual Miner.

9. MR. WHEELER : To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to appoint a Commission, to consist of three gentlemen of scientific attainments, with Secretary, for the purpose of inquiring into the different modes of extracting Gold from Auriferous Matrices. The result of such inquiries to be published as a Manual, with the object of diffusing information amongst the Mining Classes.
10. MR. LALOR : To move, That the Petition from Patrick Curtin and others, presented by him to this Council on the 14th December instant, be printed.
11. DR. EMBLING : To move, That the Petitions from certain persons styling themselves "The Committee of the Richmond Political Association," and also from certain inhabitants of the Municipality of East Collingwood, and also from certain inhabitants of the Municipality of East Collingwood and of Richmond, presented by him respectively to this Council on the 14th of December instant, be printed.
12. MR. SMITH : To move, That the Petition from Margaret Louisa Barrow, presented by him to the Council on the 14th December instant, be printed.
13. MR. MYLES : To move—
- (1.) That a Select Committee of this Council be appointed to take into consideration the state of the roads already commenced in this Colony, with a view of ascertaining the existing state of the same, and the probable amount and time required for their completion, with power to take evidence.
 - (2.) That such Committee consist of the following members:—Mr. Benson, Mr. Pyke, Mr. Lalor, Mr. Cameron, Mr. Mollison, Mr. King, Mr. Snodgrass, Mr. Murphy, Mr. Horne, and the mover.

ORDERS OF THE DAY :—

1. COMMON LAW PRACTICE BILL—Second reading.
2. GOLD EXTRACTION—To be further considered in Committee.

WEDNESDAY, 19TH DECEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. ELECTIONS REGULATION BILL—Second reading.
2. VICTORIA ELECTORAL BILL—Second reading.

General Business :—

NOTICES OF MOTION :—

1. MR. MILLER : To move, For leave to bring in a Bill to amend an Act, intituled, "*An Act to incorporate the proprietors of a certain Banking Company called the Bank of Victoria,*" and for other purposes therein mentioned.
2. MR. PYKE : To move, That in the opinion of this Council it is imperatively necessary to the due advancement of the Colony, that a sum should be placed on the Estimates sufficiently large to ensure the completion, previous to the coming winter, of such portions of the main lines of roads as are at present dangerous to life and property. And further, that in consideration of the exigency of this subject every facility should be afforded by the Executive for the earliest possible consideration thereof by this Council.
3. MR. KING : To move, That the Council resolve itself into a Committee of the whole for the purpose of presenting an Address to His Excellency the Governor, praying that the sum of £1000 from the proposed vote for Roads and Bridges for the year 1856 be placed at the disposal of the Central Road Board, to be expended during the next three months on the road to Gipps' Land.

THURSDAY, 20TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. ASSESSMENT ON STOCK ACT CONTINUATION BILL—To be further considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. LIQUORS SALE LAWS AMENDMENT BILL—Second reading.

FRIDAY, 21ST DECEMBER.

NOTICES OF MOTION :—

1. MR. BENSON : To move, That this House resolve itself into a Committee of the whole to take into consideration the propriety of adopting means to obtain efficient and duly authorised persons as Assay Masters or Refiners and Sweepwashers on the various Gold Fields of the Colony, to be under the jurisdiction of the Local Courts.
2. MR. GRANT : To move for leave to introduce a Bill to amend the Law of Libel.

ORDERS OF THE DAY :—

1. EXPENDITURE FOR ROADS AND BRIDGES—To be further considered in Committee.
2. BILLS OF EXCHANGE BILL—Second reading.

CONTINGENT :—

On the “ *Bill to alter and simplify the practice and mode of procedure in an Action at Law, and for other purposes in relation thereto,*” being read a second time—

MR. FELLOWS : To move—

That the Bill be referred to a Select Committee, to consist of the Attorney General, the Solicitor General, Mr. Chapman, Mr. A'Beckett, Mr. Horne, Mr. Grant, Mr. Greeves, Mr. Nicholson, Mr. Mollison, and the Mover.

MEETINGS

OF

SELECT COMMITTEES.

Saturday, 15th December.

MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL—at 10 o'clock.

Monday, 17th December.

MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL—at 10 o'clock.

Tuesday, 18th December.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

KEEPER'S ADMISSION BILL—at 12 o'clock.

Wednesday, 19th December.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 14.

TUESDAY, 18TH DECEMBER, 1855.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITIONS—Dr. Embling presented a Petition from certain inhabitants of the Municipal District of Richmond, praying the Council to take such steps as might introduce the system of secret voting by ballot in the new Electoral Act of this Colony.
Petition received.
Dr. Embling presented a Petition from the Collingwood Volunteer Fire Brigade, praying the Council to take into consideration the case of the Petitioners as set forth in the Petition, and to grant them exemption from the payment of Taxes, serving on Juries, and all other public burdens and duties whatsoever.
Petition received.
Mr. Nicholson presented a Petition from John Campbell, styling himself the Chairman of the South Bourke Reform Association, praying the Council to take the case as set forth in the Petition respecting Vote by Ballot into consideration.
Petition received.
Mr. Fawkner presented a Petition from certain inhabitants of Collingwood, and belonging to the Wesleyan Methodist Association Church, praying the Council to refuse to alter the present Law, so as to sanction the Sale of Liquors on the Sabbath Day.
Petition received.
Dr. Embling presented a petition from Thomas Embling, styling himself Chairman of a Public Meeting of the inhabitants of Collingwood, and its neighbourhood, praying the Council to take the statements as set forth in the Petition into favorable consideration, and to refuse to alter the present Law, so as to sanction the public Sale of Liquors on the Sabbath Day.
Petition received.
Mr. Mollison presented a Petition from certain inhabitants of Kilmore, belonging to the Free Presbyterian Church, praying the Council to take the statements as set forth in the Petition into favorable consideration, and to refuse to alter the present Law, so as to sanction the public Sale of Liquors on the Sabbath Day.
Petition received.
3. PAPERS.—The Surveyor General, by command of His Excellency the Governor, laid upon the Table of the Council the undermentioned Papers, viz. :—
Melbourne and Hobson's Bay Railway—Receipts and Expenditure up to 31st October, 1855.
Ordered to be printed.
4. ASSENT TO BILL.—The Speaker announced to the Council that His Excellency the Governor had been pleased to give the Royal Assent to
"The Party Processions Act Continuation Bill."
5. PAPERS.—The Treasurer, by command of His Excellency the Governor, laid upon the Table of the Council the undermentioned Paper, viz. :—
Bank of Victoria Act—Copy Despatch from the Right Honorable the Secretary of State, with its enclosure, suggesting certain amendments in the Bank of Victoria Incorporation Act.
Ordered to be printed.
6. POSTPONEMENT OF NOTICES OF MOTION.—Mr. Greeves, on behalf of Mr. Harrison, postponed the motion standing in the name of Mr. Harrison, No. 1 on the Notice Paper of to-day, until after the other notices of motion on the Paper of to-day have been disposed of; and Mr. Nicholson postponed the motion standing in his name, No. 2 on the Notice Paper of to-day, until after the consideration of the motion standing No. 3 on the Notice Paper of to-day.

7. ADDRESS TO THE QUEEN.—Mr. Fawkner moved, pursuant to *amended* notice, That the Council resolve itself into a Committee of the whole for the purpose of considering the propriety of presenting an Address to Her Most Gracious Majesty, and also an Address to His Imperial Majesty the Emperor of the French, congratulating Their Majesties upon the success that has attended the arms of our fellow countrymen and their brave allies, both by sea and land, in the war with Russia.

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

The Chairman reported progress, and obtained leave to sit again to-morrow.

8. BALLOT.—Mr. Nicholson moved, pursuant to notice, That in the opinion of this House any new Electoral Act should provide for electors recording their votes by secret ballot.

Debate ensued.

Mr. Chapman moved, That the further debate on this subject be adjourned until to-morrow.

Question—That the further debate on this subject be adjourned until to-morrow—put.

Council divided.

Ayes, 29.

Mr. Goodman,
Mr. Miller,
Mr. Cameron,
Mr. Chapman,
Mr. O'Brien,
Mr. Grant,
Dr. Owens,
Mr. Benson,
Mr. Horne,
Mr. McCulloch,
Mr. Bradshaw,
Mr. Humffray,
Mr. Longden,
Mr. Sargood,
Mr. Greeves,
Mr. Henty,
Mr. Harrison,
Mr. Pyke,
Mr. Myles,
Mr. Wheeler,
Mr. Rae,
Mr. Nicholson,
Mr. Burnley,
Mr. Highett,
Mr. Murphy,
Mr. Mollison,
Mr. Riddell,
Mr. Smith,
Dr. Embling (*Teller*).

Noes, 26.

The Chief Secretary,
The Treasurer,
The Attorney General,
Mr. Hodgson,
Mr. Fawkner,
Mr. O'Shanassy,
The Commissioner of Trade and
Customs,
Mr. Forlonge,
The Surveyor General,
Mr. Campbell,
The Solicitor General,
Mr. Fellows,
Mr. Knight,
Mr. Beaver,
Mr. Griffith,
Mr. Lalor,
Mr. Wills,
Mr. King,
The Acting Chief Commissioner of
Police,
Mr. Snodgrass
Mr. Russell,
The Commissioner of Public Works,
Mr. Pohlman,
Mr. Ross,
Mr. Taylor,
Mr. Hervey (*Teller*).

9. IMPORTATION OF LIVE STOCK.—Mr. Taylor moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause such steps to be taken as may be necessary to procure an annual return of all live stock imported into Victoria from the adjacent Colonies of New South Wales and South Australia.

Motion, by leave, withdrawn.

10. YARRA BEND LUNATIC ASYLUM.—Mr. Mollison moved, pursuant to notice, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to lay on the Table of the Council—

(1.) Copies of the two last reports laid before the Government on the state of the Asylum at Yarra Bend, and the condition of its inmates.

(2.) Also a return showing the names of the official visitors and the number of visits paid by each visitor during the present year 1855.

Question—put and passed.

11. IMPOUNDING STOCK FROM CROWN RESERVES.—Mr. Wills moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council Copies of all correspondence between the Government and the Commissioner of Crown Lands for the County of Grant relative to the impounding of stock from Crown reserves.

Question—put and passed.

12. BALLAARAT OUTBREAK.—Mr. Lalor moved, pursuant to notice, That the Petition from Patrick Curtin and others, presented by him to this Council on the 14th December instant, be printed.

Question—put and passed.

13. MRS. BARROW.—Mr. Smith moved, pursuant to notice, That the Petition from Margaret Louisa Barrow, presented by him to the Council on the 14th December instant, be printed.
Question—put and passed.
14. PUBLIC ROADS.—Mr. Myles moved, pursuant to notice—
(1.) That a Select Committee of this Council be appointed to take into consideration the state of the roads already commenced in this Colony, with a view of ascertaining the existing state of the same, and the probable amount and time required for their completion, with power to take evidence.
(2.) That such Committee consist of the following members:—Mr. Benson, Mr. Pyke, Mr. Lalor, Mr. Cameron, Mr. Mollison, Mr. King, Mr. Snodgrass, Mr. Murphy, Mr. Horne, and the Mover.
Debate ensued.
Motion, by leave, withdrawn.
15. POSTPONEMENT OF NOTICES OF MOTION.—The following motions standing on the Notice Paper of to-day were postponed as under:—
No. 5—by Mr. Campbell—until Friday next;
No. 8—by Mr. Humffray—and
No. 9—by Mr. Wheeler—until Thursday next;
No. 11—by Mr. Murphy, on behalf of Dr. Embling—until to-morrow; and
No. 1—by Mr. Harrison—until Friday next.
16. COMMON LAW PRACTICE BILL.—Mr. Fellows moved that this Bill be now read a second time.
Question—put and passed.—Bill read a second time.
Mr. Fellows then moved, pursuant to amended *contingent* notice, That the Bill be referred to a Select Committee, to consist of the Attorney General, the Solicitor General, Mr. Chapman, Mr. A'Beckett, Mr. Horne, Mr. Grant, Mr. Greeves, Mr. Nicholson, Mr. Mollison, and the Mover, with power to take evidence.
Debate ensued.
Question—put and passed.
17. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Thursday next:—
“*Gold Extraction—To be further considered in Committee.*”
- 18.—PAPERS—The Chief Secretary, by command of His Excellency the Governor, laid upon the Table of the Council,—
Yarra Bend Lunatic Asylum.—Return to Address adopted this day, on the motion of Mr. Mollison.
Ordered to be printed.
Council adjourned at twelve minutes to eight o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 19TH DECEMBER.

ORDERS OF THE DAY:—

(*To take precedence.*)

1. ADDRESS TO THE QUEEN.—To be further considered in Committee.
2. THE BALLOT.—Adjourned Debate.

Government Business:—

ORDERS OF THE DAY:—

1. ELECTIONS REGULATION BILL—Second reading.
2. VICTORIA ELECTORAL BILL—Second reading.

General Business:—

NOTICES OF MOTION:—

1. MR. MILLER: To move, For leave to bring in a Bill to amend an Act, intituled, “*An Act to incorporate the proprietors of a certain Banking Company called the Bank of Victoria,*” and for other purposes therein mentioned.
2. MR. PYKE: To move, That in the opinion of this Council it is imperatively necessary to the due advancement of the Colony, that a sum should be placed on the Estimates sufficiently large to ensure the completion, previous to the coming winter, of such portions of the main lines of roads as are at present dangerous to life and property. And further, that in consideration of the exigency of this subject every facility should be afforded by the Executive for the earliest possible consideration thereof by this Council.

3. MR. KING: To move, That the Council resolve itself into a Committee of the whole for the purpose of presenting an Address to His Excellency the Governor, praying that the sum of £1000 from the proposed vote for Roads and Bridges for the year 1856 be placed at the disposal of the Central Road Board, to be expended during the next three months on the road to Gipps' Land.
4. MR. MILLER: To move, That the Bill to enable the Victoria Fire and Marine Insurance Company to sue and be sued, be referred to a Select Committee, to consist of the Commissioner of Trade and Customs, Mr. Nicholson, Mr. Hodgson, Mr. Benson, and the Mover.
5. MR. HORNE: To move, That an Address be presented to His Excellency the Governor praying that His Excellency will cause the sum of £594 10s., voted during the last Session to defray the expense of re-copying certain memorials in the Supreme Court Registry Office, known as the Sydney Memorials, to be placed at the disposal of the proper officer for that purpose with as little further delay as possible.
6. DR. EMBLING: To move, That the Petitions from certain persons styling themselves "The Committee of the Richmond Political Association," and also from certain inhabitants of the Municipality of East Collingwood, and also from certain inhabitants of the Municipality of East Collingwood and of Richmond, presented by him respectively to this Council on the 14th of December instant, be printed.

THURSDAY, 20TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. ASSESSMENT ON STOCK ACT CONTINUATION BILL—To be further considered in Committee.

General Business :—

1. MR. MOLLISON: To ask the Honorable the Treasurer—
 - (1.) What portion of the sum of £1,682,328 imprested to different Officers of Government, stated in the Report of the Finance Commission (No. 1) to be unadjusted on the 28th August, 1854, remains still unadjusted.
 - (2.) What portion of the sum of £283,745, stated in the same document to be "wholly unaccounted for," remains still unaccounted for.
 - (3.) What portion of the last named sum is it supposed was not *bona fide* expended in the public service.

NOTICES OF MOTION :—

1. MR. HUMFFRAY: To move—
 - (1.) That inasmuch as Gold Mining is the chief source of wealth in the Colony of Victoria at present, it is desirable to facilitate such mining operations in every legitimate way, and carefully preventing, as far as possible, the clashing of the public mining interests with the special interests of any other class or section of the community.
 - (2.) That in order to give practical effect to the above object, To move, That the House resolve itself into a Committee of the whole to take into consideration the propriety of requesting His Excellency the Governor to place a liberal sum upon the Estimates for 1856 for the purpose of making a Mineralogical and Topographical Survey of the principal Gold Fields, which, independently of its great scientific value, would form a guide to the Miner and indicate more clearly to the Government the great auriferous tracts of land in the Colony, and thereby prevent the alienation of such lands to private individuals, to the great injury of the individual Miner.
2. MR. WHEELER: To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to appoint a Commission, to consist of three gentlemen of scientific attainments, with Secretary, for the purpose of inquiring into the different modes of extracting Gold from Auriferous Matrices. The result of such inquiries to be published as a Manual, with the object of diffusing information amongst the Mining Classes.

ORDERS OF THE DAY :—

1. LIQUORS SALE LAWS AMENDMENT BILL—Second reading.
2. GOLD EXTRACTION—To be further considered in Committee.

FRIDAY, 21ST DECEMBER.

NOTICES OF MOTION :—

1. MR. BENSON : To move, That this House resolve itself into a Committee of the whole to take into consideration the propriety of adopting means to obtain efficient and duly authorised persons as Assay Masters or Refiners and Sweepwashers on the various Gold Fields of the Colony, to be under the jurisdiction of the Local Courts.
2. MR. GRANT : To move for leave to introduce a Bill to amend the Law of Libel.
3. MR. CAMPBELL : To move, That it is the opinion of this House that this Colony should prove its sympathy with the great interests of the British Empire in the present war by every means in its power, and that the Crown Lands of the Colony might be made available for the purpose of encouraging the meritorious services of British soldiers, under suitable regulations.
4. MR. HARRISON : To move—
 - (1st.) That it is the opinion of this Council, the portion of the General Revenue which may be available for Public Works should be divided among the various districts of the Colony in proportion to their respective populations.
 - (2nd.) That the portion of the Land Revenue available for Public Works should be expended within the respective districts where the lands from the sale of which the revenue accrued may be situate.

ORDERS OF THE DAY :—

1. EXPENDITURE FOR ROADS AND BRIDGES—To be further considered in Committee.
2. BILLS OF EXCHANGE BILL—Second reading.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 19th December.

MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL—at 10 o'clock.
 AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.
 GOLD FIELDS—LOCAL COURTS—at 11 o'clock.
 KEEFER'S ADMISSION BILL—at 12 o'clock.

Thursday, 20th December.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.
 COMMON LAW PRACTICE BILL—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 15.

WEDNESDAY, 19TH DECEMBER, 1855.

1. Council met pursuant to adjournment.—The Speaker took the chair.
2. PETITIONS.—Mr. Wilkinson presented a Petition from certain inhabitants of Portland Bay, and belonging to the Wesleyan Methodist Church, praying the Council to take the statements as set forth in the Petition into favourable consideration, and to refuse to alter the present law so as to sanction the public sale of liquors on the Sabbath day.
Petition received.
Mr. Miller presented a Petition from certain proprietors of shares in the capital of a certain Banking Company called the Bank of Victoria, praying for leave to bring in a Bill to explain the provisions of an Act incorporating the proprietors of the Bank of Victoria.
Petition received.
Mr. Wilkinson presented a petition from certain inhabitants of Brunswick, Phillipstown, and places adjacent, praying the Council to reject the Bill now in progress proposing the opening of public houses on the Sabbath and the reduction in the amount of the license fee, and that the existing law might remain without alteration.
Petition received.
Mr. Beaver presented a petition from certain inhabitants of Belfast, praying the Council to take the statements as set forth in the petition into favorable consideration, and to refuse to alter the present law so as to sanction the public sale of liquors on the Sabbath.
Petition received.
Mr. Miller presented a petition from certain undersigned owners of property, householders and residents at St. Kilda, near Melbourne, praying the Council to pass the Melbourne and Hobson's Bay Railway Extension Bill during this present session.
Petition received.
3. ADDRESS TO THE QUEEN.—The Order of the Day for the further considering the propriety of presenting an Address to Her Most Gracious Majesty, and also an Address to His Imperial Majesty the Emperor of the French, congratulating their Majesties upon the success that has attended the arms of our fellow countrymen and their brave allies both by sea and land in the war with Russia, having been read—the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof. The Chairman reported to the Council that the Committee had agreed to the following addresses.

To Her Most Gracious Majesty THE QUEEN.

We, Your Majesty's most loyal and dutiful subjects, the Members of the Legislative Council of Victoria, in Council assembled, humbly beg to approach Your Majesty's throne with renewed expressions of our loyalty and affection.

The accounts of the glorious success that has attended the arms of our fellow-countrymen and their brave Allies have lately reached our shores, and we hasten to offer to Your Majesty our sincere congratulations upon the results which have attended the operations of the allied Forces both by land and sea, and, more particularly, upon the destruction of Sevastopol and the entire annihilation of the Enemy's fleet in the Black Sea.

At the same time that we offer to Your Majesty our congratulations upon these successes we deeply sympathise with Your Majesty and the whole British Nation in deploring the immense sacrifice of life by which such successes have been obtained; and we desire enthusiastically to express our admiration at the unsubdued courage and patient endurance which have so nobly characterised our brave fellow-countrymen and allies under the complicated horrors of war, privation and disease.

To His Imperial Majesty THE EMPEROR OF THE FRENCH.

We, the Members of the Legislative Council of Victoria, in Council assembled, humbly beg most respectfully to convey to Your Majesty our sincere congratulations upon the results which have attended the operations of the Allied Forces both by land and sea, in the present war, and more particularly upon the destruction of Sevastopol and the entire annihilation of the Enemy's Fleet in the Black Sea.

At the same time that we offer to Your Majesty our congratulations upon these successes, we deeply sympathize with Your Majesty in deploring the immense sacrifice of life by which such successes have been obtained, and we desire enthusiastically to express our admiration at the unsubdued courage and patient endurance which have so nobly characterized the Allied Forces under the complicated horrors of war, privation and disease.

On the motion of Mr. Fawcner the above Addresses were severally adopted by the Council.

Mr. Fawcner then moved, That an Address be presented to His Excellency the Governor, requesting him to transmit the above Addresses to the Right Honorable the Secretary of State for presentation to Her Majesty the Queen, and for presentation to His Imperial Majesty the Emperor of the French.

Question—put and passed.

4. THE BALLOT.—The adjourned debate upon the motion, That in the opinion of this House any new Electoral Act should provide “for” electors recording their votes by secret ballot—resumed.

Mr. Harrison moved as an amendment, That all the words after the word “for” be omitted, with a view to insert the words, “the protection of electors during the currency of an election, by the adoption of a mode of voting whereby publicity will be prevented until after the close of the poll,” in lieu thereof.

Debate ensued.

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

Question—That in the opinion of this House any new Electoral Act should provide for electors recording their votes by secret ballot—put.

Council divided.

Ayes, 33.

Mr. Hodgson,
Dr. Embling,
Mr. Miller,
Mr. Beaver,
Mr. Grant,
Mr. Cameron,
Mr. Fyfe,
Mr. Horne,
Mr. Humffray,
Dr. Owens,
Mr. Nicholson,
Mr. Sargood,
Mr. Benson,
Mr. Longden,
Mr. Chapman,
Mr. Henty,
Mr. Knight,
Mr. Bradshaw,
Mr. Ross,
Mr. Pyke,
Mr. Lalor,
Mr. Burnley,
Mr. Wheeler,
Mr. Kennedy,
Mr. McCulloch,
Mr. Hervey,
Mr. Murphy,
Mr. Rae,
Mr. Wilkinson,
Mr. Highett,
Mr. Myles,
Mr. Taylor,
Mr. Goodman (*Teller*).

Noes, 25.

The Chief Secretary,
The Commissioner of Trade and
Customs,
Mr. Riddell,
Mr. Campbell,
Mr. Griffith,
Mr. Mollison,
Mr. Pohlman,
Mr. A'Beckett,
Mr. Strachan,
Mr. King,
The Acting Chief Commissioner of
Police,
Mr. Wills,
Mr. O'Brien,
Mr. Forlonge,
Mr. Snodgrass,
The Surveyor General,
Lieut. Col. Anderson,
The Solicitor General,
Mr. Fawcner,
Mr. O'Shanassy,
The Treasurer,
The Attorney General,
Mr. Greeves,
Mr. Smith,
The Commissioner of Public Works
(*Teller*).

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

“*Elections Regulation Bill.—Second reading.*”

“*Victoria Electoral Bill.—Second reading.*”

6. **BANK OF VICTORIA ACT AMENDMENT BILL.**—Mr. Miller moved, pursuant to notice, for leave to bring in a Bill to amend an Act, intituled, “*An Act to incorporate the proprietors of a certain Banking Company called the Bank of Victoria,*” and for other purposes therein mentioned.
Question—put and passed.—Ordered that the Mover and Seconder do prepare and bring in the Bill.
Mr. Miller having produced a certificate that the sum of £25 had been paid into the hands of the Treasurer for the Public Uses of the Colony, presented the Bill, intituled, “*A Bill to amend an Act intituled An Act to incorporate the Proprietors of a certain Banking Company called the Bank of Victoria, and for other purposes therein mentioned,*” and moved that the Bill be now read a first time.
Question put and passed.—Bill read a first time.
7. **VICTORIA FIRE AND MARINE INSURANCE COMPANY'S BILL.**—Mr. Miller moved pursuant to notice, That the Bill to enable the Victoria Fire and Marine Insurance Company to sue and be sued, be referred to a Select Committee, to consist of the Commissioner of Trade and Customs, Mr. Nicholson, Mr. Hodgson, Mr. Benson, and the Mover.
Question—put and passed.
8. **MEMORIALS—SUPREME COURT REGISTRY.**—Mr. Horne moved, pursuant to notice, That an Address be presented to His Excellency the Governor praying that His Excellency will cause the sum of £594 10s., voted during the last Session to defray the expense of re-copying certain memorials in the Supreme Court Registry Office, known as the Sydney Memorials, to be placed at the disposal of the proper officer for that purpose with as little further delay as possible.
Question—put and passed.
9. **POSTPONEMENT OF NOTICES OF MOTION.**—The following motions standing on the Notice Paper of to-day were postponed as under:—
No. 2.—by Mr. Pyke;
No. 3.—by Mr. King—and
No. 6.—by Mr. Hodgson, on behalf of Dr. Embling—until to-morrow.
- Council adjourned at thirteen minutes past seven o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 20TH DECEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. **ASSESSMENT ON STOCK ACT CONTINUATION BILL**—To be further considered in Committee.
2. **ELECTIONS REGULATION BILL**—Second reading.
3. **VICTORIA ELECTORAL BILL**—Second reading.

General Business:—

1. **MR. MOLLISON:** To ask the Honorable the Treasurer—
 - (1.) What portion of the sum of £1,682,328 imprested to different Officers of Government, stated in the Report of the Finance Commission (No. 1) to be unadjusted on the 28th August, 1854, remains still unadjusted.
 - (2.) What portion of the sum of £283,745, stated in the same document to be “wholly unaccounted for,” remains still unaccounted for.
 - (3.) What portion of the last named sum is it supposed was not *bona fide* expended in the public service.

NOTICES OF MOTION:—

1. **MR. HUMFFRAY:** To move—
 - (1.) That inasmuch as Gold Mining is the chief source of wealth in the Colony of Victoria at present, it is desirable to facilitate such mining operations in every legitimate way, and carefully preventing, as far as possible, the clashing of the public mining interests with the special interests of any other class or section of the community.
 - (2.) That in order to give practical effect to the above object, To move, That the House resolve itself into a Committee of the whole to take into consideration the propriety of requesting His Excellency the Governor to place a liberal sum upon the Estimates for 1856 for the purpose of making a Mineralogical and Topographical Survey of the principal Gold Fields, which, independently of its great scientific value, would form a guide to the Miner and indicate more clearly to the Government the great auriferous tracts of land in the Colony, and thereby prevent the alienation of such lands to private individuals, to the great injury of the individual Miner.

2. **MR. WHEELER** : To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to appoint a Commission, to consist of three gentlemen of scientific attainments, with Secretary, for the purpose of inquiring into the different modes of extracting Gold from Auriferous Matrices. The result of such inquiries to be published as a Manual, with the object of diffusing information amongst the Mining Classes.
3. **MR. MILLER** : To move, That the Bank of Victoria Incorporation Act Amendment Bill be referred to a Select Committee, to consist of The Commissioner of Trade and Customs, Mr. Nicholson, Mr. Grant, Mr. Sargood, Mr. O'Shanassy, and the Mover.
4. **MR. MILLER** : To move, That the Petition presented by him to this Council, on the 19th of December instant, from certain inhabitants of St. Kilda, in favor of a Railway to St. Kilda, be referred to the Select Committee of the Council on the Melbourne and Hobson's Bay Railway Extension Bill.
5. **MR. PYKE** : To move, That this House resolve itself into a Committee of the whole for the purpose of considering the following resolution—That in the opinion of this Council it is imperatively necessary to the due advancement of the Colony, that a sum should be placed on the Estimates sufficiently large to ensure the completion, previous to the coming winter, of such portions of the main lines of roads as are at present dangerous to life and property. And further, that in consideration of the exigency of this subject, every facility should be afforded by the Executive for the earliest possible consideration thereof by this Council.
6. **MR. KING** : To move, That the Council resolve itself into a Committee of the whole for the purpose of presenting an Address to His Excellency the Governor, praying that the sum of £1000 from the proposed vote for Roads and Bridges for the year 1856 be placed at the disposal of the Central Road Board, to be expended during the next three months on the road to Gipps' Land.
7. **DR. EMBLING** : To move, That the Petitions from certain persons styling themselves "The Committee of the Richmond Political Association," and also from certain inhabitants of the Municipality of East Collingwood, and also from certain inhabitants of the Municipality of East Collingwood and of Richmond, presented by him respectively to this Council on the 14th of December instant, be printed.

ORDERS OF THE DAY:—

1. LIQUORS SALE LAWS AMENDMENT BILL—Second reading.
2. GOLD EXTRACTION—To be further considered in Committee.

FRIDAY, 21ST DECEMBER.

NOTICES OF MOTION:—

1. **MR. BENSON** : To move, That this House resolve itself into a Committee of the whole to take into consideration the propriety of adopting means to obtain efficient and duly authorised persons as Assay Masters or Refiners and Sweepwashers on the various Gold Fields of the Colony, to be under the jurisdiction of the Local Courts.
2. **MR. GRANT** : To move for leave to introduce a Bill to amend the Law of Libel.
3. **MR. CAMPBELL** : To move, That it is the opinion of this House that this Colony should prove its sympathy with the great interests of the British Empire in the present war by every means in its power, and that the Crown Lands of the Colony might be made available for the purpose of encouraging the meritorious services of British soldiers, under suitable regulations.
4. **MR. HARRISON** : To move—
 - (1st.) That it is the opinion of this Council, the portion of the General Revenue which may be available for Public Works should be divided among the various districts of the Colony in proportion to their respective populations.
 - (2nd.) That the portion of the Land Revenue available for Public Works should be expended within the respective districts where the lands from the sale of which the revenue accrued may be situate.
5. **MR. GREEVES** : To move, That an Address be presented to His Excellency the Governor praying that His Excellency will take steps for the immediate construction of the New Houses for the accommodation of both Chambers of the Legislature.

ORDERS OF THE DAY:—

1. EXPENDITURE FOR ROADS AND BRIDGES—To be further considered in Committee.
2. BILLS OF EXCHANGE BILL—Second reading.

MEETINGS
OF
SELECT COMMITTEES.

Thursday, 20th December.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.
COMMON LAW PRACTICE BILL—at 11 o'clock.

Friday, 21st December.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.
VICTORIA FIRE AND MARINE INSURANCE COMPANY BILL—at 11 o'clock.

Wednesday, 9th January, 1856.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 16.

THURSDAY, 20TH DECEMBER, 1855.

- 1. Council met pursuant to adjournment.—The Speaker took the chair.
- 2. SUSPENSION OF STANDING ORDER.—Mr. Snodgrass moved, That Standing Order, No. 18, be suspended.
Debate ensued.
Question—put and negatived.
- 3. PETITIONS.—Dr. Embling presented a Petition from certain inhabitants of Fitz Roy Ward, Melbourne, praying the Council to take the statements as set forth in the Petition into consideration, and to refuse to alter the present law so as to sanction the public sale of liquors on the Sabbath Day.

Petition received.

Mr. Greeves presented a Petition from certain spirit merchants, trading in the City of Melbourne and its vicinity, praying the Council to take the License Fee into consideration, with the view of abolishing this unjust restriction on one particular branch of trade.

Petition received.

The following Petitions were presented as under, praying the Council to refuse to alter the present law so as to sanction the public sale of liquors on the Sabbath Day.

By Mr. Pohlman—

From R. W. Pohlman, styling himself Chairman of certain of the inhabitants of Melbourne, adopted by a public meeting held in the Wesleyan Church, Collins-street.

From certain inhabitants of the Township of Leigh and its vicinity belonging to the Presbyterian Church.

Petitions severally received.

Mr. Greeves presented a Petition from certain inhabitants of Williamstown, praying that the Liquors Sale Laws Bill might be passed into law.

Petition received.

Mr. Greeves presented a Petition from certain inhabitants of the City of Melbourne and suburbs, praying the Council to pass the Liquors Sale Laws Bill in partial relief of the grievance under which they complain.

Petition received.

The Attorney General presented a Petition from certain inhabitants of Williamstown, praying the Council to refuse its sanction to the proposed amendment of the Publicans' Act.

Petition received.

The following Petitions were presented as under, praying the Council to refuse to alter the present law so as to sanction the public sale of liquors on the Sabbath Day :—

By the Attorney General—

From the inhabitants of Melbourne belonging to the Free Presbyterian Church of Victoria.

From the inhabitants of Geelong belonging to the Church and Congregation of the Independent, or Congregational Order worshipping in Ashby, Geelong.

From the inhabitants Newtown, Geelong, and belonging to the United Church of England and Ireland.

From the inhabitants of Geelong, and belonging to the Congregation of Christ Church, (of the United Church of England and Ireland.)

From the inhabitants of St. Paul, Geelong, and members of the United Church of England and Ireland.

From certain inhabitants of Geelong.

From certain inhabitants of Geelong, county of Grant.

From W. T. McKellar, styling himself Chairman of a public meeting of inhabitants favorable to the observance of the Sabbath, held in St. Paul's School, Ashby.

From J. Guthrie, styling himself Chairman of a public meeting of the members and friends of the Geelong Sabbath Observance Society, held in the Free Church School, Geelong.

From Alexander Thomson, Mayor of Geelong, styling himself Chairman of a public meeting of the inhabitants favorable to the observance of the Sabbath, held in the Wesleyan Church, Chilwell.

From certain Members of the Church of England residing on the Barrabool Hills.

From certain inhabitants of Geelong belonging to the Free Presbyterian Church.

From certain inhabitants of Geelong, and belonging to the McKillop-street Independent Chapel.

From certain Residents at the Barrabool Hills, near Geelong, and belonging to the Church of England.

By Mr. Sargood—

From certain inhabitants of Collingwood, worshipping in the Wesleyan Chapel, Brunswick-street.

From certain inhabitants of Melbourne, being members and adherents of the United Presbyterian Congregation, Collins-street.

By Mr. Kennedy—From certain inhabitants of Broadmeadows and its vicinity.

By Mr. McCulloch—

From certain inhabitants of St. Kilda, and belonging to the Free Presbyterian Church.

From certain inhabitants of the city and neighbourhood of Melbourne, and belonging to the Congregation of the Free Presbyterian Church of St. Andrews, Melbourne.

By Dr. Embling—

From certain members and adherents of the United Presbyterian Church, Napier-street, Collingwood.

By Mr. Henty—

From certain inhabitants of Richmond belonging to the Wesleyan Methodist Church.

By Mr. Sargood—

From certain inhabitants of St. Kilda belonging to the Wesleyan Methodist Church.

From certain inhabitants of Northcote.

From certain inhabitants of Pentridge, and belonging to the Wesleyan Methodist Church.

From certain inhabitants of East Collingwood, worshipping in the Wesleyan Schoolhouse, Charles-street.

From certain inhabitants of Melbourne belonging to the Collins-street Wesleyan Methodist Church.

From certain inhabitants of Prahran, and belonging to the Wesleyan Methodist Church.

From certain inhabitants of Collingwood, worshipping in the Wesleyan Chapel, Rose-street.

By the Attorney General—

From certain inhabitants of the City of Melbourne belonging to the Congregation of St. Paul's Church.

From the inhabitants of North Melbourne belonging to the Presbyterian Church.

From certain inhabitants of North Melbourne belonging to the Church of England.

From certain inhabitants of Emerald Hill.

From certain inhabitants of the Parish of St. James, Melbourne, and others belonging to Congregation of the Cathedral Church.

From certain members and adherents of John Knox's Presbyterian Church, in Swanston-street, Melbourne.

From certain inhabitants of Kilmore, of the United Church of England and Ireland.

From certain inhabitants of Ballarat belonging to the Free Presbyterian Church.

From certain inhabitants of Brighton and its neighbourhood belonging to the Church of England.

From certain inhabitants of Ashby, Geelong, the members and friends of the Wesleyan Association Church.

From certain inhabitants of Kildare, Geelong, the members and friends of the Wesleyan Association Church.

By Mr. Wills—

From certain inhabitants of East Geelong, Point Henry, and Kensington, in the Parish of Moolap, and belonging to the Church of England.

Petitions severally received.

4. PAPERS.—The Chief Secretary, by command of His Excellency the Governor, laid upon the Table of the Council the following Papers, viz. :—

Births, Deaths, and Marriages in the Colony of Victoria—Second Annual Report of the Registrar General.

Ordered to be printed.

Penal Establishments—Annual Report of the Inspector General of Penal Establishments for the year ending the 30th September, 1855.

Ordered to be printed.

Governor's Commission and Instructions.—Return to Address adopted on the motion of Mr. Greeves, 12th December instant.

Ordered to be printed.

Gold Fields Laws—Petition from Local Court at Avoca to His Excellency the Governor, suggesting Amendments in the Gold Fields Laws.

Ordered to be printed.

The Surveyor General, by command of His Excellency the Governor, laid upon the Table of the Council the following Paper, viz. :—

Grants of Land to Railway Companies.—Return to Address adopted on the motion of Mr. Lalor, 14th December instant.

Ordered to be printed.

5. PETITION.—Mr. Griffith presented a Petition from certain tenants of the Waste Lands of the Crown, in the Colony of Victoria, praying the Council to give all the circumstances set forth in the Petition that earnest and impartial consideration which the urgency of the case imperatively calls for, and that early next session a measure may be initiated having for its object the final settlement of the question referred to in the Petition, based upon the equity of the case embraced in the suggestions embodied in the Petition.

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

“ *Assessment on Stock Act Continuation Bill—To be further considered in Committee.*”

“ *Elections Regulation Bill—Second reading.*”

“ *Victoria Electoral Bill—Second reading.*”

7. GOLD.—Mr. Humffray moved, pursuant to amended notice, That this Council resolve itself into a Committee of the whole for the purpose of considering the propriety of presenting an Address to His Excellency the Governor, praying that His Excellency will be pleased to place a liberal sum on the Estimates for 1856, for the following purposes :—

(1.) The employing of gentlemen of the necessary practical scientific attainments to make a mineralogical and topographical survey, more particularly of the lands in and about the Gold Fields of the Colony.

(2.) To ascertain, by offering premiums or by experiment, the best mode of extracting the gold from its matrices, the most efficient machinery for washing gold from the alluvial deposits, and also to make suggestions as to the most profitable way of working the auriferous lands, and to advise generally.

(3.) That a report of such investigations be published monthly in the public journals, with the object of diffusing information amongst the mining community.

That in order that the above objects may be properly and promptly carried out, a Select Committee be appointed to take evidence and prepare a scheme of operations.

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

The Chairman having reported that the Committee considered it expedient that a Select Committee be appointed to consider upon and recommend the best mode of developing the mineral wealth of the Colony—by making a mineralogical and topographical survey, more particularly of the lands in and about the Gold Fields of the Colony—by ascertaining the best mode of extracting gold from its matrices—the most efficient machinery for washing gold from the alluvial deposits; and also to make suggestions as to the most profitable way of working the auriferous lands, and to advise generally—the Council adopted such Report.

Mr. Humffray then moved, That a Select Committee of this Council be appointed to carry into effect the above resolutions—such Committee to consist of the Surveyor General, Mr. Wills, Mr. Wheeler, Mr. Pyke, Mr. Benson, Mr. Lalor, Mr. O'Shanassy, Mr. Cameron, Dr. Owens, and the Mover.

Question—put and passed.

8. ADDRESSES.—The Speaker announced to the Council that he had, pursuant to the resolutions of this Council, presented to His Excellency the Governor the following Addresses, viz. :—

Sale of Crown Lands, Ovens District.—Adopted on the 11th December, on the motion of Mr. Cameron;

and that His Excellency had, in reply to such Address, been pleased to state that he would comply with the request of the Council.

The Governor's Commission and Instructions.—Adopted on the 12th December, on the motion of Mr. Greeves;

and that His Excellency had, in reply to such Address, been pleased to state that he would cause copies of these documents to be laid upon the Table of the House.

9. PAPER.—The Treasurer, by command of His Excellency the Governor, laid upon the Table of the Council the following Paper :—

Sale of Crown Lands, Ovens District—Return to Address, adopted on the motion of Mr. Cameron, 11th December, 1855.

Ordered to be printed.

10. **BANK OF VICTORIA ACT AMENDMENT BILL.**—Mr. Miller moved, pursuant to notice, That the Bank of Victoria Incorporation Act Amendment Bill be referred to a Select Committee, to consist of the Commissioner of Trade and Customs, Mr. Nicholson, Mr. Grant, Mr. Sargood, Mr. O'Shanassy, and the Mover.
Question—put and passed.
11. **MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL.**—Mr. Miller moved, pursuant to notice, That the Petition presented by him to this Council, on the 19th of December instant, from certain inhabitants of St. Kilda, in favor of a Railway to St. Kilda, be referred to the Select Committee of the Council on the Melbourne and Hobson's Bay Railway Extension Bill.
Question—put and passed.
12. **POSTPONEMENT OF NOTICE OF MOTION.**—Mr. Pyke postponed the motion standing in his name, No. 5 on the Notice Paper for to-day, until to-morrow.
13. **ROAD TO GIPPS' LAND.**—Mr. King moved, pursuant to notice, That the Council resolve itself into a Committee of the whole, for the purpose of presenting an Address to His Excellency the Governor, praying that the sum of £1000 from the proposed vote for Roads and Bridges for the year 1856 be placed at the disposal of the Central Road Board, to be expended during the next three months on the road to Gipps' Land.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Speaker resumed the Chair.
14. **LIQUORS SALE LAWS AMENDMENT BILL.**—The Order of the Day for the second reading of this Bill having been read—Mr. Greeves moved, That the consideration of this Order of the Day be postponed until "to-morrow."
Mr. Fawkner moved, as an amendment, That the word "to-morrow" be omitted, and the words "this day six months" inserted in lieu thereof.
Question—That the word proposed to be omitted stand part of the question—put and negatived.
Question—That the words proposed to be inserted in the place of the word omitted be so inserted—put.
Council divided.

Ayes, 17.

Mr. Wilkinson,
Mr. Grant,
Dr. Owens,
Mr. Fawkner,
Mr. Strachan,
Mr. Sargood,
Mr. Nicholson,
Mr. Miller,
Mr. Knight,
Mr. Pohlman,
Mr. Kennedy,
Mr. Riddell,
Mr. A'Beckett,
Mr. Campbell,
Mr. McCulloch,
Mr. Henty,
Dr. Embling (*Teller*).

Noes, 32.

Lieut. Col. Anderson,
Mr. Longden,
Mr. Snodgrass,
Mr. King,
Mr. Wills,
Mr. Myles,
Mr. Wheeler,
Mr. Pyke,
Mr. Forlonge,
Mr. Rae,
Mr. Fyfe,
Mr. Lalor,
Mr. Burnley,
The Surveyor General,
The Commissioner of Public Works,
The Chief Secretary,
Mr. Cameron,
Mr. Hodgson,
Mr. Humffray,
Mr. O'Brien,
Mr. Benson,
Mr. O'Shanassy,
Mr. Mollison,
Mr. Goodman,
Mr. Fellows,
Mr. Horne,
Mr. Chapman,
The Attorney General,
The Treasurer,
Mr. Greeves,
Mr. Murphy,
The Commissioner of Trade and Customs (*Teller*).

Mr. Greeves was proceeding to move, That this Bill be now read a second time—
When the Chief Secretary moved, That this House do now adjourn.
Question—That this House do now adjourn—put and passed.
Council adjourned accordingly at seven minutes to five o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 21ST DECEMBER.

- MR. FYFE: To ask the Honorable the Chief Secretary if it is the intention of the Government to erect the Barwon Bridge this summer, and if the building that is now in course of erection at the Barwon is actually intended to be used as a storehouse for the iron material now lying there for the bridge.

NOTICES OF MOTION:—

1. MR. BENSON: To move, That this House resolve itself into a Committee of the whole to take into consideration the propriety of adopting means to obtain efficient and duly authorised persons as Assay Masters or Refiners and Sweepwashers on the various Gold Fields of the Colony, to be under the jurisdiction of the Local Courts.
2. MR. GRANT: To move for leave to introduce a Bill to amend the Law of Libel.
3. MR. CAMPBELL: To move, That it is the opinion of this House that this Colony should prove its sympathy with the great interests of the British Empire in the present war by every means in its power, and that the Crown Lands of the Colony might be made available for the purpose of encouraging the meritorious services of British soldiers, under suitable regulations.
4. MR. HARRISON: To move—
 - (1st.) That it is the opinion of this Council, the portion of the General Revenue which may be available for Public Works should be divided among the various districts of the Colony in proportion to their respective populations.
 - (2nd.) That the portion of the Land Revenue available for Public Works should be expended within the respective districts where the lands from the sale of which the revenue accrued may be situate.
5. MR. GREEVES: To move, That an Address be presented to His Excellency the Governor praying that His Excellency will take steps for the immediate construction of the New Houses for the accommodation of both Chambers of the Legislature.
6. THE CHIEF SECRETARY: To move, That this House at its rising this day do adjourn until three o'clock on Tuesday, the 8th of January next.
7. THE CHIEF SECRETARY: To move, That the Petition from the Local Court of the District of the Avoca, presented to His Excellency the Governor, and laid upon the Table of the Council by the command of His Excellency, be referred to the Select Committee now sitting upon the subject of the Local Courts at the Gold Fields.
8. MR. GRIFFITH: To move, That the Petition presented by him on the 20th December instant, from certain tenants of the Waste Lands of the Crown, be printed and referred to the Committee of the whole Council on the Assessment on Stock Act Continuation Bill.
9. MR. FYFE: To move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House copies of all correspondence and tenders connected with the Public Works at Geelong now in course of erection, viz., the Custom House, the Supreme Court House and the Post Office.
10. THE ATTORNEY GENERAL: To move, That the Proclamation of His Excellency the Governor, bearing date the 2nd day of August, 1855, intimating that the Royal Assent had been given to the Act of Council to alter the sum appropriated to the payment of the Salary of the Governor of Victoria, be entered upon the Journals of this Council, and that the Clerk of the Council be directed to deliver a duplicate of such entry, duly attested, to the Registrar of the Supreme Court of Victoria.
11. THE ATTORNEY GENERAL: To move, That the Proclamation of His Excellency the Governor, bearing date the 10th day of October, intimating that the Royal Assent had been given to the Act of Council for the Execution of Criminals, be entered on the Journals of the House, and that the Clerk be directed to deliver a duplicate of such entry, duly attested, to the Registrar of the Supreme Court of Victoria.
12. THE ATTORNEY GENERAL: To move, That the Proclamation of His Excellency the Governor, bearing date the 23rd day of November, intimating that the Royal Assent had been given to the Act of Council to establish a Constitution in and for the Colony of Victoria, be entered upon the Journals of this Council, and that the Clerk of the Council be directed to deliver a duplicate of such entry, duly attested, to the Registrar of the Supreme Court of Victoria.

13. MR. PYKE: To move, That this House resolve itself into a Committee of the whole for the purpose of considering the following resolution—That in the opinion of this Council it is imperatively necessary to the due advancement of the Colony, that a sum should be placed on the Estimates sufficiently large to ensure the completion, previous to the coming winter, of such portions of the main lines of roads as are at present dangerous to life and property. And further, that in consideration of the exigency of this subject, every facility should be afforded by the Executive for the earliest possible consideration thereof by this Council.

ORDERS OF THE DAY:—

1. EXPENDITURE FOR ROADS AND BRIDGES—To be further considered in Committee.
2. BILLS OF EXCHANGE BILL—Second reading.
3. ASSESSMENT ON STOCK ACT CONTINUATION BILL—To be further considered in Committee.
4. ELECTIONS REGULATION BILL—Second reading.
5. VICTORIA ELECTORAL BILL—Second reading.

MEETINGS

OF

SELECT COMMITTEES.

Friday, 21st December.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.
 VICTORIA FIRE AND MARINE INSURANCE COMPANY BILL—at 11 o'clock.
 COMMON LAW PRACTICE BILL—at 11 o'clock.

Wednesday, 9th January, 1856.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

J. F. PALMER,

Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 17.

FRIDAY, 21ST DECEMBER, 1855.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITIONS.—Mr. O'Shanassy presented a Petition from John Rutherford and James Tingman, recently carrying on the business of wine merchants, praying the Council to cause an inquiry into the circumstances connected with certain losses mentioned in the Petition sustained by the Petitioners, and to afford them such redress as to the Council should seem meet.
Petition received.
Mr. Rae presented a Petition from Farquhar McDonald, carpenter and contractor in the City of Melbourne, praying the Council to appoint a Special Committee to inquire into the case of the Petitioner, and report upon its merits, and thereupon make such recommendation and further order as to the Council should seem meet and the circumstances of the case require.
Petition received.
Mr. O'Shanassy presented a Petition from Lush and Company, of 51, Great Collins-street east, Melbourne, tailors and woollen drapers, praying the Council would direct inquiry to be made into the alleged breach of contract set forth in the Petition, and that justice might be awarded.
Petition received.
Mr. Miller presented a Petition from John Carson, William Frederick Augustus Rucker and others, shareholders in a certain proposed Company known as the "Collingwood Bridge Company," praying for leave for a Bill to be brought in during the present Session to incorporate a certain Joint Stock Company, to be called "The Collingwood Bridge Company," and for other purposes therein mentioned.
Petition received.
3. VICTORIA FIRE AND MARINE INSURANCE COMPANY'S BILL.—Mr. Miller, as Chairman of the Select Committee to which this Bill was referred, brought up the Report from the Committee, and moved that it be received.
Question—put and passed.
4. PETITIONS.—Mr. Beaver presented a Petition from certain inhabitants belonging to the Wesleyan Church, North Melbourne, praying the Council to preserve unaltered the present law which prohibits the opening of licensed houses for the sale of intoxicating drinks on the Sabbath Day.
Petition received.
The following Petitions were presented, as under, praying the Council to refuse to alter the present laws so as to sanction the public sale of liquors on the Sabbath Day :—
By Mr. Miller—From Thomas Dickson, styling himself Chairman of a number of the Inhabitants of Prahran, in public meeting assembled.
By Mr. Smith—From certain inhabitants of Melbourne and belonging to St. John's Church.
5. KEEFER'S ADMISSION BILL.—Mr. O'Shanassy, as Chairman of the Select Committee to which this Bill was referred, brought up the Report from the Committee, and moved that it be received.
Question—put and passed.
6. PETITION.—Mr. Mollison presented a Petition from certain inhabitants of Kilmore and its vicinity, Members of the Primitive Methodist Connexion, praying the Council to refuse to alter the present law so as to sanction the public sale of liquors on the Sabbath Day.
Petition received.
7. PAPERS.—The Treasurer, by command of His Excellency the Governor, laid upon the Table of the Council the following Papers, viz. :—
Public Worship—Expenditure for Buildings and Ministers of Religion for the year 1854, under the provisions of 16 Victoria, No. 28.
Ordered to be printed.
Revenue and Expenditure—Appropriations under Schedule B., Part 2, to the Act 13 and 14 Victoria, cap. 59, during the year 1854.
Ordered to be printed.

8. **ASSAY MASTERS.**—Mr. Benson moved, pursuant to notice, That this House resolve itself into a Committee of the whole to take into consideration the propriety of adopting means to obtain efficient and duly authorised persons as Assay Masters or Refiners and Sweepwashers on the various Gold Fields of the Colony, to be under the jurisdiction of the Local Courts.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported, That in the opinion of the Committee the consideration of the propriety of adopting means to obtain efficient and duly authorized persons as Assay Masters or Refiners and Sweepwashers on the various Gold Fields of the Colony to be under the jurisdiction of the Local Courts be referred to the Select Committee of this Council on the subject of Gold—the Council adopted such report.
9. **POSTPONEMENT OF NOTICES OF MOTION.**—The following motions standing on the Notice Paper of to-day were postponed as under :
No. 2. By Mr. Grant, until the next sitting day.
No. 3. By Mr. Murphy, on behalf of Mr. Campbell, until Friday, 11th January next.
No. 4. By Mr. Harrison, until the next sitting day.
10. **HOUSES OF PARLIAMENT.**—Mr. Greeves moved, pursuant to notice, That an Address be presented to His Excellency the Governor praying that His Excellency will take steps for the immediate construction of the New Houses for the accommodation of both Chambers of the Legislature.
Question—put and passed.
11. **ADJOURNMENT OF THE COUNCIL.**—The Chief Secretary moved, pursuant to notice, That this House at its rising this day do adjourn until three o'clock on Tuesday, the 8th of January next.
Question—put and passed.
12. **COMMON LAW PRACTICE BILL.**—On the motion of Mr. Chapman, leave was given to the Select Committee to which this Bill was referred to meet during the adjournment of the Council.
13. **PAPER.**—The Treasurer, by command of His Excellency the Governor, laid upon the Council Table the undermentioned Paper, viz. :—
Estimates for 1856.
Ordered to be printed.
14. **LOCAL COURT, AVOCA DISTRICT.**—The Chief Secretary moved, pursuant to notice, That the Petition from the Local Court of the District of the Avoca, presented to His Excellency the Governor, and laid upon the Table of the Council by the command of His Excellency, be referred to the Select Committee now sitting upon the subject of the Local Courts at the Gold Fields.
Question—put and passed.
15. **ASSESSMENT ON STOCK.**—Mr. Griffith moved, pursuant to notice, That the Petition presented by him on the 20th December instant, from certain tenants of the Waste Lands of the Crown, be printed and referred to the Committee of the whole Council on the Assessment on Stock Act Continuation Bill.
Question—put and passed.
16. **PUBLIC WORKS, GEELONG.**—Mr. Fyfe moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House copies of all correspondence and tenders connected with the Public Works at Geelong now in course of erection, viz., the Custom House, the Supreme Court House, and the Post Office.
Question—put and passed.
17. **GOVERNOR'S SALARY INCREASE ACT.**—The Attorney General moved, pursuant to notice, That the Proclamation of His Excellency the Governor, bearing date the 2nd day of August, 1855, intimating that the Royal Assent had been given to the Act of Council to alter the sum appropriated to the payment of the Salary of the Governor of Victoria, be entered upon the Journals of this Council, and that the Clerk of the Council be directed to deliver a duplicate of such entry, duly attested, to the Registrar of the Supreme Court of Victoria.
Question—put and passed.
And such entry is made accordingly as follows :—

PROCLAMATION

By His Excellency Sir Charles Hotham, Knight Commander of the Most Honorable Military 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 Legislative Council of the Colony of Victoria did, in the month of October, One thousand eight hundred and fifty-four, pass a Bill, intituled, "*An Act to alter the sum appropriated to the payment of the Salary of the Governor of Victoria,*" which Bill was reserved for the signification of Her Majesty's pleasure thereon, agreeably to the provisions of an Act of Parliament passed in the thirteenth and fourteenth year of the same Reign, intituled, "*An Act for the better Government of Her Majesty's Australian Colonies;*" And whereas by another Act of Parliament, passed in the fifth and sixth year of the same Reign, intituled, "*An Act for the Government of New South Wales and Van Diemen's Land*" it was amongst other things enacted, that no Bill which

should be so reserved for the signification of Her Majesty's pleasure thereon should have any force or authority until the Governor should signify either by Speech or Message to the Legislative Council, or by Proclamation, that such Bill had been laid before Her Majesty in Council, and that Her Majesty had been pleased to assent to the same; Now I, the Governor of the said Colony of Victoria, do by this my Proclamation, signify and declare that the Right Honorable Lord John Russell, one of Her Majesty's Principal Secretaries of State, has transmitted to me an Order, made by Her Majesty in Council on the first day of May now last past, declaring Her Majesty's assent to the said Bill so reserved as aforesaid.

Given under my Hand and the Seal of the Colony, at Melbourne, this second day of August, in the year of Our Lord One thousand eight hundred and fifty-five, and in the nineteenth year of Her Majesty's Reign.

(L. S.)

CHAS. HOTHAM.
By His Excellency's Command,
WILLIAM C. HAINES.

GOD SAVE THE QUEEN !

18. EXECUTION OF CRIMINALS ACT.—The Attorney General moved, pursuant to notice, That the Proclamation of His Excellency the Governor, bearing date the 10th day of October, 1855, intimating that the Royal Assent had been given to the Act of Council for the Execution of Criminals, be entered on the Journals of the House, and that the Clerk be directed to deliver a duplicate of such entry, duly attested, to the Registrar of the Supreme Court of Victoria.

Question—put and passed.

And such entry is made accordingly, as follows:—

PROCLAMATION

By His Excellency Sir Charles Hotham, Knight Commander of the Most Honorable Military 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 Legislative Council of the Colony of Victoria did, on the twenty-third day of the month of November, One thousand eight hundred and fifty-four, pass a Bill, intituled, "*An Act to regulate the Execution of Criminals,*" which Bill was reserved for the signification of Her Majesty's pleasure thereon, agreeably to the provisions of an Act of Parliament passed in the thirteenth and fourteenth year of Her Majesty's Reign, intituled, "*An Act for the better Government of Her Majesty's Australian Colonies;*" And whereas by another Act of Parliament passed in the fifth and sixth year of the same Reign, intituled, "*An Act for the Government of New South Wales and Van Diemen's Land,*" it was amongst other things enacted, that no Bill which should be so reserved for the signification of Her Majesty's pleasure thereon should have any force or authority until the Governor should signify either by Speech or Message to the Legislative Council, or by Proclamation, that such Bill had been laid before Her Majesty in Council, and that Her Majesty had been pleased to assent to the same: Now I, the Governor of the said Colony of Victoria, do by this my Proclamation signify and declare that the Right Honorable Lord John Russell, one of Her Majesty's Principal Secretaries of State, has transmitted to me the following Order, made by Her Majesty in Council, on the sixth day of June in the present year, declaring Her Majesty's assent to the said Bill so reserved as aforesaid.

Given under my Hand and Seal of the Colony, at Melbourne, this ninth day of October, in the year of Our Lord One thousand eight hundred and fifty-five, and in the nineteenth year of Her Majesty's Reign.

(L.S.)

CHAS. HOTHAM.
By His Excellency's Command,
WILLIAM C. HAINES.

GOD SAVE THE QUEEN !

19. CONSTITUTION ACT.—The Attorney General moved, pursuant to notice, that the Proclamation of His Excellency the Governor, bearing date the 23rd day of November, 1855, intimating that the Royal Assent had been given to the Act of Council to establish a Constitution in and for the Colony of Victoria, be entered upon the Journals of this Council, and that the Clerk of the Council be directed to deliver a duplicate of such entry, duly attested, to the Registrar of the Supreme Court of Victoria.

Question—put and passed.

And such entry is made accordingly, as follows:—

PROCLAMATION

By His Excellency Sir Charles Hotham, Knight Commander of the Most Honorable Military 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 a Bill passed by the Legislative Council of Victoria in the seventeenth year of the Reign of Her present Majesty Queen Victoria, intituled, "*An Act to establish a Constitution in and for the Colony of Victoria,*" was reserved for the signification of Her

Majesty's pleasure thereon; And whereas by an Act of the Imperial Parliament of Great Britain and Ireland, passed in the nineteenth year of the Reign of Her present Majesty, 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 was amongst other things enacted, that the said Act should be proclaimed in Victoria by the Governor thereof within one month after a copy thereof should have been received by such Governor, and the said Act, and the said reserved Bill, amended by the omission of certain provisions thereof (such Bill being first assented to by Her Majesty in Council), should take effect in the said Colony from the day of such Proclamation; And whereas the said reserved Bill, as amended, is set forth in the schedule to the said Act, number I.; And whereas the Queen's Most Excellent Majesty was pleased, on the twenty-first day of July last, to make the Order in Council appended hereto, declaring Her Majesty's assent to the said reserved Bill as amended as aforesaid: And whereas I, Sir Charles Hotham, Captain-General and Governor-in-Chief of the said Colony of Victoria, did at ten of the clock post meridian on the twenty-third day of October, in the present year, receive from Her Majesty's Principal Secretary of State for the Colonies a copy of the said Act of Parliament and the Order in Council appended hereto, declaring Her Majesty's assent to the said reserved Bill so amended as aforesaid; Now therefore I, Sir Charles Hotham, Captain-General and Governor-in-Chief of the said Colony of Victoria, do by this my Proclamation proclaim the said Act of Parliament, and the said reserved Bill, so assented to as aforesaid, and do hereby notify and declare the said Act of Parliament, and the said Bill so assented to, to be proclaimed accordingly.

Given under my Hand and the Seal of the Colony, at Melbourne, this twenty-third day of November, in the year of Our Lord One thousand eight hundred and fifty-five, and in the nineteenth year of Her Majesty's Reign.

(L.S.)

CHAS. HOTHAM.

By His Excellency's Command,
WILLIAM C. HAINES.

GOD SAVE THE QUEEN!

20. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Council ordered the consideration of the following Orders of the Day to be postponed until Tuesday, the 8th day of January next:—

"*Expenditure for Roads and Bridges—To be further considered in Committee.*"

"*Assessment on Stock Act Continuation Bill—To be further considered in Committee.*"

"*Elections Regulation Bill—Second Reading.*"

"*Victoria Electoral Bill—Second Reading.*"

21. **BILLS OF EXCHANGE BILL.**—Mr. Grant moved that this Bill be "*now*" read a second "*time*." Mr. Fawcner moved as an amendment, that the word "*now*," be omitted, and that the words "*on the 8th day of January next*" be added after the word "*time*."

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

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

Bill read a second time.

On the motion of Mr. Grant the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The Chairman reported progress and obtained leave to sit again on Friday, the 11th day of January next.

22. **PETITIONS.**—The following Petitions were presented by the Attorney General, praying the Council to refuse to alter the present law to sanction the public sale of liquors on the Sabbath Day:—

From certain inhabitants of Geelong belonging to the Wesleyan Church.

From certain inhabitants of Bacchus Marsh belonging to the United Presbyterian Church.

From certain inhabitants of Melbourne and its vicinity belonging to the Albert-street Baptist Church.

From certain inhabitants of Gisborne belonging to the congregation of the United Presbyterian Church.

From certain inhabitants of Kensington,
Devonchurch, Barrabool Hills,
Kildare,
Hamstead,
Tuckfield,
Newtown,
German Town,
Gawne,
South Geelong,
Chilwell,

} Belonging to the Wesleyan Church.

Council adjourned at eighteen minutes past four o'clock until three o'clock on Tuesday, 8th January, 1856.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 8TH JANUARY, 1856.

NOTICES OF MOTION :—

1. MR. HODGSON: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £500 as a grant in aid of the Philosophical Institute of Victoria.
2. MR. GRANT: To move for leave to introduce a Bill to amend the Law of Libel.
3. MR. HARRISON: To move—
 - (1st.) That it is the opinion of this Council, the portion of the General Revenue which may be available for Public Works should be divided among the various districts of the Colony in proportion to their respective populations.
 - (2nd.) That the portion of the Land Revenue available for Public Works should be expended within the respective districts where the lands from the sale of which the revenue accrued may be situate.

ORDERS OF THE DAY :—

1. EXPENDITURE FOR ROADS AND BRIDGES—To be further considered in Committee.
2. ASSESSMENT ON STOCK ACT CONTINUATION BILL—To be further considered in Committee.
3. ELECTIONS REGULATION BILL—Second reading.
4. VICTORIA ELECTORAL BILL—Second reading.

FRIDAY, 11TH JANUARY.

NOTICES OF MOTION :—

1. MR. WILLS: To move, That a Select Committee be appointed to enquire into and ascertain the best method of collecting information as to the number and description of live stock imported into Victoria from New South Wales and South Australia, such Committee to consist of the Attorney General, Mr. Taylor, Mr. O'Shanassy, Mr. Knight, Mr. Greeves, Mr. Mollison and the Mover.
2. MR. CAMPBELL: To move, That it is the opinion of this House that this Colony should prove its sympathy with the great interests of the British Empire in the present war by every means in its power, and that the Crown Lands of the Colony might be made available for the purpose of encouraging the meritorious services of British soldiers, under suitable regulations.

ORDER OF THE DAY :—

1. BILLS OF EXCHANGE BILL—To be further considered in Committee.

MEETINGS

OF

SELECT COMMITTEES.

Saturday, 22nd December.

COMMON LAW PRACTICE BILL—at 11 o'clock.

Wednesday, 9th January, 1856.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

Thursday, 10th January.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 18.

TUESDAY, 8TH JANUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. MESSAGE FROM HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT.—
The following Message from His Excellency the Officer administering the Government received and read:—
DEATH OF HIS EXCELLENCY SIR CHARLES HOTHAM, K.C.B.
EDWARD MACARTHUR, *Message No. 9.*
Major-General.
The Officer administering the Government has the painful duty of communicating to the Legislative Council the melancholy intelligence of the death of Governor Sir Charles Hotham, K.C.B., which took place at his residence on the 31st December, 1855.
Major-General Macarthur further announces to the Council, that in pursuance of the provisions contained in the Commission of the late Governor, he, as Senior Military Officer in command of Her Majesty's Land Forces in this Colony, has assumed the Government of Victoria until Her Majesty's pleasure shall be signified therein.
*Government Offices,
Melbourne, 8th January, 1856.*
Ordered to be printed.
3. PETITIONS.—Mr. Fellows presented a Petition from William Robertson, of Hobart Town, Tasmania, and Colac, Victoria, praying the Council would take his case, as set forth in the Petition, into consideration, and afford such relief as the Council might see fit.
Petition received.
Mr. Rae presented a Petition from James Murray, late cooper in charge of the Powder Magazine at Melbourne, praying the Council to recommend to the Local Executive the propriety of granting to the Petitioner such redress as the equity of his case, as set forth in the Petition, might require.
Petition received.
Mr. Miller presented a Petition from the Minister, Members and adherents of the Free Presbyterian Church, Prahran, praying the Council to refuse to alter the present law so as to sanction the public sale of liquors on the Sabbath Day.
Petition received.
4. POSTPONEMENT OF NOTICES OF MOTION.—Mr. Hodgson postponed the motion standing in his name, No. 1 on the Notice Paper to-day, until Tuesday, 15th January instant; and Mr. Grant postponed the motion standing in his name, No. 2 on the Notice Paper of to-day, until to-morrow.
5. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed as under:—
“*Expenditure for Roads and Bridges—To be further considered in Committee,*”—until Friday, 11th instant.
“*Assessment on Stock Act Continuation Bill—To be further considered in Committee,*”
“*Elections Regulation Bill—Second Reading;*” and
“*Victoria Electoral Bill—Second Reading,*”—until to-morrow.
Council adjourned at eighteen minutes past three o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

 WEDNESDAY, 9TH JANUARY, 1856.
General Business :—

NOTICE OF MOTION :—

1. **THE CHIEF SECRETARY**: To move, That a Select Committee be appointed to prepare an Address to the Honorable Lady Hotham, expressing the sympathy of this Council with her upon the death of His Excellency Sir C. Hotham, K.C.B., such Committee to consist of Mr. Nicholson, Mr. Bradshaw, Mr. O'Shanassy, Mr. Lalor, Mr. Greeves, Mr. Mollison, and the Mover.

Government Business :—

ORDERS OF THE DAY :—

1. **ASSESSMENT ON STOCK ACT CONTINUATION BILL**—To be further considered in Committee.
2. **ELECTIONS REGULATION BILL**—Second reading.
3. **VICTORIA ELECTORAL BILL**—Second reading.

General Business :—

- MR. SARGOOD**: To ask the Chief Secretary whether the Government have commenced an enquiry as to the cause of the Wreck near Cape Otway of the Royal Mail Ship *Schomberg*, with her valuable Cargo and a large portion of the Passengers' Luggage; and if no such steps have yet been taken, is it the intention of the Government to institute an early investigation.

NOTICES OF MOTION :—

1. **MR. GRANT**: To move for leave to introduce a Bill to amend the Law of Libel.
2. **MR. LALOR**: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the House a Copy of the Instructions issued to District Surveyors.
3. **MR. FELLOWS**: To move, That the Petition presented by him on 8th January instant, from William Robertson, be printed.
4. **MR. GREEVES**: To move—
 - (1.) That a Select Committee be appointed to take into consideration the Estimates for 1856, with a view of equalising salaries and economising expenditure for the purposes of Government.
 - (2.) That such Committee consist of the Chief Secretary, the Treasurer, Mr. Nicholson, Mr. Miller, Mr. Strachan, Mr. Pyke, Mr. Snodgrass, Mr. O'Shanassy, Mr. McCulloch, and the Mover.

 THURSDAY, 10TH JANUARY.
General Business :—

NOTICE OF MOTION :—

1. **MR. LALOR**: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the House, a copy of the report of the Commission appointed by His late Excellency to enquire into certain claims for compensation made by persons at Ballaarat, for losses sustained by the destruction of their property on the 3rd December, 1854, and also a copy of all the other documents connected therewith.

 FRIDAY, 11TH JANUARY.

1. **MR. LALOR**: To ask the Chief Secretary whether the Resident Warden at Ballaarat has made any representation as to the insufficiency in the number of Wardens there for the proper administration of justice, and if so, what steps have been taken in the matter.

NOTICES OF MOTION :—

1. **MR. WILLS**: To move, That a Select Committee be appointed to enquire into and ascertain the best method of collecting information as to the number and description of live stock imported into Victoria from New South Wales and South Australia, such Committee to consist of the Attorney General, Mr. Taylor, Mr. O'Shanassy, Mr. Knight, Mr. Greeves, Mr. Mollison, and the Mover.
2. **MR. CAMPBELL**: To move, That it is the opinion of this House that this Colony should prove its sympathy with the great interests of the British Empire in the present war by every means in its power, and that the Crown Lands of the Colony might be made available for the purpose of encouraging the meritorious services of British soldiers, under suitable regulations.

ORDERS OF THE DAY :—

1. **BILLS OF EXCHANGE BILL**—To be further considered in Committee.
2. **EXPENDITURE FOR ROADS AND BRIDGES**—To be further considered in Committee.

TUESDAY, 15TH JANUARY.

NOTICES OF MOTION :—

1. MR. GRANT : To move, That in the opinion of this House the Export Duty on Gold is unjust on principle, oppressive on the mining community, inexpedient, and ought to be abolished.
2. THE CHIEF SECRETARY : To move—
 - (1.) That a Select Committee be appointed to take into consideration the proper manner in which Railways in this Colony shall be constructed and managed, with power to take evidence.
 - (2.) That such Committee do consist of the Attorney General, Commissioner of Public Works, Mr. Henty, Mr. Horne, Mr. Miller, Mr. Murphy, Mr. O'Shanassy, Mr. Strachan, Surveyor General, Mr. Pyke, Mr. Lalor, and the Mover.
3. MR. HODGSON : To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £500 as a grant in aid of the Philosophical Institute of Victoria.

MEETINGS.

OF

SELECT COMMITTEES.

Wednesday, 9th January, 1856.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

Thursday, 10th January.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL—at 11 o'clock.

J. F. PALMER,

Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 19.

WEDNESDAY, 9TH JANUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ADDRESS.—The Speaker announced to the Council that he had, pursuant to the resolution of the Council, presented to His Excellency the Officer Administering the Government the following Address, viz. :—

Addresses to the Queen and Emperor of the French—adopted by the Council on the 19th December, 1855, on the motion of Mr. Fawkner ;

and that His Excellency had, in reply to such Address, been pleased to state that he had received the loyal and dutiful Address to Her Majesty which the Speaker had the goodness to place in his hands for transmission to the Secretary of State, with an Address to His Imperial Majesty the Emperor of the French, upon the results which have attended the operations of the Allied Forces.

They should be transmitted by the earliest opportunity.

3. ADDRESS OF SYMPATHY WITH LADY HOTHAM.—The Chief Secretary moved, pursuant to notice, That a Select Committee be appointed to prepare an Address to the Honorable Lady Hotham, expressing the sympathy of this Council with her upon the death of His Excellency Sir C. Hotham, K.C.B., such Committee to consist of Mr. Nicholson, Mr. Bradshaw, Mr. O'Shanassy, Mr. Lalor, Mr. Greeves, Mr. Mollison, and the Mover.

Question—put and passed.

The Chief Secretary having brought up the Draft Address from the Committee, the same was read by the Speaker as follows :—

TO THE HONORABLE LADY HOTHAM.

We, the Members of the Legislative Council of Victoria, offer to your Ladyship the expression of our deep concern at the loss which it has pleased Divine Providence to inflict upon you, by the death of His Excellency Sir Charles Hotham.

We desire to assure your Ladyship of our most sincere sympathy with you in this severe bereavement, a sympathy shared with us by the whole community.

It is our prayer that Almighty God may comfort you in this affliction.

On the motion of the Chief Secretary the above address was adopted by the Council, and ordered to be transmitted by the Speaker to the Honorable Lady Hotham.

4. RESIGNATION OF MINISTERS.—A discussion having arisen upon the late resignation and re-appointment of Ministers, Mr. Fyfe moved that the House do now adjourn.

Debate ensued.

Question—put.

Council divided.

Ayes, 16.

Mr. Fyfe,
Mr. Pyke,
Mr. Myles,
Dr. Owens,
Mr. Wheeler,
Mr. O'Shanassy,
Mr. Grant,
Mr. Longden,
Mr. Humffray,
Mr. O'Brien,
Mr. Hodgson,
Mr. Wilkinson,
Mr. Burnley,
Mr. Benson,
Mr. Rae,
Dr. Embling (*Teller*).

Noes, 32.

Mr. Hervey,
Mr. King,
Mr. Snodgrass,
Mr. Pohlman,
Mr. Griffith,
Mr. Wills,
The Commissioner of Public Works,
Mr. Lalor,
The Solicitor General,
Mr. A'Beckett,
The Surveyor General,
Mr. Murphy,
The Commissioner of Trade and
Customs,
Mr. Highett,
Mr. Beaver,
Mr. Kennedy,
Lient. Col. Anderson,
Mr. Ross,
Mr. McCulloch,
Mr. Forlonge,
Mr. Russell,
Mr. Mollison,
Mr. Fellows,
Mr. Nicholson,
Mr. Chapman,
Mr. Fawkner,
The Chief Secretary,
The Attorney General,
Mr. Miller,
Mr. Greeves,
Mr. Horne,
Mr. Riddell, (*Teller*).

5. **ASSESSMENT ON STOCK ACT CONTINUATION BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported that the Committee considered it advisable that the matter referred to the Committee may better proceed by new Bill—the Council adopted such Report.
6. **ELECTIONS REGULATION BILL.**—The Attorney General moved, That this Bill be “now” read a second “time.”
Mr. Grant moved, as an amendment, That the word “now” be omitted and the word “to-morrow” be added after the word “time.”
Debate ensued.
Question—that the word “now” proposed to be omitted, stand part of the question—put and passed.
Question—that this Bill be now read a second time—put and passed.—Bill read a second time.
On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress and obtained leave to sit again to-morrow.
6. **VICTORIA ELECTORAL BILL.**—The Attorney General moved that this “Bill” be now read a second time.
Debate ensued.
Mr. Grant moved, as an amendment, that all the words after the word “Bill” be omitted, with a view to insert the following words in lieu thereof, “be referred to a Select Committee to consist of Mr. Nicholson, Mr. Goodman, Mr. Miller, Mr. Chapman, Dr. Owens, Mr. Pyke, Mr. Fyfe, Mr. Wheeler, Mr. Rae and Mr. Grant, in order to carry out the resolution of this House on the subject of the Ballot, passed by this Council on the 19th December last.”
A point of order having been raised that the question for referring this Bill to a Select Committee had already been decided in the present Session,
The Chief Secretary moved, That the amendment proposed by Mr. Grant is out of order.
Question—That the amendment proposed by Mr. Grant is out of order—put and passed.
Question—That this Bill be now read a second time—put and passed.—Bill read a second time.
On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress and obtained leave to sit again to-morrow.

7. **LIBEL LAW AMENDMENT BILL.**—Mr. Grant having, pursuant to notice, moved for and obtained leave to bring in a Bill to amend the Law respecting Defamatory Words and Libel, brought up a Bill, intituled, "*A Bill to amend the Law respecting Defamatory Words and Libel*," and moved that it be now read a first time.
Question—put and passed.—Bill read a first time and ordered to be read a second time Tuesday, 15th January instant.
8. **INSTRUCTIONS TO DISTRICT SURVEYORS.**—Mr. Lalor moved, pursuant to notice, That an Address be presented to His Excellency the Officer Administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the House a Copy of the Instructions issued to District Surveyors.
Question—put and passed.
9. **MR. W. ROBERTSON.**—Mr. Fellows moved, pursuant to notice, That the Petition presented by him on 8th January instant, from William Robertson, be printed.
Question—put and passed.
10. **POSTPONEMENT OF NOTICE OF MOTION.**—Mr. Greeves postponed the motion standing in his name, No. 4, on the Notice Paper of to-day, until Friday next.
Council adjourned at sixteen minutes past six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 10TH JANUARY, 1856.

Government Business :—

ORDERS OF THE DAY :—

1. **ELECTIONS REGULATION BILL**—To be further considered in Committee.
2. **VICTORIA ELECTORAL BILL**—To be further considered in Committee.

General Business :—

- MR. FYFE** : To ask the Chief Secretary whether any financial propositions have been submitted to the Executive Government relative to the establishment of a National Bank, and whether there would be any objection to lay such information on the Table of this House at once, together with such correspondence as may have taken place thereon.
- MR. SARGOOD** : To ask the Chief Secretary whether the Government have commenced an enquiry as to the cause of the Wreck near Cape Otway of the Royal Mail Ship *Schomburg*, with her valuable Cargo and a large portion of the Passengers' Luggage; and if no such steps have yet been taken, is it the intention of the Government to institute an early investigation.

NOTICES OF MOTION :—

1. **MR. LALOR** : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the House, a copy of the report of the Commission appointed by His late Excellency to enquire into certain claims for compensation made by persons at Ballaarat, for losses sustained by the destruction of their property on the 3rd December, 1854, and also a copy of all the other documents connected therewith.
2. **MR. FELLOWS** : To move, That an Address be presented to His Excellency the Officer Administering the Government, praying that His Excellency will cause to be laid on the Table of this House—Copy of a letter from Mr. Deas Thomson to Mr. Robertson, dated at Sydney, the 5th December, 1848; and copies of all correspondence between Mr. Robertson and the Surveyor General, and Mr. Robertson and the Colonial Secretary, on the subject of land at Colac.

FRIDAY, 11TH JANUARY.

1. **MR. LALOR** : To ask the Chief Secretary whether the Resident Warden at Ballaarat has made any representation as to the insufficiency in the number of Wardens there for the proper administration of justice, and if so, what steps have been taken in the matter.
2. **MR. RIDDELL** : To ask the Chief Secretary whether the arrangements for leasing a piece of ground at Williamstown for the purposes of a Patent Slip have been carried out, and if not, what steps are being taken by the Government for securing to this Port so desirable a work.

NOTICES OF MOTION :—

1. **MR. WILLS** : To move, That a Select Committee be appointed to enquire into and ascertain the best method of collecting information as to the number and description of live stock imported into Victoria from New South Wales and South Australia, such Committee to consist of the Attorney General, Mr. Taylor, Mr. O'Shanassy, Mr. Knight, Mr. Greeves, Mr. Mollison, and the Mover.

2. **MR. CAMPBELL:** To move, That it is the opinion of this House that this Colony should prove its sympathy with the great interests of the British Empire in the present war by every means in its power, and that the Crown Lands of the Colony might be made available for the purpose of encouraging the meritorious services of British soldiers, under suitable regulations.
3. **MR. GREEVES:** To move—
- (1.) That a Select Committee be appointed to take into consideration the Estimates for 1856, with a view of equalising salaries and economising expenditure for the purposes of Government.
 - (2.) That such Committee consist of the Chief Secretary, the Treasurer, Mr. Nicholson, Mr. Miller, Mr. Strachan, Mr. Pyke, Mr. Snodgrass, Mr. O'Shanassy, Mr. McCulloch, and the Mover.

ORDERS OF THE DAY:—

1. **BILLS OF EXCHANGE BILL**—To be further considered in Committee.
2. **EXPENDITURE FOR ROADS AND BRIDGES**—To be further considered in Committee.

TUESDAY, 15TH JANUARY.

NOTICES OF MOTION:—

1. **MR. GRANT:** To move, That in the opinion of this House the Export Duty on Gold is unjust on principle, oppressive on the mining community, inexpedient, and ought to be abolished.
2. **THE CHIEF SECRETARY:** To move—
 - (1.) That a Select Committee be appointed to take into consideration the proper manner in which Railways in this Colony shall be constructed and managed, with power to take evidence.
 - (2.) That such Committee do consist of the Attorney General, Commissioner of Public Works, Mr. Henty, Mr. Horne, Mr. Miller, Mr. Murphy, Mr. O'Shanassy, Mr. Strachan, Surveyor General, Mr. Pyke, Mr. Lalor, and the Mover.
3. **MR. HODGSON:** To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £500 as a grant in aid of the Philosophical Institute of Victoria.

ORDER OF THE DAY:—

1. **LIBEL LAW AMENDMENT BILL**.—Second reading.

FRIDAY, 18TH JANUARY.

NOTICE OF MOTION:—

1. **MR. FELLOWS:** To move, That the rights of the occupiers of Crown Lands for pastoral purposes can only be ascertained and determined in a Court of Law, and it is the opinion of this House that the Law Officers of the Crown should facilitate any arrangement by which that end can be attained.

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 10th January.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL—at 11 o'clock.

Friday, 11th January.

GOLD—at 11 o'clock.

Tuesday, 15th January.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 20.

THURSDAY, 10TH JANUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITIONS.—The following Petitions, praying the Council to refuse to alter the present Law so as to sanction the sale of intoxicating liquors on the Sabbath Day were presented :—
By Mr. Fyfe, from Charles Read, styling himself Chairman of a Public Meeting of the Members and Friends of the Geelong Teetotal Society.
By Mr. Sargood, from certain Members of the Congregation assembling in the Independent Chapel, Prahran.
Petitions severally received.
Mr. Cameron presented a Petition from certain Miners of the Ovens District, respecting the powers of the Local Courts at the Gold Fields.
Petition received.
3. PAPERS.—The Surveyor General, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the following Papers, viz. :—
Disposal of Auriferous Land at Clunes.—Return to Address, adopted on the motion of Mr. Lalor, on the 30th November, 1855.
Ordered to lie on the Table, and to be referred to the Committee now sitting on Gold Mining on Private Property.
Pre-emptive Grant of Land to Fredk. Taylor, Esq.—Return to Address, adopted on the motion of Mr. Wheeler, on the 6th December, 1855.
Ordered to lie on the Table, and to be referred to the Committee now sitting on Gold Mining on Private Property.
Instructions to District Surveyors.—Return to Address, adopted on the motion of Mr. Lalor, on the 9th January, 1856.
Ordered to be printed.
4. SUSPENSION OF STANDING ORDER.—On the motion of Mr. Fawkner, the Council ordered that Standing Order No. 18, be suspended.
5. FUNERAL EXPENSES OF AND MONUMENT TO THE MEMORY OF THE LATE SIR C. HOTHAM.—
Mr. Fawkner moved that the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the purpose of considering the propriety of presenting an Address to His Excellency the Officer administering the Government, requesting that he will cause a sum not exceeding the amount of £1500 to be appropriated towards defraying the expense incurred at the funeral of the late Sir Charles Hotham, and for the erection of a Monument to the memory of His late Excellency.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported that the Committee considered it expedient that an Address be presented to His Excellency the Officer administering the Government, requesting that he will cause a sum of £1500 to be appropriated towards defraying the expense incurred at the funeral of the late Sir Charles Hotham, and for the erection of a Monument to the memory of His late Excellency—the Council adopted such Report, and ordered the Address to be presented accordingly.
6. ELECTIONS REGULATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again to-morrow.

7. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until to-morrow :—
“ Victoria Electoral Bill—To be further considered in Committee.”
8. **POSTPONEMENT OF NOTICE OF MOTION.**—Mr. O'Brien, on behalf of Mr. Lalor, postponed the motion standing No. 1 on the Notice Paper of to-day, until to-morrow.
9. **MR. ROBERTSON.**—Mr. Fellows moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of this House—Copy of a letter from Mr. Deas Thomson to Mr. Robertson, dated at Sydney, the 5th December, 1848; and copies of all correspondence between Mr. Robertson and the Surveyor General, and Mr. Robertson and the Colonial Secretary, on the subject of land at Colac.
 Question—put and passed.
10. **PAPERS.**—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Papers, viz. :—
 Corporation of Melbourne.—Plans and Specification of intended improvements in certain Streets of the City.
 Ordered to be printed.
 Discovery of Gold.—Letter from the Rev. W. B. Clarke, acknowledging receipt of his portion of the Reward.
 Ordered to be printed.
 Claims for Compensation—Ballaarat.—Return to Address, adopted on the motion of Mr. Grant, 7th December, 1855.
 Ordered to be printed.
 Council adjourned at twelve minutes past six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 11TH JANUARY, 1856.

1. **MR. LALOR:** To ask the Chief Secretary whether the Resident Warden at Ballaarat has made any representation as to the insufficiency in the number of Wardens there for the proper administration of justice, and if so, what steps have been taken in the matter.
2. **MR. RIDDELL:** To ask the Chief Secretary whether the arrangements for leasing a piece of ground at Williamstown for the purposes of a Patent Slip have been carried out, and if not, what steps are being taken by the Government for securing to this Port so desirable a work.

NOTICES OF MOTION :—

1. **MR. WILLS:** To move, That a Select Committee be appointed to enquire into and ascertain the best method of collecting information as to the number and description of live stock imported into Victoria from New South Wales and South Australia, such Committee to consist of the Attorney General, Mr. Taylor, Mr. O'Shanassy, Mr. Knight, Mr. Greeves, Mr. Mollison, and the Mover.
2. **MR. CAMPBELL:** To move, That it is the opinion of this House that this Colony should prove its sympathy with the great interests of the British Empire in the present war by every means in its power, and that the Crown Lands of the Colony might be made available for the purpose of encouraging the meritorious services of British soldiers, under suitable regulations.
3. **MR. GREEVES:** To move—
 - (1.) That a Select Committee be appointed to take into consideration the Estimates for 1856, with a view of equalising salaries and economising expenditure for the purposes of Government.
 - (2.) That such Committee consist of the Chief Secretary, the Treasurer, Mr. Nicholson, Mr. Miller, Mr. Strachan, Mr. Pyke, Mr. Snodgrass, Mr. O'Shanassy, Mr. McCulloch, and the Mover.
4. **MR. CAMPBELL:** To move, That it is the opinion of this House that, under existing circumstances, the public interests of the Colony require that the question of the Ballot should not be introduced into the present Electoral Bill, but should be postponed until the meeting of the new Legislature.
5. **MR. FELLOWS:** To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of this Council a Return of the average number of cases disposed of weekly in every Court of Petty Sessions in which there is a Stipendiary or Police Magistrate.
6. **THE CHIEF SECRETARY:** To move for leave to bring in a Bill to continue the Act 18 Vict., No. 3, to prevent the Influx of Criminals into Victoria.
7. **THE CHIEF SECRETARY:** To move for leave to bring in a Bill to authorise, for a limited period, an Assessment on Stock.

8. **MR. CAMERON**: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid on the Table of this Council, copies of all correspondence between the Postmaster General, and the late Postmaster at Beechworth, relative to the establishing of Branch or District Post Offices in the Ovens District, and of any suggestions accompanying such correspondence.
9. **MR. O'BRIEN**: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid before the Council a Return signed by the head of each department, shewing the amount actually expended or incurred by such department during the year 1855, distinguishing Salaries from Contingencies, and stating upon whose requisition the expense was incurred, and whether the amount spent is in excess or otherwise of the amount voted by this Council for the service of the year 1855, together with any explanatory remarks that have been made by the head of each department.
10. **MR. CAMERON**: To move, That the Petition of James Lonnie and other miners of the Ovens District, presented by him, be referred to the Select Committee now sitting on the powers of the Local Courts.
11. **MR. MILLER**: To move, That the Bill to enable the Victoria Fire and Marine Insurance Company to sue and be sued, be now read a second time.
12. **MR. LALOR**: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the House, a copy of the report of the Commission appointed by His late Excellency to enquire into certain claims for compensation made by persons at Ballaarat, for losses sustained by the destruction of their property on the 3rd December, 1854, and also a copy of all the other documents connected therewith.

ORDERS OF THE DAY:—

1. **BILLS OF EXCHANGE BILL**—To be further considered in Committee.
2. **EXPENDITURE FOR ROADS AND BRIDGES**—To be further considered in Committee.
3. **ELECTIONS REGULATION BILL**—To be further considered in Committee.
4. **VICTORIA ELECTORAL BILL**—To be further considered in Committee.

TUESDAY, 15TH JANUARY.

NOTICES OF MOTION:—

1. **MR. GRANT**: To move, That in the opinion of this House the Export Duty on Gold is unjust on principle, oppressive on the mining community, inexpedient, and ought to be abolished.
2. **THE CHIEF SECRETARY**: To move—
 - (1.) That a Select Committee be appointed to take into consideration the proper manner in which Railways in this Colony shall be constructed and managed, with power to take evidence.
 - (2.) That such Committee do consist of the Attorney General, Commissioner of Public Works, Mr. Henty, Mr. Horne, Mr. Miller, Mr. Murphy, Mr. O'Shanassy, Mr. Strachan, Surveyor General, Mr. Pyke, Mr. Lalor, and the Mover.
3. **MR. HODGSON**: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £500 as a grant in aid of the Philosophical Institute of Victoria.
4. **MR. GRANT**: To move, For leave to bring in a Bill to authorise the admission of persons admitted as Barristers and Attorneys of other Colonies ● Barristers and Attorneys of the Supreme Court of Victoria.

ORDER OF THE DAY:—

1. **LIBEL LAW AMENDMENT BILL**.—Second reading.

FRIDAY, 18TH JANUARY.

NOTICE OF MOTION:—

1. **MR. FELLOWS**: To move, That the rights of the occupiers of Crown Lands for pastoral purposes can only be ascertained and determined in a Court of Law, and it is the opinion of this House that the Law Officers of the Crown should facilitate any arrangement by which that end can be attained.

TUESDAY, 22ND JANUARY.

NOTICE OF MOTION:—

1. **MR. CAMPBELL**: To move, That it is the opinion of this House that the Duke of Newcastle's proposition, in the 26th section of his Despatch of 29th November, 1853, that "compensation should be awarded to such Pastoral Tenants of the Crown as should be willing to surrender extreme rights, or to whom injury may really be done by the disappointment of just expectations which enforcing the powers of Government may occasion," should be carried into effect.

MEETINGS
OF
SELECT COMMITTEES.

Friday, 11th January.

GOLD—at 11 o'clock.

MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL—at 12 o'clock.

Tuesday, 15th January.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

Wednesday, 16th January.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

Thursday, 17th January.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

Tuesday, 22nd January.

COMMON LAW PRACTICE BILL—at 11 o'clock.

J. F. PALMER,

Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 21.

FRIDAY, 11TH JANUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITIONS.—Mr. Fyfe presented a Petition from William John Disher, merchant, at Blackwood Diggings, praying the Council to grant him an enquiry into his case as set forth in the Petition, and such redress as might be constitutionally within their power.
Petition received.
3. IMPORTATION OF LIVE STOCK.—Mr. Wills moved, pursuant to notice, That “a Select Committee be appointed to enquire into and ascertain” the best method of collecting information as to the number and description of live stock imported into Victoria from New South Wales and South “Australia,” such Committee to consist of the Attorney General, Mr. Taylor, Mr. O’Shanassy, Mr. Knight, Mr. Greeves, Mr. Mollison, and the Mover.
Mr. Taylor moved, as an amendment—That the following words be omitted, viz. : “a Select Committee be appointed to enquire into and ascertain” with a view to insert in lieu thereof the words “the enquiry as to,” and that all the words after the word “Australia” be omitted with a view to insert the words “be referred to the Committee now Sitting on Agricultural and Horticultural Statistics” in lieu thereof.
Debate ensued.
Amendment by leave withdrawn.
Question—That a Select Committee be appointed to enquire into and ascertain the best method of collecting information as to the number and description of live stock imported into Victoria from New South Wales and South Australia, such Committee to consist of the Attorney General, Mr. Taylor, Mr. O’Shanassy, Mr. Knight, Mr. Greeves, Mr. Mollison, and the Mover—put and passed.
4. REWARDS TO BRITISH SOLDIERS.—Mr. Campbell moved, pursuant to notice, That it is the opinion of this House that this Colony should prove its sympathy with the great interests of the British Empire in the present war by every means in its power, and that the Crown Lands of the Colony might be made available for the purpose of encouraging the meritorious services of British soldiers, under suitable regulations.
Debate ensued.
Mr. Grant moved the previous question.
Question—That this question be now put—put and negatived.
5. ESTIMATES.—Mr. Greeves moved, pursuant to *amended* notice, That a Select Committee, to consist of ten Members, to be chosen by ballot, be appointed to take into consideration the Estimates for 1856, with a view of equalising salaries and economising expenditure for the purposes of Government.
Mr. Horne moved, That Standing Order No. 34 be suspended.
Question—That Standing Order No. 34 be suspended—put.

Council divided.

Ayes, 29.

Mr. Taylor,
Mr. Pohlman,
Lieut. Col. Anderson,
Mr. Murphy,
Mr. Rae,
Mr. Pyke,
Mr. Fyfe,
Mr. O'Shanassy,
Mr. A'Beckett,
Mr. Burnley,
Mr. Benson,
Mr. Nicholson,
Mr. Knight,
Mr. Beaver,
Mr. Sargood,
Mr. Bradshaw,
Mr. Ross,
Mr. Horne,
Mr. McCulloch,
Mr. Campbell,
Mr. Humffray,
Mr. Cameron,
Mr. Snodgrass,
The Commissioner of Public Works,
The Surveyor General,
The Attorney General,
The Chief Secretary,
Mr. Wheeler,
The Commissioner of Trade and
Customs (*Teller*).

Noes, 19.

Mr. Henty,
Mr. Griffith,
Mr. King,
Mr. O'Brien,
Mr. Wills,
Mr. Wilkinson,
Mr. Lalor,
Mr. Myles,
Mr. Goodman,
Mr. Mollison,
Mr. Highett,
Mr. Forlonge,
Mr. Fellows,
Mr. Chapman,
Mr. Fawcner,
Mr. Miller,
Mr. Hodgson,
Mr. Greeves,
Mr. Riddell, (*Teller*).

Original motion by leave withdrawn.

6. PETTY SESSIONS RETURNS.—Mr. Fellows moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Officer Administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of this Council a Return of the number of cases disposed of during the last six months of the year 1855 in every Court of Petty Sessions in which there is a Stipendiary or Police Magistrate, shewing in what district each Court is situate.
- Mr. Snodgrass moved, as an amendment, that the following words—"together with other duties performed by such Stipendiary or Police Magistrate," be added at the end of the above question.
- Question—That the words "together with other duties performed by such Stipendiary or Police Magistrate," be added at the end of the above question—put and passed.
- Question—That an Address be presented to His Excellency the Officer Administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of this Council a Return of the number of cases disposed of during the last six months of the year 1855, in every Court of Petty Sessions in which there is a Stipendiary or Police Magistrate, shewing in what District each Court is situate, together with other duties performed by such Stipendiary or Police Magistrate—put and passed.
7. INFLUX OF CRIMINALS PREVENTION ACT CONTINUATION BILL.—The Chief Secretary having, pursuant to notice, moved for and obtained leave to bring in a Bill to continue the Act, 18 Victoria, No. 3, to prevent the influx of Criminals into Victoria, brought up a Bill, intituled, "*A Bill to continue the Act, 18 Victoria, No. 3, to prevent the Influx of Criminals into Victoria,*" and moved that it be now read a first time.
- Question—put and passed. Bill read a first time, ordered to be read a second time Tuesday, 15th January instant, and to be printed.
8. ASSESSMENT ON STOCK BILL.—The Chief Secretary having, pursuant to notice, moved for and obtained leave to bring in a Bill to authorise for a limited period an Assessment on Stock, brought up a Bill, intituled "*A Bill to authorise for a limited period an Assessment on Stock,*" and moved that it be now read a first time.
- Question, put and passed.—Bill read a first time, ordered to be read a second time Tuesday 15th January instant, and to be printed.
9. OVENS DISTRICT POST OFFICES.—Mr. Cameron moved, pursuant to notice, That an Address be presented to His Excellency the Officer Administering the Government, praying that His Excellency will be pleased to cause to be laid on the Table of this Council, copies of all correspondence between the Postmaster General and the late Postmaster at Beechworth, relative to the establishing of Branch or District Post Offices in the Ovens District, and of any suggestions accompanying such correspondence.
- Question—put and passed.

10. **EXPENDITURE.**—Mr. O'Brien moved, pursuant to notice, That an Address be presented to His Excellency the Officer Administering the Government, praying that His Excellency will cause to be laid before the Council a Return signed by the head of each department, shewing the amount actually expended or incurred by such department during the year 1855, distinguishing Salaries from Contingencies, and stating upon whose requisition the expense was incurred, and whether the amount spent is in excess or otherwise of the amount voted by this Council for the service of the year 1855, together with any explanatory remarks that have been made by the head of each department.
Question—put and passed.
11. **LOCAL COURTS.**—Mr. Cameron moved, pursuant to notice, That the Petition of James Lonnie and other miners of the Ovens District, presented by him, be referred to the Select Committee now sitting on the powers of the Local Courts.
Question—put and passed.
12. **THE VICTORIA FIRE AND MARINE INSURANCE COMPANY'S BILL.**—Mr. Miller moved, pursuant to notice, That this Bill be now read a second time.
Debate ensued.
Question—put and passed.—Bill read a second time.
On the motion of Mr. Miller the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Tuesday, the 15th of January instant.
13. **PAPER.**—The Surveyor General, by command of His Excellency the Officer Administering the Government, laid upon the Table of the Council the following Paper :—
Mr. Robertson.—Return to Address adopted on the motion of Mr. Fellows, 11th January, 1856.
Ordered to lie on the Table.
14. **SUSPENSION OF STANDING ORDER.**—On the motion of Mr. Fellows, the Council ordered that Standing Order, No. 18, be suspended.
15. **MR. ROBERTSON.**—Mr. Fellows moved that the Petition of William Robertson be referred to a Select Committee for consideration and report, and that such Committee consist of Mr. Greeves, Mr. A'Beckett, Mr. Nicholson, Mr. Taylor, Mr. Henty, Mr. Ross, and the Mover.
Question—put and negatived.
16. **PAPER.**—The Chief Secretary, by command of His Excellency the Officer Administering the Government, laid upon the Council Table—
The Blue Book for the year 1854.
Ordered to lie on the Table.
17. **BILLS OF EXCHANGE BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration Friday, 18th January instant.—Bill as amended to be printed.
18. **EXPENDITURE FOR ROADS AND BRIDGES.**—The Order of the Day for the further consideration in Committee of the whole Council of the propriety of presenting an Address to His Excellency the Governor, praying that the sum of £250,000 from the proposed vote for Roads and Bridges for the year 1856 be placed at the disposal of the Central Road Board to be expended during the next four months on the Roads and Bridges of the Colony, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again Friday, 18th January, instant.
19. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Council ordered that the consideration of the following Orders of the Day be postponed until Wednesday, 16th January instant :—
“ *Elections Regulation Bill* ”—*To be further considered in Committee.*
“ *Victoria Electoral Bill* ”—*To be further considered in Committee.*
- Council adjourned at six minutes to six o'clock until three o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 15TH JANUARY, 1856.

1. **MR. HUMFFRAY:** To ask the Chief Secretary whether the Government intend to institute any enquiry into the extraordinary conduct of the Stipendiary Magistrate acting for the District of Ballaarat, viz., Captain Vignolles, who it is alleged discharged a man who was accused of stealing a horse, upon the ground that inasmuch as the animal had died pending the enquiry, “ it would be like trying a man for murdering a ghost.”
2. **MR. MILLER:** To ask the President of the Sewerage and Water Supply if it be intended to lay down a pipe for the supply of water to Richmond, and if so, when the laying of the said pipe is likely to be completed, and to what portions of Richmond the supply of water will extend.

NOTICES OF MOTION:—

1. MR. GRANT: To move, That in the opinion of this House the Export Duty on Gold is unjust on principle, oppressive on the mining community, inexpedient, and ought to be abolished.
2. THE CHIEF SECRETARY: To move—
 - (1.) That a Select Committee be appointed to take into consideration the proper manner in which Railways in this Colony shall be constructed and managed, with power to take evidence.
 - (2.) That such Committee do consist of the Attorney General, Commissioner of Public Works, Mr. Henty, Mr. Horne, Mr. Miller, Mr. Murphy, Mr. O'Shanassy, Mr. Strachan, Surveyor General, Mr. Pyke, Mr. Lalor, and the Mover.
3. MR. HODGSON: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £500 as a grant in aid of the Philosophical Institute of Victoria.
4. MR. GRANT: To move, For leave to bring in a Bill to authorise the admission of persons admitted as Barristers and Attorneys of other Colonies as Barristers and Attorneys of the Supreme Court of Victoria.
5. MR. MILLER: To move for leave to bring in a Bill to incorporate the Collingwood Bridge Company.
Contingent on the Bill being read a first time: To move, that it be referred to a Select Committee, to consist of Mr. Sargood, Mr. Nicholson, Mr. Burnley, Mr. Chapman, Mr. Hodgson, and the Mover.
6. MR. RAE: To move, That the Petition presented by him from Farquhar McDonald, on the 21st ultimo, be printed, and referred to a Select Committee for consideration, such Committee to consist of the Colonial Engineer, Mr. Murphy, Mr. Nicholson, Mr. Greeves, Mr. Hodgson, Mr. Grant, and the Mover.

ORDER OF THE DAY:—

1. LIBEL LAW AMENDMENT BILL.—Second reading.
2. INFLUX OF CRIMINALS PREVENTION ACT CONTINUATION BILL.—Second reading.
3. ASSESSMENT ON STOCK BILL.—Second reading.
4. THE VICTORIA FIRE AND MARINE INSURANCE COMPANY BILL.—To be further considered in Committee.

WEDNESDAY, 16TH JANUARY.

Government Business:—

ORDERS OF THE DAY:—

1. ELECTIONS REGULATION BILL—To be further considered in Committee.
2. VICTORIA ELECTORAL BILL—To be further considered in Committee.

THURSDAY, 17TH JANUARY.

General Business:—

NOTICE OF MOTION:—

1. MR. LALOR: To move, That a Select Committee be appointed to report on the Petition presented by him from certain persons residing at Ballarat, such Committee to consist of ten Members, viz, the Chief Secretary, Mr. O'Shanassy, Mr. Mollison, Mr. Fawcner, Mr. Grant, Dr. Owens, Mr. Benson, Mr. Humffray, Mr. Myles, and the Mover.

FRIDAY, 18TH JANUARY.

NOTICE OF MOTION:—

1. MR. FELLOWS: To move, That the rights of the occupiers of Crown Lands for pastoral purposes can only be ascertained and determined in a Court of Law, and it is the opinion of this House that the Law Officers of the Crown should facilitate any arrangement by which that end can be attained.
2. MR. GREEVES: To move, That an Address be presented to Her Most Gracious Majesty, praying Her Majesty not to consent to any measure for facilitating the introduction into this Colony of persons who may have been convicted of crimes beyond the limits of the Colony.

ORDERS OF THE DAY:—

1. BILLS OF EXCHANGE BILL.—Adoption of Report.
2. EXPENDITURE FOR ROADS AND BRIDGES—To be further considered in Committee.

TUESDAY, 22ND JANUARY.

NOTICE OF MOTION :—

- I. MR. CAMPBELL : To move, That it is the opinion of this House that the Duke of Newcastle's proposition, in the 26th section of his Despatch of 29th November, 1853, that "compensation should be awarded to such Pastoral Tenants of the Crown as should be willing to surrender extreme rights, or to whom injury may really be done by the disappointment of just expectations which enforcing the powers of Government may occasion," should be carried into effect.

MEETINGS

OF

SELECT COMMITTEES.

Tuesday, 15th January.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

BANK OF VICTORIA ACT AMENDMENT BILL—at 11 o'clock.

GOLD—at 12 o'clock.

Wednesday, 16th January.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

Thursday, 17th January.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

IMPORTATION OF LIVE STOCK—at 11 o'clock.

Tuesday, 22nd January.

COMMON LAW PRACTICE BILL—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 22.

TUESDAY, 15TH JANUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ADDRESSES.—The Speaker announced to the Council that he had, pursuant to the resolutions of this Council, presented to His Excellency the Officer administering the Government the following Addresses, viz. :—
 - Local Courts—Gold Fields.—Adopted by the Council, 13th December, 1855, on the motion of Mr. Benson ;
and that His Excellency had, in reply to such Address, been pleased to state that he had directed that these papers be prepared and furnished to the Council.
 - Gold Plate.—Adopted by the Council, 14th December, 1855, on the motion of Mr. Wills ;
and that His Excellency had, in reply to such Address, been pleased to state that the wishes of the Council should be complied with.
 - Grants of Land to Railway Companies.—Adopted by the Council, 14th December, 1855, on the motion of Mr. Lalor ;
and that His Excellency had, in reply to such Address, been pleased to state that he had caused this Return to be laid upon the Table of the Legislative Council.
 - Yarra Bend Lunatic Asylum.—Adopted by the Council, 18th December, 1855, on the motion of Mr. Mollison ;
and that His Excellency had, in reply to such Address, been pleased to state that these papers had been laid upon the Table in accordance with the wishes of the Council.
 - Impounding Stock from Crown Reserves.—Adopted by the Council on the 18th December, 1855, on the motion of Mr. Wills ;
and that His Excellency had, in reply to such Address, been pleased to state that all copies of correspondence in relation to this matter should be furnished to the Council.
 - Memorials—Supreme Court Registry.—Adopted by the Council on the 19th December, 1855, on the motion of Mr. Horne ;
and that His Excellency had, in reply to such Address, been pleased to state that the request of the Council in reference to this vote should be complied with at the earliest possible moment.
 - Houses of Parliament.—Adopted by the Council on the 21st December, 1855, on the motion of Mr. Greeves ;
and that His Excellency had, in reply to such Address, been pleased to state that the necessary instructions for carrying out the wishes of the Legislative Council in this matter had been given, and a sum to meet the expense had been placed on the Estimates.
 - Public Works, Geelong.—Adopted by the Council on the 21st December, 1855, on the motion of Mr. Fyfe ;
and that His Excellency had, in reply to such Address, been pleased to state that all correspondence in the possession of the Government in reference to these matters would be laid upon the Table.
3. ADDRESS OF SYMPATHY WITH LADY HOTHAM.—The Speaker announced to the Council that he had, pursuant to the resolution of the Council, transmitted to the Honorable Lady Hotham the Address of this Council agreed to on the 9th day of January instant, and that he had received the following letter in reply thereto, viz. :—
 - “Private Secretary’s Office,
“Melbourne, 14th January, 1856.
 - “SIR,
“I have been requested by Lady Hotham to convey her thanks to the Legislative Council, for the Address of Condolence which they have presented on the occasion of her late bereavement.
 - “I have the honor to be,
“Sir,
“Your most obedient servant,
“J. H. KAY,
“Private Secretary.
 - “The Honorable The Speaker,
“Legislative Council.”

4. THE BANK OF VICTORIA ACT AMENDMENT BILL.—Mr. O'Shanassy, as Chairman of the Select Committee of the Council to which this Bill was referred, brought up the Report from the Committee, and moved that it be received.

Question—put and passed.

5. PETITIONS.—Mr. Nicholson presented a Petition from certain inhabitants of the Municipal District of Richmond, praying the Council might see fit to order, without delay, the immediate completion of the Bridge across the River Yarra, between Richmond and Prahran, as being greatly conducive to the welfare, convenience, and interests of a large body of the people of this Colony.

Petition received.

Mr. Lalor presented a Petition from John Winter, Esq., of Bonshaw, in the parish of Buninyong, and county of Grant, settler, praying that the Council would devise means by which he might obtain such further assurance of his title to land, mentioned in the Petition, as would suffice to render it perfectly secure and paramount, such as the Crown ought to convey, and the Legislature uphold.

Petition received.

6. PAPERS.—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Papers, viz.:—
 Passengers Act.—Copy Despatch conveying Her Majesty's Assent to the Act of Council, 18 Victoria, No. 5, intituled, "*An Act to regulate the conveyance of Passengers to Victoria*," but suggesting its amendment in certain particulars.

Ordered to be printed.

Jews—Fund for Public Worship.—Copy Despatch from the Right Honorable the Secretary of State, in reply to a Memorial from the Members of the Jewish faith, to be allowed to participate in the funds appropriated to public worship.

Ordered to be printed.

Contribution to Patriotic Fund.—Copy Despatch from the Right Honorable the Secretary of State on the subject of the contribution of the Colony towards the Patriotic Fund.

Ordered to be printed.

Mining Leases.—Copy Despatch from the Right Honorable the Secretary of State, enclosing an Order in Council authorising the issue of Mining Leases in the Colony of Victoria.

Ordered to be printed.

Volunteer Corps Bill.—Extract from a Despatch from the Right Honorable the Secretary of State, suggesting an amendment in the second clause of the Act 18 Victoria, No. 7, intituled, "*An Act for Volunteer Corps in Victoria*."

Ordered to be printed.

Acts of Council—Royal Assent.—Extract from a Despatch from the Right Honorable the Secretary of State for the Colonies, intimating that Her Majesty had been pleased to confirm and allow the Acts of Council Nos. 6 and 7 of the 17th year of Her Majesty's Reign.

Ordered to be printed.

7. RAILWAYS.—The Chief Secretary moved, pursuant to notice—

(1.) That a Select Committee be appointed to take into consideration the proper manner in which Railways in this Colony shall be constructed and managed, with power to take evidence.

(2.) That such Committee do consist of the Attorney General, Commissioner of Public Works, Mr. Henty, Mr. Horne, Mr. Miller, Mr. Murphy, Mr. O'Shanassy, Mr. Strachan, Surveyor General, Mr. Pyke, Mr. Lalor, and the Mover.

Debate ensued.

On the motion of the Surveyor General, the Council ordered that Standing Order No. 34 be suspended.

The Surveyor General moved that the names of Mr. Fyfe and Mr. Forlonge be added to the Committee.

Debate continued.

On the motion of the Surveyor General, the Progress Report from the Committee on Railways to the Council during the last Session, was read by the Clerk.

Mr. Forlonge required that the Committee be appointed by ballot.

Question—That a Select Committee be appointed to take into consideration the proper manner in which Railways in this Colony shall be constructed and managed, with power to take evidence, such Committee to consist of fourteen members—put and passed.

The Council then proceeded to the ballot, and the following members being reported to have the greatest number of votes, were declared by the Speaker to be the members of the Committee, viz.:—The Attorney General, Mr. O'Shanassy, the Surveyor General, Mr. Lalor, the Commissioner of Public Works, Mr. Pyke, Mr. Horne, Mr. Murphy, Mr. Strachan, Mr. Miller, Mr. W. Forlonge, Mr. Henty, Mr. Fyfe, and the Mover.

8. COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL.—Mr. Grant having, pursuant to notice, moved for and obtained leave to bring in a Bill to authorise the admission of persons admitted as Barristers and Attornies of other Colonies as Barristers and Attornies of the Supreme Court of Victoria, brought up a Bill, intituled, "*A Bill to authorise the admission of persons admitted as Barristers and Attornies in other British Colonies as Barristers and Attornies of the Supreme Court of the Colony of Victoria,*" and moved that it be now read a first time.
Question—put and passed.—Bill read a first time—ordered to be read a second time Tuesday, 22nd January instant, and to be printed.
9. POSTPONEMENT OF NOTICES OF MOTION.—The following Motions standing on the Notice Paper of to-day were postponed as under :—
No. 1. By Mr. Grant, until Tuesday, 22nd January instant.
No. 3. By Mr. Hodgson, until Tuesday, 29th January instant.
No. 5. By Mr. Miller, until Friday, 18th January instant.
10. MR. FARQUHAR McDONALD.—Mr. Rae moved, pursuant to *amended* notice, That the Petition presented by him from Farquhar McDonald, on the 21st ultimo, be printed.
Debate ensued.
Question—put and passed.
11. LIBEL LAW AMENDMENT BILL.—Mr. Grant moved that this Bill be now read a second time.
Question—put and passed.—Bill read a second time.
On the motion of Mr. Grant, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Friday, 18th January instant.
12. INFUX OF CRIMINALS PREVENTION ACT CONTINUATION BILL.—The Chief Secretary moved that this Bill be now read a second time.
Question—put and passed.—Bill read a second time.
On the motion of the Chief Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Tuesday, 22nd January instant.
13. ASSESSMENT ON STOCK BILL.—The Chief Secretary moved that this Bill be now read a second time.
Question—put and passed.—Bill read a second time.
On the motion of the Chief Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Thursday, 17th January instant.
14. THE VICTORIA FIRE AND MARINE INSURANCE COMPANY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill to be read a third time Friday, 18th January instant.
Council adjourned at twenty-seven minutes to six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 16TH JANUARY, 1856.

Government Business :—

ORDERS OF THE DAY :—

1. ELECTIONS REGULATION BILL—To be further considered in Committee.
2. VICTORIA ELECTORAL BILL—To be further considered in Committee.

General Business :—

1. MR. SNODGRASS: To ask the Chief Secretary whether it is the intention of Government to put the Kilmore Mechanics' Institute upon the same footing as other Mechanics' Institutes, by placing an amount upon the Estimates towards its support.
2. MR. O'SHANASSY: To ask the Chief Secretary whether the Government is willing to refer the claims of Messrs. Lush and Co., set forth in the Petition presented by him on the 21st day of December last, to arbitration.

NOTICES OF MOTION :—

1. MR. GOODMAN: To move, on the Order of the Day for the further consideration of the "*Electoral Act*" being read, That before proceeding with the further consideration of the Electoral Bill, it is the opinion of this House that the ballot having been carried by a majority of this House, the Ministry should declare distinctly what course they will pursue.
2. MR. LALOR: To move that the Petition of John Winter, presented by him on the 15th instant, be referred to the Select Committee of this Council now sitting on the subject of mining on private property.

THURSDAY, 17TH JANUARY.

Government Business :—

ORDER OF THE DAY :—

1. ASSESSMENT ON STOCK BILL.—To be further considered in Committee.

General Business :—

NOTICES OF MOTION :—

1. MR. LALOR : To move, That a Select Committee be appointed to report on the Petition presented by him from certain persons residing at Ballaarat, such Committee to consist of ten Members, viz, the Chief Secretary, Mr. O'Shanassy, Mr. Mollison, Mr. Fawkner, Mr. Grant, Dr. Owens, Mr. Benson, Mr. Humffray, Mr. Myles, and the Mover.
2. MR. WHEELER : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of Expenses of the Troops and additional Police at the Ballaarat Riot.

FRIDAY, 18TH JANUARY.

NOTICES OF MOTION :—

1. MR. FELLOWS : To move, That the rights of the occupiers of Crown Lands for pastoral purposes can only be ascertained and determined in a Court of Law, and it is the opinion of this House that the Law Officers of the Crown should facilitate any arrangement by which that end can be attained.
2. MR. GREEVES : To move, That an Address be presented to Her Most Gracious Majesty, praying Her Majesty not to consent to any measure for facilitating the introduction into this Colony of persons who may have been convicted of crimes beyond the limits of the Colony.
3. MR. O'SHANASSY : To move, That the Bill intituled, "*A Bill to authorise the admission of Alexander Keefer to practise as a barrister in the Supreme Court of the Colony of Victoria,*" be now read a second time.
4. MR. BENSON : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return of the amount received by the Government for the land sold in the Township of Sandhurst, and the number of acres; also, a Return of the Amount received for the land sold in the various hamlets in the District of Bendigo, and the number of acres; likewise a Return of the Amount received for land sold in Suburban Lots in the district, and the number of acres.
5. MR. WHEELER : To move, That this House do resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place upon the Estimates for 1856, a sum not exceeding £1000 for the erection of a bridge across the Loddon River at Guildford.
6. MR. MOLLISON : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid upon the Table of the House a Return of the number of convictions under the "*Vagrancy and other Offences Act*" up to 30th September, 1855, by Stipendiary Magistrates sitting alone, and shewing the Police District in which such convictions took place, the name of the Magistrate convicting, and the sentences passed.
7. MR. MYLES : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table copy of any Correspondence that may have taken place between the Bench of Magistrates in Geelong, and the Government, respecting the appointment of an Inspector of Weights and Measures for the Town of Geelong.
8. MR. MILLER : To move for leave to bring in a Bill to incorporate the Collingwood Bridge Company.
Contingent on the Bill being read a first time : To move, That it be referred to a Select Committee, to consist of Mr. Sargood, Mr. Nicholson, Mr. Burnley, Mr. Chapman, Mr. Hodgson, and the Mover.

ORDERS OF THE DAY :—

1. BILLS OF EXCHANGE BILL.—Adoption of Report.
2. EXPENDITURE FOR ROADS AND BRIDGES.—To be further considered in Committee.
3. LIBEL LAW AMENDMENT BILL.—To be further considered in Committee.
4. THE VICTORIA FIRE AND MARINE INSURANCE COMPANY BILL.—Third reading.

TUESDAY, 22ND JANUARY.

NOTICES OF MOTION :—

1. MR. CAMPBELL : To move, That it is the opinion of this House that the Duke of Newcastle's proposition, in the 26th section of his Despatch of 29th November, 1853, that "compensation should be awarded to such Pastoral Tenants of the Crown as should be willing to surrender extreme rights, or to whom injury may really be done by the disappointment of just expectations which enforcing the powers of Government may occasion," should be carried into effect.
2. MR. FELLOWS : To move, That a Select Committee, consisting of the Commissioner of Public Works, Mr. Horne, Mr. Ross, Mr. Kennedy, Mr. A'Beckett, Mr. Lalor, Mr. Chapman, and the Mover, be appointed to take into consideration the Correspondence between Mr. William Robertson and the Government, laid on the Table of this Council on the 11th instant, and to take evidence in explanation thereof, and report thereupon to the House.
3. MR. GRANT : To move, That in the opinion of this House the Export Duty on Gold is unjust on principle, oppressive on the mining community, inexpedient, and ought to be abolished.

ORDERS OF THE DAY :—

1. COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL—Second Reading.
2. INFLUX OF CRIMINALS PREVENTION ACT CONTINUATION BILL—To be further considered in Committee.

TUESDAY, 29TH JANUARY.

NOTICE OF MOTION :—

1. MR. HODGSON : To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £500 as a grant in aid of the Philosophical Institute of Victoria.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 16th January.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

Thursday, 17th January.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

IMPORTATION OF LIVE STOCK—at 11 o'clock.

Friday, 18th January.

GOLD—at 11 o'clock.

Tuesday, 22nd January.

COMMON LAW PRACTICE BILL—at 11 o'clock.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

J. F. PALMER,

Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 23.

WEDNESDAY, 16TH JANUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. MEMORIAL.—Mr. Snodgrass presented a Memorial from certain agriculturists and others, praying the Council would take the subject, as set forth in the Memorial, into consideration, and adopt such measures or steps as the Council might consider best to arrest the evil complained of.
Memorial received.
3. PAPERS.—The Attorney General, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz. :—
Petty Sessions Returns.—Return to Address, adopted on the motion of Mr. Fellows, 11th January, 1856.
Ordered to be printed.
4. ELECTIONS REGULATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress and obtained leave to sit again to-morrow.
5. POSTPONEMENT OF ORDER OF THE DAY.—Mr. Goodman moved, That the consideration of the following Order of the Day be postponed until after the consideration of the Motion standing No. 1 on the Notice Paper of to-day :—
“ *Victoria Electoral Bill.—To be further considered in Committee.*”
Debate ensued.
Mr. Grant moved, as an amendment, That all the words in the above motion after the word “ That ” be omitted, with the view to insert in lieu thereof the words “ this Council having heard the explanation of the Chief Secretary as to the course the Ministry will pursue with respect to the Ballot, is of opinion that the Ministry does not possess the confidence of this Council.”
Debate ensued.
Amendment by leave withdrawn.
Debate continued.
Original motion by leave withdrawn.
6. VICTORIA ELECTORAL BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress and obtained leave to sit again to-morrow.
7. JOHN WINTER, Esq.—Mr. Lalor moved, pursuant to notice, That the Petition of John Winter, presented by him on the 15th instant, be referred to the Select Committee of this Council now sitting on the subject of mining on private property.
Question—put and passed.
Council adjourned at seventeen minutes past six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 17TH JANUARY, 1856.

Government Business :—

ORDERS OF THE DAY :—

1. ASSESSMENT ON STOCK BILL.—To be further considered in Committee.
2. ELECTIONS REGULATION BILL.—To be further considered in Committee.
3. VICTORIA ELECTORAL BILL.—To be further considered in Committee.

General Business :—

NOTICES OF MOTION :—

1. MR. LALOR : To move, That a Select Committee be appointed to report on the Petition presented by him from certain persons residing at Ballaarat, such Committee to consist of ten Members, viz, the Chief Secretary, Mr. O'Shanassy, Mr. Mollison, Mr. Fawkner, Mr. Grant, Dr. Owens, Mr. Benson, Mr. Humffray, Mr. Myles, and the Mover.
2. MR. WHEELER : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of Expenses of the Troops and additional Police at the Ballaarat Riot.
3. MR. SNODGRASS : To move, That the Memorial from certain Agriculturists, and others, presented by him on the 16th instant, be printed.

FRIDAY, 18TH JANUARY.

NOTICES OF MOTION :—

1. MR. FELLOWS : To move, That the rights of the occupiers of Crown Lands for pastoral purposes can only be ascertained and determined in a Court of Law, and it is the opinion of this House that the Law Officers of the Crown should facilitate any arrangement by which that end can be attained.
2. MR. GREEVES : To move, That an Address be presented to Her Most Gracious Majesty, praying Her Majesty not to consent to any measure for facilitating the introduction into this Colony of persons who may have been convicted of crimes beyond the limits of the Colony.
3. MR. O'SHANASSY : To move, That the Bill intituled, "*A Bill to authorise the admission of Alexander Keefer to practise as a barrister in the Supreme Court of the Colony of Victoria,*" be now read a second time.
4. MR. BENSON : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return of the amount received by the Government for the land sold in the Township of Sandhurst, and the number of acres; also, a Return of the Amount received for the land sold in the various hamlets in the District of Bendigo, and the number of acres; likewise a Return of the Amount received for land sold in Suburban Lots in the district, and the number of acres.
5. MR. WHEELER : To move, That this House do resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place upon the Estimates for 1856, a sum not exceeding £1000 for the erection of a bridge across the Loddon River at Guildford.
6. MR. MOLLISON : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid upon the Table of the House a Return of the number of convictions under the "*Vagrancy and other Offences Act*" up to 30th September, 1855, by Stipendiary Magistrates sitting alone, and shewing the Police District in which such convictions took place, the name of the Magistrate convicting, and the sentences passed.
7. MR. MYLES : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table copy of any Correspondence that may have taken place between the Bench of Magistrates in Geelong, and the Government, respecting the appointment of an Inspector of Weights and Measures for the Town of Geelong.
8. MR. MILLER : To move for leave to bring in a Bill to incorporate the Collingwood Bridge Company.
Contingent on the Bill being read a first time : To move, That it be referred to a Select Committee, to consist of Mr. Sargood, Mr. Nicholson, Mr. Burnley, Mr. Chapman, Mr. Hodgson, and the Mover.

ORDERS OF THE DAY :—

1. BILLS OF EXCHANGE BILL.—Adoption of Report.
2. EXPENDITURE FOR ROADS AND BRIDGES.—To be further considered in Committee.
3. LIBEL LAW AMENDMENT BILL.—To be further considered in Committee.
4. THE VICTORIA FIRE AND MARINE INSURANCE COMPANY BILL.—Third reading.

TUESDAY, 22ND JANUARY.

NOTICES OF MOTION :—

1. MR. CAMPBELL : To move, That it is the opinion of this House that the Duke of Newcastle's proposition, in the 26th section of his Despatch of 29th November, 1853, that "compensation should be awarded to such Pastoral Tenants of the Crown as should be willing to surrender extreme rights, or to whom injury may really be done by the disappointment of just expectations which enforcing the powers of Government may occasion," should be carried into effect.
2. MR. FELLOWS : To move, That a Select Committee, consisting of the Commissioner of Public Works, Mr. Horne, Mr. Ross, Mr. Kennedy, Mr. A'Beckett, Mr. Lalor, Mr. Chapman, and the Mover, be appointed to take into consideration the Correspondence between Mr. William Robertson and the Government, laid on the Table of this Council on the 11th instant, and to take evidence in explanation thereof, and report thereupon to the House.
3. MR. GRANT : To move, That in the opinion of this House the Export Duty on Gold is unjust on principle, oppressive on the mining community, inexpedient, and ought to be abolished.

ORDERS OF THE DAY :—

1. COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL—Second Reading.
2. INFLUX OF CRIMINALS PREVENTION ACT CONTINUATION BILL—To be further considered in Committee.

TUESDAY, 29TH JANUARY.

NOTICE OF MOTION :—

1. MR. HODGSON : To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £500 as a grant in aid of the Philosophical Institute of Victoria.

MEETINGS

OF

SELECT COMMITTEES.

*Thursday, 17th January.*GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.
IMPORTATION OF LIVE STOCK—at 11 o'clock.*Friday, 18th January.*GOLD—at 11 o'clock.
AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.*Tuesday, 22nd January.*COMMON LAW PRACTICE BILL—at 11 o'clock.
GOLD FIELDS—LOCAL COURTS—at 11 o'clock.J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 24.

THURSDAY, 17TH JANUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PAPER.—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz.:—
Acts of Council—Royal Assent.—Copy Despatches from the Secretary of State, conveying Her Majesty's Assent to the Acts of Council, No. 26 of the 17th and No. 39 of the 18th year of Her Majesty's Reign.
Ordered to be printed.
3. PETITION.—Mr. Cameron presented a Petition from certain miners of the Ovens District, praying that no claims in new creeks or water-holes be granted except on the recommendation of the Local Court.
Petition received.
4. POSTPONEMENT OF ORDERS OF THE DAY.—The Chief Secretary moved that the consideration of the following Order of the Day be postponed until Thursday, 24th January instant:—
“*Assessment on Stock Bill—To be further considered in Committee.*”
Debate ensued.
Question—put and passed.

The Council ordered that the consideration of the following Order of the Day be postponed until after the consideration of the 3rd Order for to-day.
“*Elections Regulation Bill—To be further considered in Committee.*”
5. VICTORIA ELECTORAL BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof. The Chairman reported progress, and obtained leave to sit again Tuesday, 22nd January instant, to take precedence of all other business on that day.
6. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Wednesday, 23rd January instant:—
“*Elections Regulation Bill—To be further considered in Committee.*”
7. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Myles, on behalf of Mr. Lalor, postponed the motion standing in the name of Mr. Lalor, No. 1 on the Notice Paper of to-day, until to-morrow.
8. BALLAARAT RIOTS—EXPENSES OF TROOPS.—Mr. Wheeler moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a Return of Expenses of the Troops and additional Police at the Ballaarat Riot.
Question—put and passed.
9. SCOTCH THISTLE.—Mr. Snodgrass moved, pursuant to notice, That the Memorial from certain Agriculturists and others, presented by him on the 16th instant, be printed.
Question—put and passed.

Council adjourned at twelve minutes to seven o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 18TH JANUARY, 1856.

1. MR. FYFE: To ask the Chief Secretary for an explanation or a statement of the reason why Mr. Disher's appointment to the magistracy was revoked after having been gazetted.
2. MR. CAMERON: To ask the Chief Secretary whether the Government will grant a site for building a public Hospital at Beechworth, and a sum of money in aid of any private fund raised by the inhabitants of the district for establishing such an institution.

NOTICES OF MOTION:—

1. MR. FELLOWS: To move, That it is desirable that the rights of the occupiers of Crown Lands for pastoral purposes should be ascertained and determined in a Court of Justice, and it is the opinion of this House that the Law Officers of the Crown should facilitate any arrangement by which that end can be attained.
2. MR. GREEVES: To move, That an Address be presented to Her Most Gracious Majesty, praying Her Majesty not to consent to any measure for facilitating the introduction into this Colony of persons who may have been convicted of crimes beyond the limits of the Colony.
3. MR. O'SHANASSY: To move, That the Bill intituled, "*A Bill to authorise the admission of Alexander Keefer to practise as a barrister in the Supreme Court of the Colony of Victoria,*" be now read a second time.
4. MR. BENSON: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return of the amount received by the Government for the land sold in the Township of Sandhurst, and the number of acres; also, a Return of the Amount received for the land sold in the various hamlets in the District of Bendigo, and the number of acres; likewise a Return of the Amount received for land sold in Suburban Lots in the district, and the number of acres.
5. MR. WHEELER: To move, That this House do resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place upon the Estimates for 1856, a sum not exceeding £1000 for the erection of a bridge across the Loddon River at Guildford.
6. MR. MOLLISON: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid upon the Table of the House a Return of the number of convictions under the "*Vagrancy and other Offences Act*" up to 30th September, 1855, by Stipendiary Magistrates sitting alone, and shewing the Police District in which such convictions took place, the name of the Magistrate convicting, and the sentences passed.
7. MR. MYLES: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table copy of any Correspondence that may have taken place between the Bench of Magistrates in Geelong, and the Government, respecting the appointment of an Inspector of Weights and Measures for the Town of Geelong.
8. MR. MILLER: To move for leave to bring in a Bill to incorporate the Collingwood Bridge Company.
Contingent on the Bill being read a first time: To move, That it be referred to a Select Committee, to consist of Mr. Sargood, Mr. Nicholson, Mr. Burnley, Mr. Chapman, Mr. Hodgson, and the Mover.
9. MR. FYFE: To move, That the financial scheme submitted to the Government relative to the establishment of a National Bank, be printed.
10. MR. FAWKNER: To move, That this House resolve to transact no other business whatever, on Tuesdays, Wednesdays, and Thursdays, until the Electoral Bills and the Estimates are finally passed.
11. MR. MILLER: To move, That the Victoria Bank Act Amendment Bill be now read a second time.
12. MR. LALOR: To move, That a Select Committee be appointed to report on the Petition presented by him from certain persons residing at Ballaarat, such Committee to consist of ten Members, viz, the Chief Secretary, Mr. O'Shanassy, Mr. Mollison, Mr. Fawkner, Mr. Grant, Dr. Owens, Mr. Benson, Mr. Humffray, Mr. Myles, and the Mover.
13. MR. SNODGRASS: To move, That the Petition presented by him on the 16th January instant, from certain Agriculturists and others, relative to the spread of the Scotch Thistle in the Colony, be referred to a Select Committee, to consist of Mr. Nicholson, Mr. Kennedy, Mr. Taylor, Mr. Wills, and the Mover.

ORDERS OF THE DAY:—

1. BILLS OF EXCHANGE BILL—Adoption of Report.
2. EXPENDITURE FOR ROADS AND BRIDGES—To be further considered in Committee.
3. LIBEL LAW AMENDMENT BILL—To be further considered in Committee.
4. THE VICTORIA FIRE AND MARINE INSURANCE COMPANY BILL—Third reading.

TUESDAY, 22ND JANUARY.

ORDER OF THE DAY—(To take precedence):

1. VICTORIA ELECTORAL BILL—To be further considered in Committee.

NOTICES OF MOTION :—

1. MR. CAMPBELL: To move, That it is the opinion of this House that the Duke of Newcastle's proposition, in the 26th section of his Despatch of 29th November, 1853, that "compensation should be awarded to such Pastoral Tenants of the Crown as should be willing to surrender extreme rights, or to whom injury may really be done by the disappointment of just expectations which enforcing the powers of Government may occasion," should be carried into effect.
2. MR. FELLOWS: To move, That a Select Committee, consisting of the Commissioner of Public Works, Mr. Horne, Mr. Ross, Mr. Kennedy, Mr. A'Beckett, Mr. Lalor, Mr. Chapman, and the Mover, be appointed to take into consideration the Correspondence between Mr. William Robertson and the Government, laid on the Table of this Council on the 11th instant, and to take evidence in explanation thereof, and report thereupon to the House.
3. MR. GRANT: To move, That in the opinion of this House the Export Duty on Gold is unjust on principle, oppressive on the mining community, inexpedient, and ought to be abolished.

ORDERS OF THE DAY :—

1. COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL—Second Reading.
2. INFLUX OF CRIMINALS PREVENTION ACT CONTINUATION BILL—To be further considered in Committee.

WEDNESDAY, 23RD JANUARY.

Government Business :—

ORDER OF THE DAY :—

1. ELECTIONS REGULATION BILL—To be further considered in Committee.

THURSDAY, 24TH JANUARY.

Government Business :—

ORDER OF THE DAY :—

1. ASSESSMENT ON STOCK BILL—To be further considered in Committee.

TUESDAY, 29TH JANUARY.

NOTICES OF MOTION :—

1. MR. HODGSON: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £500 as a grant in aid of the Philosophical Institute of Victoria.
2. MR. SARGOOD: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to Her Most Gracious Majesty, respectfully praying Her Majesty that due regard may be had to the commercial, mining, and other industrial interests of this Colony, by appointing thereto, as Governor, a *Civilian* of accredited talent and experience as a statesman.

MEETINGS

OF

SELECT COMMITTEES.

Friday, 18th January.

GOLD—at 11 o'clock.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

Tuesday, 22nd January.

COMMON LAW PRACTICE BILL—at 11 o'clock.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

J. F. PALMER,

Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 25.

FRIDAY, 18TH JANUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ADDRESSES.—The Speaker announced that he had, pursuant to the resolutions of this Council, presented to His Excellency the Officer administering the Government the following Addresses, viz.:—
 - Instructions to District Surveyors.—Adopted on the 9th January, 1856, on the motion of Mr. Lalor;
 - and that His Excellency had, in reply to such Address, been pleased to state that this return had been laid upon the Table of the House, in compliance with the request of the Council.
 - Mr. Robertson.—Adopted on the 10th January, 1856, on the motion of Mr. Fellows;
 - and that His Excellency had, in reply to such Address, been pleased to state that he had directed these documents to be furnished, in compliance with the wishes of the Council.
 - Petty Sessions Return.—Adopted on the 11th January, 1856, on the motion of Mr. Fellows;
 - and that His Excellency had, in reply to such Address, been pleased to state that this return had been supplied to the Council, in accordance with their request.
 - Ovens District Post Offices.—Adopted on the 11th January, 1856, on the motion of Mr. Cameron;
 - and that His Excellency had, in reply to such Address, been pleased to state that he had directed the correspondence to be laid upon the Table of the Council.
 - Expenditure.—Adopted on the 11th January, 1856, on the motion of Mr. O'Brien;
 - and that His Excellency had, in reply to such Address, been pleased to state that instructions had been given to the several Heads of Departments to furnish this Return for the Council with the least possible delay.
3. MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL.—Mr. Miller, as Chairman of the Select Committee of this Council to which this Bill was referred, brought up the Report from the Committee, and moved that it be received.
 - Question—put and passed.—Ordered to lie on the Table.
4. PASTORAL TENANTS OF THE CROWN.—Mr. Fellows moved, pursuant to notice, That it is desirable that the rights of the occupiers of Crown Lands for pastoral purposes should be ascertained and determined in a Court of Justice, and it is the opinion of this House that the Law Officers of the Crown should facilitate any arrangement by which that end can be attained.
 - Mr. Snodgrass moved the previous question.
 - Debate ensued.
 - Question—That this question be now put—put.

Council divided.

Ayes, 15.

Mr. Chapman,
Mr. Cameron,
Mr. Harrison,
Mr. Grant,
Dr. Owens,
Mr. Wheeler,
Dr. Embling,
Mr. Benson,
Mr. Fellows,
Mr. Wills,
Mr. J. Myles,
Mr. O'Shanassy,
Mr. Taylor,
Mr. Campbell,
Mr. Fyfe, (*Teller*).

Noes, 36.

Mr. Riddell,
Mr. Miller,
The Commissioner of Public Works,
Mr. Pyke,
The Chief Secretary,
Mr. Henty,
The Surveyor General,
The Attorney General,
Mr. King,
Mr. O'Brien,
Mr. Wilkinson,
Mr. Lalor,
Mr. Burnley,
Mr. Rae,
Mr. Knight,
Mr. Goodman,
The Commissioner of Trade and
Customs,
Mr. Forlonge,
Mr. Highett,
Mr. Kennedy,
Mr. Humffray,
Mr. Mollison,
Mr. Russell,
The Solicitor General,
Mr. A'Beckett,
Mr. Griffith,
Mr. Horne,
Mr. Murphy,
Mr. Nicholson,
Mr. Strachan,
Mr. Hodgson,
Mr. Greeves,
Mr. Smith,
Mr. Longden,
Mr. Snodgrass,
Mr. Hervey, (*Teller*).

5. **POSTPONEMENT OF NOTICE OF MOTION.**—Mr. O'Shanassy postponed the motion standing in his name (No. 3), on the Notice Paper of to-day, until Friday, 25th January instant.
6. **SANDHURST LAND SALES.**—Mr. Benson moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid on the Table of this House a Return of the amount received by the Government for the land sold in the Township of Sandhurst, and the number of acres; also, a Return of the amount received for the land sold in the various hamlets in the District of Bendigo, and the number of acres; likewise a Return of the amount received for land sold in Suburban Lots in the district, and the number of acres.
Question—put and passed.
7. **BRIDGE ACROSS THE LODDON, AT GUILDFORD.**—Mr. Wheeler moved, pursuant to notice, That this House do resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place upon the Estimates for 1856 a sum not exceeding £1000 for the erection of a bridge across the Loddon River at Guildford.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Speaker resumed the Chair.
8. **PAPER.**—The Surveyor General, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz. :—
Sandhurst Land Sales.—Return to Address, adopted on the motion of Mr. Benson, this day.
Ordered to be printed.
9. **CONVICTIONS UNDER VAGRANCY ACT.**—Mr. Mollison moved, pursuant to *amended* notice That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid upon the Table of the House a Return of the number of convictions under the "*Vagrancy and other Offences Act*" during the last six months of 1855, by Stipendiary Magistrates sitting alone, and shewing the Police District in which such convictions took place, the name of the Magistrate convicting, and the sentences passed.
Question—put and passed.

10. **INSPECTOR OF WEIGHTS AND MEASURES, GEELONG.**—Mr. Myles moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table copy of any Correspondence that may have taken place between the Bench of Magistrates in Geelong, and the Government, respecting the appointment of an Inspector of Weights and Measures for the Town of Geelong.
Debate ensued.
Question—put and passed.
11. **PAPER.**—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned paper, viz. :—
Inspector of Weights and Measures, Geelong.—Return to Address, adopted on the motion of Mr. Myles, this day.
Ordered to be printed.
12. **COLLINGWOOD BRIDGE BILL.**—Mr. Miller moved, pursuant to notice, That he have leave to bring in a Bill to incorporate the Collingwood Bridge Company, and for other purposes therein mentioned.
Question—put and passed.—Ordered that the mover and seconder do prepare and bring in the Bill.
Mr. Miller having produced a certificate that the sum of £25 had been paid into the hands of the Colonial Treasurer for the public uses of the Colony, presented a Bill, intituled, “*A Bill to Incorporate a Company to be called ‘The Collingwood Bridge Company,’ and to enable the said Company to erect and maintain a Bridge over the River ‘Yarra Yarra, at Church-street, East Collingwood, and to take toll thereat, and for other purposes therein mentioned,’*” and moved that such Bill be now read a first time.
Question—put and passed.—Bill read a first time.
Mr. Miller then moved, pursuant to amended contingent notice, That such Bill be referred to a Select Committee, to consist of the Commissioner of Public Works, Mr. Cameron, Mr. Horne, Mr. Strachan, Mr. Nicholson, and the Mover.
Question—put and passed.
13. **PAPER.**—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz. :—
National Bank.—Financial Scheme submitted to the Government relative to the establishment of a National Bank.
Ordered to be printed.
14. **POSTPONEMENT OF NOTICE OF MOTION.**—Mr. Mollison, on behalf of Mr. Fawcner, postponed the motion standing in the name of Mr. Fawcner, No. 10 on the Notice Paper of to-day, until Tuesday, 22nd January, 1856.
15. **THE BANK OF VICTORIA ACT AMENDMENT BILL.**—Mr. Miller moved, pursuant to notice, That this Bill be now read a second time.
Debate ensued.
Question—put and passed.—Bill read a second time.
On the motion of Mr. Miller, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill to be read a third time, Tuesday, 22nd January instant.
16. **BALLAARAT PETITION.**—Mr. Lalor moved, pursuant to notice, That a Select Committee be appointed to report on the Petition presented by him from certain persons residing at Ballaarat, such Committee to consist of ten Members, viz. : the Chief Secretary, Mr. O’Shanassy, Mr. Mollison, Mr. Fawcner, Mr. Grant, Dr. Owens, Mr. Benson, Mr. Humffray, Mr. Myles, and the Mover.
Question—put and passed.
17. **SCOTCH THISTLE.**—Mr. Snodgrass moved, pursuant to notice, That the Petition presented by him on the 16th January instant, from certain agriculturists and others, relative to the spread of the Scotch Thistle in the Colony, be referred to a Select Committee, to consist of Mr. Nicholson, Mr. Kennedy, Mr. Taylor, Mr. Wills, and the Mover.
Question—put and passed.
18. **BILLS OF EXCHANGE BILL.**—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read—On the motion of Mr. Grant, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
The Chairman having reported the Bill with a further amendment, the Council adopted the report, and ordered the Bill to be read a third time, Tuesday, 22nd January instant.
19. **EXPENDITURE FOR ROADS AND BRIDGES.**—The Order of the Day for the further consideration in Committee of the whole Council of the propriety of presenting an Address to His Excellency the Governor, praying that the sum of £250,000 from the proposed vote for Roads and Bridges for the year 1856 be placed at the disposal of the Central Road Board to be expended during the next four months on the Roads and Bridges of the Colony, having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again Thursday, 24th January, instant.

20. **LIBEL LAW AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again on Tuesday, 22nd January instant.
21. **THE VICTORIA FIRE AND MARINE INSURANCE COMPANY BILL.**—The Order of the Day for the third reading of this Bill having been read—On the motion of Mr. Hodgson the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration, Tuesday, 22nd January instant.
22. **PAPERS.**—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Papers, viz. :—
Local Court, Sandhurst.—Letter suggesting certain amendments in Gold Fields Laws. Ordered to be printed.
Denominational School Board.—Report from the Denominational School Board for the year 1854–5.
Ordered to be printed.
The Council adjourned at twenty-six minutes to seven o'clock until three o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 22ND JANUARY, 1856.

ORDER OF THE DAY :—(*To take precedence*)

1. **VICTORIA ELECTORAL BILL**—To be further considered in Committee.

NOTICES OF MOTION :—

1. **MR. CAMPBELL** : To move, That it is the opinion of this House that the Duke of Newcastle's proposition, in the 26th section of his Despatch of 29th November, 1853, that "compensation should be awarded to such Pastoral Tenants of the Crown as should be willing to surrender extreme rights, or to whom injury may really be done by the disappointment of just expectations which enforcing the powers of Government may occasion," should be carried into effect.
2. **MR. FELLOWS** : To move, That a Select Committee, consisting of the Commissioner of Public Works, Mr. Horne; Mr. Ross, Mr. Kennedy, Mr. A'Beckett, Mr. Lalor, Mr. Chapman, and the Mover, be appointed to take into consideration the Correspondence between Mr. William Robertson and the Government, laid on the Table of this Council on the 11th instant, and to take evidence in explanation thereof, and report thereupon to the House.
3. **MR. GRANT** : To move, That in the opinion of this House the Export Duty on Gold is unjust on principle, oppressive on the mining community, inexpedient, and ought to be abolished.
4. **MR. MOLLISON** : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council a Copy of a Report on the state of the Asylum at Yarra Bend, submitted to Government by a Board consisting of the Honorable the Speaker, Chairman, His Honor Mr. Justice Barry, and the Chief Medical Officer.
5. **MR. FYFE** : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of this House Copies of all Correspondence relative to the appointment of Mr. Disher to the office of Magistrate, and other information relative to his appointment being revoked.
6. **MR. O'SHANASSY** : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid upon the Table of this Council a return of the Members of the Legislative Council from the commencement of the first Session thereof to the close of the present Session, noting the changes that have taken or may take place therein.
7. **MR. CAMERON** : To move, That the Petition of John Lambert and other miners of the Ovens District, presented by him on the 17th instant, be referred to the Select Committee now sitting upon the powers of the Local Courts.
8. **MR. FORLONGE** : To move, That this Council, for the remainder of this Session, do adjourn at six o'clock each day, and meet again at a quarter past seven.
9. **MR. MILLER** : To move, That the Melbourne and Hobson's Bay Railway Extension Bill be now read a second time.
10. **MR. FAWKNER** : To move, That this House resolve to transact no other business whatever, on Tuesdays, Wednesdays, and Thursdays, until the Electoral Bills and the Estimates are finally passed.

123

ORDERS OF THE DAY:—

1. COLONIAL BARRISTERS AND ATTORNEYS ADMISSION BILL—Second Reading.
2. INFUX OF CRIMINALS PREVENTION ACT CONTINUATION BILL—To be further considered in Committee.
3. BANK OF VICTORIA ACT AMENDMENT BILL.—Third reading.
4. BILLS OF EXCHANGE BILL—Third reading.
5. LIBEL LAW AMENDMENT BILL—To be further considered in Committee.
6. THE VICTORIA FIRE AND MARINE INSURANCE COMPANY BILL—Adoption of Report.

WEDNESDAY, 23RD JANUARY.

Government Business:—

ORDER OF THE DAY:—

1. ELECTIONS REGULATION BILL—To be further considered in Committee.

THURSDAY, 24TH JANUARY.

Government Business:—

ORDER OF THE DAY:—

1. ASSESSMENT ON STOCK BILL—To be further considered in Committee.

General Business:—

ORDER OF THE DAY:—

1. EXPENDITURE FOR ROADS AND BRIDGES—To be further considered in Committee.

FRIDAY, 25TH JANUARY.

NOTICES OF MOTION:—

1. MR. HUMFFRAY: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the House—
 - (1.) A Return shewing the Post Office Establishment of Ballarat for the year 1854, and specifying the names, positions, and salaries of Officers there; also the Revenue for each month of that year, with a calculation as to how far variations in the rates of postage affected the amount of collections at each period, referring to the present scale of postage as a unit; and a similar Return for the year 1855, shewing the staff and its increase or diminution, with the dates thereof during that year, and copies of any correspondence received by the Government during the year 1855, with reference to the adequacy or inadequacy of the Ballarat Post Office Establishment, and information as to how each such representation was dealt with.
 - (2.) A Tabular return of all Post Offices, including the General Post Office, established in Victoria up to the date of this motion, shewing the name of each Post Office, the name of each Officer; his situation, and (in the case of subordinates having no significant designation) the branch of establishment in which employed, the date and nature of each officer's first employment in the public service of Victoria, in the Post Office Department, and in the particular office he now holds;—six-monthly allowances of each officer, six-monthly allowances of each officer with allowances pecuniary or in the form of house accommodation, six-monthly total of salaries and pecuniary allowances to officers of each establishment: revenue collected at each office for six months, from 1st July to 31st December, 1855.
 - (3.) The December, 1855, collections of each office; remarks as to any reason why December receipts vary from average of six months, and general remarks.
2. MR. O'SHANASSY: To move, That the Bill intituled, "*A Bill to authorise the admission of Alexander Keefer to practise as a barrister in the Supreme Court of the Colony of Victoria,*" be now read a second time.

TUESDAY, 29TH JANUARY.

NOTICES OF MOTION:—

1. MR. HODGSON: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £500 as a grant in aid of the Philosophical Institute of Victoria.
2. MR. SARGOOD: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to Her Most Gracious Majesty, respectfully praying Her Majesty that due regard may be had to the commercial, mining, and other industrial interests of this Colony, by appointing thereto, as Governor, a *Civilian* of accredited talent and experience as a statesman.

MEETINGS
OF
SELECT COMMITTEES.

Tuesday, 22nd January.

COMMON LAW PRACTICE BILL—at 11 o'clock.

SCOTCH THISTLE—at 12 o'clock.

Wednesday, 23rd January.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

Thursday, 24th January.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

Friday, 25th January.

GOLD—at 11 o'clock.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 26.

TUESDAY, 22ND JANUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PAPERS.—The undermentioned Papers were laid upon the Table of the Council, by command of His Excellency the Officer administering the Government, viz. :—
 - By the Commissioner of Trade and Customs—
 - Customs Consolidation Act (16 and 17 Vict. c. 107).—Copy Despatch from Secretary of State, and Correspondence with the Lords of the Committee of the Privy Council for Trade.
 - Ordered to be printed.
 - By the Chief Secretary—
 - Acts of Council—Royal Assent.—List of Acts of the Legislative Council of Victoria which have lately received the Assent of Her Majesty.
 - Ordered to be printed.
 - Local Court, Blackwood.—Extract from Letter from Chairman of Local Court, suggesting certain amendments in Gold Fields Laws.
 - Ordered to lie on the Table.
 - By the Commissioner of Public Works—
 - Public Works, Geelong.—Return to Address, adopted on the motion of Mr. Fyfe, 21st December, 1855.
 - Ordered to be printed.
3. PETITIONS.—The Commissioner of Trade and Customs presented a Petition from certain merchants, traders, and others, of Melbourne, praying the Council would not affirm any resolution whereby the Export Duty on Gold might be condemned.
 - Petition received.
 - Mr. O'Shanassy presented a Petition from James Balmain, formerly Acting Colonial Architect, praying the Council would take his case, as set forth in the Petition, into favorable consideration.
 - Petition received.
4. COMMON LAW PRACTICE BILL.—Mr. Fellows, Chairman of the Select Committee of this Council to which this Bill was referred, brought up the report, with the Bill as amended in Select Committee annexed, and moved that it be received and printed.
 - Question—put and passed.
5. PETITIONS.—Mr. Pyke presented a Petition from John C. Denny, of Fryerstown, praying the Council to take the Petitioner's case, as set forth in the Petition, into consideration, and recommend accordingly, as the property referred to is now for sale, and the Petitioner is suffering materially by delay.
 - Petition received.
 - The Surveyor General presented a Petition from certain Ratepayers and Inhabitants of the Municipality of Emerald Hill, praying the Council that the Bill for the proposed line of Railway by the Beach might not pass into law, and that any Bill for the construction of a direct line from Prince's Bridge to St. Kilda should not receive the sanction of the Council, and that the Bill now before the Council might be amended so as to authorize the construction of a line by Ferrers-street, with a suitable central station for the convenience of the inhabitants within the said Municipality, instead of the line now proposed by the said Bill, and moved that it be received.
 - Objection having been taken to the receipt of the above Petition, on the ground that the requirements of Standing Order No. 64 had not been complied with,
 - The Surveyor General moved, That Standing Order No. 64 be suspended.
 - Debate ensued.
 - Question—That Standing Order No. 64 be suspended—put.
 - Council divided.

Ayes, 18.

The Chief Secretary,
The Attorney General,
Mr. O'Shanassy,
The Commissioner of Public Works,
The Surveyor General,
Dr. Embling,
Mr. Hodgson,
Mr. Campbell,
Mr. Miller,
Mr. Nicholson,
Mr. Rae,
Mr. Wills,
Mr. Humffray,
Mr. Myles,
Mr. Kennedy,
Mr. Murphy,
Mr. Griffith,
The Commissioner of Trade and
Customs, (*Teller*).

Noes, 22.

Mr. Taylor,
Mr. King,
Mr. Snodgrass,
Mr. O'Brien,
Mr. Wheeler,
Mr. Lalor,
Mr. Wilkinson,
Mr. McCulloch,
Mr. Mollison,
Mr. Fellows,
Mr. Beaver,
Mr. Grant,
Dr. Owens,
Mr. Benson,
Mr. Cameron,
Mr. Pyke,
Mr. Fyfe,
Mr. Sargood,
Mr. A'Beckett,
Mr. Longden,
Mr. Greeves,
Mr. Hervey, (*Teller*).

Question—That the above Petition be received—put and passed.

6. VICTORIA ELECTORAL BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof. The Chairman reported progress, and obtained leave to sit again to-morrow, to take precedence of all other business on that day.

7. MR. ROBERTSON.—Mr. Fellows moved, pursuant to notice, That a Select Committee, consisting of the Commissioner of Public Works, Mr. Horne, Mr. Ross, Mr. Kennedy, Mr. A'Beckett, Mr. Lalor, Mr. Chapman, and the Mover, be appointed to take into consideration the Correspondence between Mr. William Robertson and the Government, laid on the Table of this Council on the 11th instant, and to take evidence in explanation thereof, and report thereupon to the House.

Debate ensued.

Question—put and passed.

8. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Grant postponed the motion standing in his name, No. 3 on the Notice Paper of to-day, until Friday, 25th January instant.
9. YARRA BEND LUNATIC ASYLUM.—Mr. Mollison moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council, a Copy of a Report on the state of the Asylum at Yarra Bend, submitted to Government by a Board consisting of the Honorable the Speaker, Chairman, His Honor Mr. Justice Barry, and the Chief Medical Officer.

Debate ensued.

Question—put and passed.

10. MR. DISHER.—Mr. Fyfe moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence relative to the appointment of Mr. Disher to the office of Magistrate, and other information relative to his appointment being revoked.

Debate ensued.

Question—put.

Council divided.

Ayes, 13.

Mr. O'Brien,
Mr. Cameron,
Mr. Longden,
Mr. Myles,
Mr. Wheeler,
Mr. O'Shanassy,
Mr. Fyfe,
Mr. Grant,
Dr. Owens,
Mr. Humffray,
Mr. Benson,
Mr. Wills,
Mr. Forlonge, (*Teller*).

Noes, 18.

The Chief Secretary,
The Commissioner of Public Works,
The Attorney General,
Mr. Harrison,
Mr. Lalor,
Mr. Fellows,
The Commissioner of Trade and
Customs,
Mr. Rae,
Mr. Goodman,
Mr. Mollison,
Mr. Burnley,
The Surveyor General,
Mr. Nicholson,
Mr. Murphy,
Mr. Snodgrass,
Mr. Miller,
Mr. Greeves,
Mr. Riddell, (*Teller*).

11. MEMBERS OF COUNCIL.—Mr. O'Shanassy moved pursuant to amended notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid upon the Table of this Council, a Return of the Members of the Legislative Council from the commencement of the first Session thereof to the close of the present Session, noting the changes that have taken or may take place therein prior to the furnishing the return.

Question—put and passed.

12. OVENS DISTRICT—MINERS' PETITION.—Mr. Cameron moved, pursuant to notice, That the Petition of John Lambert and other miners of the Ovens District, presented by him on the 17th instant, be referred to the Select Committee now sitting upon the powers of the Local Courts.

Question—put and passed.

13. SITTINGS OF THE COUNCIL.—Mr. Forlonge moved, pursuant to notice, That this Council, for the remainder of this Session, do adjourn at six o'clock each day, and meet again at a quarter-past seven.

Debate ensued.

Question—put.

Council divided.

Ayes, 7.

Mr. Forlonge,
Mr. Wheeler,
Mr. Fyfe,
Mr. Cameron,
Mr. Myles,
Mr. Harrison,
Mr. Greeves, (*Teller*).

Noes, 15.

Mr. Miller,
Mr. Riddell,
Mr. Goodman,
Mr. Grant,
Mr. O'Brien,
Mr. Lalor,
Mr. Longden,
Mr. Humffray,
Mr. Benson,
Mr. Burnley,
Mr. Wills,
Dr. Owens,
Mr. Rae,
Mr. O'Shanassy,
Mr. Nicholson, (*Teller*).

14. POSTPONEMENT OF NOTICES OF MOTION.—Mr. Miller and Mr. Longden, on behalf of Mr. Fawcner, postponed the motions respectively standing in the name of Mr. Miller, No. 9, and in the name of Mr. Fawcner, No. 10, on the Notice Paper of to-day, until Friday, 25th January instant.

15. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Friday, 25th January instant:—

“Colonial Barristers and Attornies Admission Bill—Second reading.”

16. INFUX OF CRIMINALS PREVENTION ACT CONTINUATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman having reported the Bill without amendment, the Council ordered the Bill to be read a third time to-morrow.

17. BANK OF VICTORIA ACT AMENDMENT BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of Mr. Miller, read a third time and passed.

Mr. Miller then moved that the following be the title of the Bill:—

“An Act to explain the provisions of an Act incorporating the Proprietors of the Bank of Victoria.”

Question—put and passed.

18. BILLS OF EXCHANGE BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of Mr. Grant, read a third time and passed.

Mr. Grant then moved that the following be the title of the Bill—

“An Act to alter the Laws relating to Bills of Exchange, Promissory Notes, and certain other Securities, and to facilitate the remedies thereon.”

Question—put and passed.

19. LIBEL LAW AMENDMENT BILL.—The Order of the day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration Friday, 25th January instant.—Bill as amended to be printed.

20. THE VICTORIA FIRE AND MARINE INSURANCE COMPANY BILL.—On the motion of Mr. Greeves, the Council adopted the Report from the Committee of the whole upon this Bill. The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of Mr. Greeves, read a third time and passed.

Mr. Greeves then moved that the following be the title of the Bill :—

“ An Act to enable the shareholders and members of a certain Joint Stock Insurance Company, carrying on business in the Colony of Victoria, under the name, style and firm of ‘ The Victoria Fire and Marine Insurance Company,’ to sue and be sued in the name of the Chairman, for the time being, of the Board of Directors of the said Company, and for other purposes therein mentioned.”

Question—put and passed.

Council adjourned at fifteen minutes past seven o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 23RD JANUARY, 1856.

Government Business :—

ORDER OF THE DAY:—(*To take precedence.*)

1. VICTORIA ELECTORAL BILL—To be further considered in Committee.

NOTICE OF MOTION :—

1. THE CHIEF SECRETARY: To move, That the Extract of a Letter from the Chairman of the Local Court at Blackwood to the Chief Secretary, dated January 15th, 1856, laid upon the Table of the Council on the 22nd instant, be referred to the Select Committee of this Council now sitting on the subject of Local Courts at the Gold Fields.

ORDERS OF THE DAY:—

1. ELECTIONS REGULATION BILL—To be further considered in Committee.
2. INFUX OF CRIMINALS PREVENTION ACT CONTINUATION BILL—Third reading.

General Business :—

NOTICES OF MOTION :—

1. MR. PYKE: To move, That the Petition presented by him on the 22nd instant, from John C. Denny, be printed.
2. THE COMMISSIONER OF TRADE AND CUSTOMS: To move, That the Petition presented by him on the 22nd instant, from certain merchants, traders, and others, of Melbourne, be printed.

THURSDAY, 24TH JANUARY.

Government Business :—

ORDER OF THE DAY:—

1. ASSESSMENT ON STOCK BILL—To be further considered in Committee.

General Business :—

ORDER OF THE DAY:—

1. EXPENDITURE FOR ROADS AND BRIDGES—To be further considered in Committee.

FRIDAY, 25TH JANUARY.

NOTICES OF MOTION :—

1. MR. HUMFFRAY: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the House—
 - (1.) A Return shewing the Post Office Establishment of Ballaarat for the year 1854, and specifying the names, positions, and salaries of Officers there; also the Revenue for each month of that year, with a calculation as to how far variations in the rates of postage affected the amount of collections at each period, referring to the present scale of postage as a unit; and a similar Return for the year 1855, shewing the staff and its increase or diminution, with the dates thereof during that year, and copies of any correspondence received by the Government during the year 1855, with reference to the adequacy or inadequacy of the Ballaarat Post Office Establishment, and information as to how each such representation was dealt with.
 - (2.) A Tabular return of all Post Offices, including the General Post Office, established in Victoria up to the date of this motion, shewing the name of each Post Office, the name of each Officer; his situation, and (in the case of subordinates having no significant designation) the branch of establishment in which employed, the date and nature of each officer's first employment in the public service of Victoria, in the Post Office Department, and in the particular office he now holds;—six-monthly allowances of each officer, six-monthly allowances of each officer with allowances pecuniary or in the form of house accommodation, six-monthly total of salaries and pecuniary allowances to officers of each establishment: revenue collected at each office for six months, from 1st July to 31st December, 1855.
 - (3.) The December, 1855, collections of each office; remarks as to any reason why December receipts vary from average of six months, and general remarks.

2. **MR. O'SHANASSY:** To move, That the Bill intituled, "*A Bill to authorise the admission of Alexander Keefer to practise as a barrister in the Supreme Court of the Colony of Victoria,*" be now read a second time.
3. **MR. LONGDEN:** To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of the House, all papers connected with the proposal to establish a school at Avoca, under the National Board of Education, with the decisions arrived at thereupon; and all instructions issued by the Colonial Secretary to the different Boards of Education, during the past year respecting the appropriation of land for school purposes.
4. **DR. EMBLING:** To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying him to place upon the Estimates the sum of £5000, for the introduction of the Alpaca into this Colony.
5. **MR. GRANT:** To move, That in the opinion of this House the Export Duty on Gold is unjust on principle, oppressive on the mining community, inexpedient, and ought to be abolished.
6. **MR. MILLER:** To move, That the Melbourne and Hobson's Bay Railway Extension Bill be now read a second time.
7. **MR. FAWKNER:** To move, That this House resolve to transact no other business whatever, on Tuesdays, Wednesdays, and Thursdays, until the Electoral Bills and the Estimates are finally passed.

ORDERS OF THE DAY:—

1. **LIBEL LAW AMENDMENT BILL**—Adoption of Report.
2. **COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL**—Second Reading.

TUESDAY, 29TH JANUARY.

NOTICES OF MOTION:—

1. **MR. HODGSON:** To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £500 as a grant in aid of the Philosophical Institute of Victoria.
2. **MR. SARGOOD:** To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to Her Most Gracious Majesty, respectfully praying Her Majesty that due regard may be had to the commercial, mining, and other industrial interests of this Colony, by appointing thereto, as Governor, a *Civilian* of accredited talent and experience as a statesman.
3. **MR. PYKE:** To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause further enquiry to be made into the case of Mr. Grover, late chief clerk in the Post Office, the justice of whose claim has been acknowledged and recommended for favorable consideration by the Board appointed by His late Excellency to enquire into the condition and management of the Post Office Department.
4. **MR. FELLOWS:** To move, That the House resolve itself into a Committee of the whole to consider the Common Law Practice Bill.

WEDNESDAY, 30TH JANUARY.

Government Business:—

NOTICES OF MOTION:—

1. **THE COMMISSIONER OF TRADE AND CUSTOMS:** To move, That a dutiful Address be presented to Her Majesty, under the 328th section of the Act, 16 and 17 Victoria, cap. 107, praying Her Majesty to authorize and permit the conveyance of goods and passengers from any one part of Victoria to any other part in other than British ships.
2. **THE COMMISSIONER OF TRADE AND CUSTOMS:** To ask leave to bring in a Bill to amend the Act, 18 Vic., No. 5, intituled, "*An Act to regulate the Conveyance of Passengers to Victoria,*" in accordance with the provisions of "*The Passengers' Act, 1855.*"

MEETINGS
OF
SELECT COMMITTEES.

Wednesday, 23rd January.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

COLLINGWOOD BRIDGE COMPANY BILL—at 11 o'clock.

SCOTCH THISTLE—at 12 o'clock.

IMPORTATION OF LIVE STOCK—at 12 o'clock.

Thursday, 24th January.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

BALLAARAT OUTBREAK PETITION—at 12 o'clock.

Friday, 25th January.

GOLD—at 11 o'clock.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 27.

WEDNESDAY, 23RD JANUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
 2. PAPERS.—The undermentioned Papers were, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council, viz. :—
 - By the Commissioner of Trade and Customs—
 - Act of Council—Royal Assent.—Copy Despatch from the Secretary of State conveying Her Majesty's Assent to the Act of Council, No. 6, of the 18th year of Her Majesty's Reign.
 - Ordered to be printed.
 - By the Commissioner of Public Works—
 - Yarra Bend Lunatic Asylum—Return to Address adopted on the motion of Mr. Mollison, 22nd January, 1856.
 - Ordered to be printed.
 3. VICTORIA ELECTORAL BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
 - The Chairman reported progress and obtained leave to sit again to-morrow.
 4. LOCAL COURT, BLACKWOOD.—The Chief Secretary moved, pursuant to notice, That the Extract of a Letter from the Chairman of the Local Court at Blackwood to the Chief Secretary, dated 15th January, 1856, laid upon the Table of the Council on the 22nd instant, be referred to the Select Committee of this Council now sitting on the subject of Local Courts at the Gold Fields.
 - Question—put and passed.
 5. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until to-morrow :—
 - Elections Regulation Bill*—To be further considered in Committee.
 6. INFLUX OF CRIMINALS PREVENTION ACT CONTINUATION BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Chief Secretary, read a third time and *passed*.
 - The Chief Secretary then moved that the following be the title of the Bill :—
 - “ *An Act to continue for a limited period an Act, intituled, “ ‘ An Act to prevent “ ‘ the Influx of Criminals into Victoria.’ ”*”
 - Question—put and passed.
 7. MR. J. C. DENNY.—Mr. Fyfe moved, pursuant to notice given by Mr. Pyke, That the Petition presented by Mr. Pyke on the 22nd instant, from Mr. J. C. Denny, be printed.
 - Question—put and passed.
 8. GOLD EXPORT DUTY.—The Commissioner of Trade and Customs moved, pursuant to notice, That the Petition presented by him on the 22nd instant, from certain merchants, traders, and others, of Melbourne, be printed.
 - Question put and passed.
- Council adjourned at three minutes past seven o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 24TH JANUARY, 1856.

Government Business :—

ORDERS OF THE DAY :—

1. ASSESSMENT ON STOCK BILL—To be further considered in Committee.
2. VICTORIA ELECTORAL BILL—To be further considered in Committee.
3. ELECTIONS REGULATION BILL—To be further considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. EXPENDITURE FOR ROADS AND BRIDGES—To be further considered in Committee.

FRIDAY, 25TH JANUARY.

NOTICES OF MOTION :—

1. MR. HUMFRAY: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the House—
 - (1.) A Return shewing the Post Office Establishment of Ballarat for the year 1854, and specifying the names, positions, and salaries of Officers there; also the Revenue for each month of that year, with a calculation as to how far variations in the rates of postage affected the amount of collections at each period, referring to the present scale of postage as a unit; and a similar Return for the year 1855, shewing the staff and its increase or diminution, with the dates thereof during that year, and copies of any correspondence received by the Government during the year 1855, with reference to the adequacy or inadequacy of the Ballarat Post Office Establishment, and information as to how each such representation was dealt with.
 - (2.) A Tabular return of all Post Offices, including the General Post Office, established in Victoria up to the date of this motion, shewing the name of each Post Office, the name of each Officer; his situation, and (in the case of subordinates having no significant designation) the branch of establishment in which employed, the date and nature of each officer's first employment in the public service of Victoria, in the Post Office Department, and in the particular office he now holds;—six-monthly allowances of each officer, six-monthly allowances of each officer with allowances pecuniary or in the form of house accommodation, six-monthly total of salaries and pecuniary allowances to officers of each establishment: revenue collected at each office for six months, from 1st July to 31st December, 1855.
 - (3.) The December, 1855, collections of each office; remarks as to any reason why December receipts vary from average of six months, and general remarks.
2. MR. O'SHANASSY: To move, That the Bill intituled, "*A Bill to authorise the admission of Alexander Kefer to practise as a barrister in the Supreme Court of the Colony of Victoria,*" be now read a second time.
3. MR. LONGDEN: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of the House, all papers connected with the proposal to establish a school at Avoca, under the National Board of Education, with the decisions arrived at thereupon; and all instructions issued by the Colonial Secretary to the different Boards of Education, during the past year respecting the appropriation of land for school purposes.
4. DR. EMBLING: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying him to place upon the Estimates the sum of £5000, for the introduction of the Alpaca into this Colony.
5. MR. GRANT: To move, That in the opinion of this House the Export Duty on Gold is unjust on principle, oppressive on the mining community, inexpedient, and ought to be abolished.
6. MR. MILLER: To move, That the Melbourne and Hobson's Bay Railway Extension Bill be now read a second time.
7. MR. FAWKNER: To move, That this House resolve to transact no other business whatever, on Tuesdays, Wednesdays, and Thursdays, until the Electoral Bills and the Estimates are finally passed.
8. MR. RAE: To move, That the Petition of Farquhar McDonald be referred to a Select Committee, consisting of the Commissioner of Public Works, Mr. Murphy, Mr. Nicholson, Mr. Greeves, Mr. Hodgson, Mr. Grant, Mr. Lalor, and the Mover.
9. MR. WHEELER: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council Copies of all Correspondence between the Secretary of the Mechanics' Institute, Castlemaine, and the Government, relative to the grant in aid of that institution voted in the year 1855.

ORDERS OF THE DAY :—

1. LIBEL LAW AMENDMENT BILL—Adoption of Report.
2. COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL—Second Reading.

TUESDAY, 29TH JANUARY.

NOTICES OF MOTION :—

1. MR. HODGSON: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £500 as a grant in aid of the Philosophical Institute of Victoria.
2. MR. SARGOOD: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to Her Most Gracious Majesty, respectfully praying Her Majesty that due regard may be had to the commercial, mining, and other industrial interests of this Colony, by appointing thereto, as Governor, a *Civilian* of accredited talent and experience as a statesman.
3. MR. PYKE: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause further enquiry to be made into the case of Mr. Grover, late chief clerk in the Post Office, the justice of whose claim has been acknowledged and recommended for favorable consideration by the Board appointed by His late Excellency to enquire into the condition and management of the Post Office Department.
4. MR. FELLOWS: To move, That the House resolve itself into a Committee of the whole to consider the Common Law Practice Bill.
5. MR. WILLS: To move, That this House resolve itself into a Committee of the whole to take into consideration the propriety of presenting an Address to His Excellency the Officer administering the Government, requesting him to cause to be placed on the Estimates for 1856, the sum of £250 sterling, in aid of the "Geelong and Western District Agricultural and Horticultural Society."

WEDNESDAY, 30TH JANUARY.

Government Business :—

NOTICES OF MOTION :—

1. THE COMMISSIONER OF TRADE AND CUSTOMS: To move, That a dutiful Address be presented to Her Majesty, under the 328th section of the Act, 16 and 17 Victoria, cap. 107, praying Her Majesty to authorize and permit the conveyance of goods and passengers from any one part of Victoria to any other part in other than British ships.
2. THE COMMISSIONER OF TRADE AND CUSTOMS: To ask leave to bring in a Bill to amend the Act, 18 Vic., No. 5, intituled, "*An Act to regulate the Conveyance of Passengers to Victoria,*" in accordance with the provisions of "*The Passengers' Act, 1855.*"

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 24th January.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.
 GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.
 COLLINGWOOD BRIDGE COMPANY BILL—at 11 o'clock.
 BALLAARAT OUTBREAK PETITION—at 12 o'clock.

Friday, 25th January.

GOLD—at 11 o'clock.
 AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

Wednesday, 30th January.

SCOTCH THISTLE—at 12 o'clock.
 IMPORTATION OF LIVE STOCK—at half-past 12 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 28.

THURSDAY, 24TH JANUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Wednesday, 30th January instant:—
“Assessment on Stock Bill—To be further considered in Committee.”
3. VICTORIA ELECTORAL BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
 The Chairman reported progress, and obtained leave to sit again to-morrow.
4. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Wednesday, 30th January instant:—
“Elections Regulation Bill—To be further considered in Committee.”
 Mr. O'Brien moved, That the consideration of the following Order of the Day be postponed until “to-morrow” :—
“Expenditure for Roads and Bridges—To be further considered in Committee.”
 Mr. Greeves moved, as an amendment, That the word “to-morrow” be omitted, with a view to insert the words “Wednesday, 30th January instant,” in lieu thereof.
 Question—That the word proposed to be omitted stand part of the question—put and negatived.
 Question—That the words proposed to be inserted in the place of the word omitted be so inserted—put and passed.
 Question—That the consideration of the following Order of the Day be postponed until Wednesday, 30th January instant :—
“Expenditure for Roads and Bridges—To be further considered in Committee”—
 put and passed.
5. PAPERS.—The undermentioned Papers were, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council, viz. :—
 By the Treasurer—
 Abstract of the General Revenue and Expenditure on account of the year 1854.
 Abstract of the Territorial Revenue, and of the Expenditure of the same, for the service of the year 1854.
 Abstract of the Revenue and Expenditure from the 1st January to 22nd November, 1855, under Schedule B to Act 13 and 14 Victoria, c. 59.
 Abstract of the Revenue and Expenditure of the General Revenue from 1st January to 22nd November, 1855.
 Abstract of the Territorial Revenue and Expenditure from 1st January to 22nd November, 1855.
 Statement of the Sums advanced from the Colonial Treasury to the Commissioners of Sewerage and Water Supply, under the Act 16 Victoria, No. 39, and of the Proceeds of Debentures issued under the authority of the Act 18 Victoria, No. 40, to the 22nd November, 1855, inclusive.
 Police Reward Fund.—Statement of Receipt and Expenditure of the Sums applicable to the purposes of the Police Reward Fund to 31st December, 1853.
 Passengers' Rate Fund.—Statement of the Receipts and Expenditure of Sums applicable to the purposes of the Passengers' Rate Fund to the 31st December, 1853, inclusive.
 Severally ordered to be printed.
 By the Commissioner of Trade and Customs—
 Act of Council—Royal Assent.—Extract from Despatch from Secretary of State, conveying Her Majesty's Assent to Act of Council 18 Vict., No. 9.
 Ordered to be printed.
 Council adjourned at twenty minutes to six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 25TH JANUARY, 1856.

NOTICES OF MOTION :—

1. MR. HUMFRAY : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the House—
 - (1.) A Return shewing the Post Office Establishment of Ballaarat for the year 1854, and specifying the names, positions, and salaries of Officers there; also the Revenue for each month of that year, with a calculation as to how far variations in the rates of postage affected the amount of collections at each period, referring to the present scale of postage as a unit; and a similar Return for the year 1855, shewing the staff and its increase or diminution, with the dates thereof during that year, and copies of any correspondence received by the Government during the year 1855, with reference to the adequacy or inadequacy of the Ballaarat Post Office Establishment, and information as to how each such representation was dealt with.
 - (2.) A Tabular return of all Post Offices, including the General Post Office, established in Victoria up to the date of this motion, shewing the name of each Post Office, the name of each Officer; his situation, and (in the case of subordinates having no significant designation) the branch of establishment in which employed, the date and nature of each officer's first employment in the public service of Victoria, in the Post Office Department, and in the particular office he now holds;—six-monthly allowances of each officer, six-monthly allowances of each officer with allowances pecuniary or in the form of house accommodation, six-monthly total of salaries and pecuniary allowances to officers of each establishment: revenue collected at each office for six months, from 1st July to 31st December, 1855.
 - (3.) The December, 1855, collections of each office; remarks as to any reason why December receipts vary from average of six months, and general remarks.
2. MR. O'SHANASSY : To move, That the Bill intitled, "*A Bill to authorise the admission of Alexander Keefer to practise as a barrister in the Supreme Court of the Colony of Victoria,*" be now read a second time.
3. MR. LONGDEN : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of the House, all papers connected with the proposal to establish a school at Avoca, under the National Board of Education, with the decisions arrived at thereupon; and all instructions issued by the Colonial Secretary to the different Boards of Education, during the past year respecting the appropriation of land for school purposes.
4. DR. EMBLING : To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying him to place upon the Estimates the sum of £5000, for the introduction of the Alpaca into this Colony.
5. MR. GRANT : To move, That in the opinion of this House the Export Duty on Gold is unjust on principle, oppressive on the mining community, inexpedient, and ought to be abolished.
6. MR. MILLER : To move, That the Melbourne and Hobson's Bay Railway Extension Bill be now read a second time.
7. MR. FAWKNER : To move, That this House resolve to transact no other business whatever, on Tuesdays, Wednesdays, and Thursdays, until the Electoral Bills and the Estimates are finally passed.
8. MR. RAE : To move, That the Petition of Farquhar McDonald be referred to a Select Committee, consisting of the Commissioner of Public Works, Mr. Murphy, Mr. Nicholson, Mr. Greeves, Mr. Hodgson, Mr. Grant, Mr. Lalor, and the Mover.
9. MR. WHEELER : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council Copies of all Correspondence between the Secretary of the Mechanics' Institute, Castlemaine, and the Government, relative to the grant in aid of that institution voted in the year 1855.
10. MR. GREEVES : To move, That the Liquors Sale Law Amendment Bill be now read a second time.

ORDERS OF THE DAY :—

1. LIBEL LAW AMENDMENT BILL—Adoption of Report.
2. COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL—Second Reading.
3. VICTORIA ELECTORAL BILL—To be further considered in Committee.

TUESDAY, 29TH JANUARY.

NOTICES OF MOTION :—

1. MR. HODGSON : To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £500 as a grant in aid of the Philosophical Institute of Victoria.

2. MR. SARGOOD: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to Her Most Gracious Majesty, respectfully praying Her Majesty that due regard may be had to the commercial, mining, and other industrial interests of this Colony, by appointing thereto, as Governor, a *Civilian* of accredited talent and experience as a statesman.
3. MR. PYKE: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause further enquiry to be made into the case of Mr. Grover, late chief clerk in the Post Office, the justice of whose claim has been acknowledged and recommended for favorable consideration by the Board appointed by His late Excellency to enquire into the condition and management of the Post Office Department.
4. MR. FELLOWS: To move, That the House resolve itself into a Committee of the whole to consider the Common Law Practice Bill.
5. MR. WILLS: To move, That this House resolve itself into a Committee of the whole to take into consideration the propriety of presenting an Address to His Excellency the Officer administering the Government, requesting him to cause to be placed on the Estimates for 1856, the sum of £250 sterling, in aid of the "Geelong and Western District Agricultural and Horticultural Society."

WEDNESDAY, 30TH JANUARY.

Government Business:—

NOTICES OF MOTION:—

1. THE COMMISSIONER OF TRADE AND CUSTOMS: To move, That a dutiful Address be presented to Her Majesty, under the 328th section of the Act, 16 and 17 Victoria, cap. 107, praying Her Majesty to authorize and permit the conveyance of goods and passengers from any one part of Victoria to any other part in other than British ships.
2. THE COMMISSIONER OF TRADE AND CUSTOMS: To ask leave to bring in a Bill to amend the Act, 18 Vic., No. 5, intituled, "*An Act to regulate the Conveyance of Passengers to Victoria*," in accordance with the provisions of "*The Passengers' Act, 1855*."

ORDERS OF THE DAY:—

1. ASSESSMENT ON STOCK BILL—To be further considered in Committee.
2. ELECTIONS REGULATION BILL—To be further considered in Committee.

General Business:—

ORDER OF THE DAY:—

1. EXPENDITURE FOR ROADS AND BRIDGES—To be further considered in Committee.

FRIDAY, 1ST FEBRUARY.

NOTICE OF MOTION:—

1. DR. EMBLING: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed on the Estimates the sum of £500 for a Mechanics' Institute in East Collingwood.

MEETINGS

OF

SELECT COMMITTEES.

Friday, 25th January.

GOLD—at 11 o'clock.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

COLLINGWOOD BRIDGE COMPANY BILL—at 12 o'clock.

Tuesday, 29th January.

GOLD FIELDS—LOCAL COURTS—at 10 o'clock.

BALLAARAT OUTBREAK PETITION—at 12 o'clock.

Wednesday, 30th January.

SCOTCH THISTLE—at 12 o'clock.

IMPORTATION OF LIVE STOCK—at half-past 12 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 29.

FRIDAY, 25TH JANUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. BREACH OF PRIVILEGE.—Mr. Pyke, as Chairman of the Select Committee of this Council appointed to enquire into the existing laws relative to mining on private property, reported to the Council that Mr. Benson, one of the Members of the Committee, had published in a local newspaper a resolution agreed to by the Committee before the same had been agreed to by the Council; Mr. Benson having been called upon by the Speaker to state whether he had forwarded the above resolution to the Editor of the Newspaper, admitted having done so, and having stated that he was unaware he was thereby committing any breach of the Rules of the Council, and having apologised to the Council for the steps he had taken, was directed by the Speaker to withdraw. Mr. Pyke then moved that the apology just made to the House by Mr. Benson be deemed sufficient.
Question—put and passed.
Mr. Benson was then called in and admonished by the Speaker.
3. PAPERS.—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Papers, viz. :—
Claims for Compensation, Ballaarat.—Supplementary Return to Address adopted on the motion of Mr. Grant, 7th December, 1855.
Ordered to be printed.
Claims for Compensation, Ballaarat.—Copies of Petitions from certain persons claiming compensation for losses occasioned by the Riots at Ballaarat.
Ordered to be printed, and referred to the Committee now sitting on the Ballaarat Outbreak Petition.
4. PETITION.—Mr. Wills presented a Petition from Samuel Gordon, Esq., of Spring-street, Melbourne, praying the Council to take the subject set forth in the Petition into consideration.
Petition received.
5. POSTPONEMENT OF NOTICES OF MOTION.—Mr. Humffray and Mr. O'Shanassy postponed the Motions standing in their names, No. 1 and 2 respectively, on the Notice Paper of to-day, until Tuesday, 29th January instant.
6. NATIONAL BOARD OF EDUCATION.—Mr. Longden moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of the House all papers connected with the proposal to establish a school at Avoca under the National Board of Education, with the decisions arrived at thereupon; and all instructions issued by the Colonial Secretary to the different Boards of Education during the past year respecting the appropriation of land for school purposes.
Question—put and passed.
7. ALPACA.—Dr. Embling moved, pursuant to notice, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying him to place upon the Estimates the sum of £5000 for the introduction of the Alpaca into this Colony.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of whole accordingly.
The Speaker resumed the Chair.

8. **GOLD EXPORT DUTY.**—Mr. Grant moved, pursuant to notice, That in the opinion of this House the Export Duty on Gold is unjust on principle, oppressive on the mining community, inexpedient, and ought to be abolished.
 Debate ensued.
 Mr. Rae moved, as an amendment, That all the words in the above question after the word "is" be omitted with a view to insert in lieu thereof the words, "excessive in amount, and ought to be reduced."
 Debate continued.
 Mr. Humffray moved, That the further debate on this subject be adjourned until Tuesday, 29th January instant, to take precedence of other business on that day.
 Question—That the further debate on this subject be adjourned until Tuesday, 29th January instant, to take precedence of other business on that day—put and passed.
9. **POSTPONEMENT OF NOTICES OF MOTION.**—The following Motions on the Notice Paper for to-day were postponed as under :—
 No. 6. By Mr. Miller,
 No. 7. By Mr. Fawcner, and
 No. 8. By Mr. Rae, until Tuesday, 29th January instant.
10. **MECHANICS' INSTITUTE, CASTLEMAINE.**—Mr. Wheeler moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the Council Copies of all Correspondence between the Secretary of the Mechanics' Institute, Castlemaine, and the Government, relative to the grant in aid of that institution voted in the year 1855.
 Question—put and passed.
11. **PAPER.**—The Commissioner of Public Works, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz. :—
 Mechanics' Institute, Castlemaine.—Return to Address, adopted on the motion of Mr. Wheeler this day.
 Ordered to be printed.
12. **LIQUORS SALE LAW AMENDMENT BILL.**—Mr. Greeves moved, pursuant to notice, that this Bill be now read a second time.
 Question—put and passed.—Bill read a second time.
 On the motion of Mr. Greeves the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The Chairman reported progress, and obtained leave to sit again Friday next, the 1st day of February.
13. **LIBEL LAW AMENDMENT BILL.**—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read—On the motion of Mr. Grant, the Speaker left the Chair, and the Council resolved itself in a Committee of the whole for the re-consideration of this Bill.
 The Chairman having reported the Bill with further amendments, the Council adopted the Report and ordered the Bill to be read a third time on Tuesday next, the 29th January instant.
14. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Council ordered that the consideration of the following Orders of the Day be postponed as under :—
 "Colonial Barristers and Attorneys Admission Bill—Second reading," until Tuesday, 29th January instant.
 "Victoria Electoral Bill—To be further considered in Committee," until Wednesday, 30th January instant.
- Council adjourned at two minutes to seven o'clock until three o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 29TH JANUARY, 1856.

ORDER OF THE DAY:—(To take precedence.)

1. **GOLD EXPORT DUTY**—Adjourned Debate.
-
1. **MR. PYKE:** To ask the Chief Secretary why the pledge given in the letter of the Assistant Colonial Secretary to Mr. John Allan, of date 12th October, 1855, which pledge was conveyed in these words: "Authority to make the payment will be requested from the Council immediately on its meeting," has not been carried out.

NOTICES OF MOTION :—

1. **MR. HODGSON:** To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £500 as a grant in aid of the Philosophical Institute of Victoria.

2. MR. SARGOOD: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to Her Most Gracious Majesty, respectfully praying Her Majesty that due regard may be had to the commercial, mining, and other industrial interests of this Colony, by appointing thereto, as Governor, a *Civilian* of accredited talent and experience as a statesman.
3. MR. PYKE: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause further enquiry to be made into the case of Mr. Grover, late chief clerk in the Post Office, the justice of whose claim has been acknowledged and recommended for favorable consideration by the Board appointed by His late Excellency to enquire into the condition and management of the Post Office Department.
4. MR. FELLOWS: To move, That the House resolve itself into a Committee of the whole to consider the Common Law Practice Bill.
5. MR. WILLS: To move, That this House resolve itself into a Committee of the whole to take into consideration the propriety of presenting an Address to His Excellency the Officer administering the Government, requesting him to cause to be placed on the Estimates for 1856, the sum of £250 sterling, in aid of the "Geelong and Western District Agricultural and Horticultural Society."
6. MR. RAE: To move, That an Address be presented to His Excellency the Officer administering the Government, requesting that His Excellency will cause to be laid on the Table of this House copies of the Contract entered into by the Commissioners of Sewerage and Water Supply with any party or parties for the supply of pipes, castings, and other materials for the purposes of such Commission, also for copies of the letters inviting tenders for the said supply, and of the answers to said letters, together with any Minutes of the Commissioners in reference to the same.
7. MR. WILLS: To move, That the Petition from Samuel Gordon, Esquire, presented by him on the 25th instant, be referred to the Select Committee of this Council now sitting on the subject of Gold.
8. MR. HUMFFRAY: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the House—
- (1.) A Return shewing the Post Office Establishment of Ballaarat for the year 1854, and specifying the names, positions, and salaries of Officers there; also the Revenue for each month of that year, with a calculation as to how far variations in the rates of postage affected the amount of collections at each period, referring to the present scale of postage as a unit; and a similar Return for the year 1855, shewing the staff and its increase or diminution, with the dates thereof during that year, and copies of any correspondence received by the Government during the year 1855, with reference to the adequacy or inadequacy of the Ballaarat Post Office Establishment, and information as to how each such representation was dealt with.
 - (2.) A Tabular return of all Post Offices, including the General Post Office, established in Victoria up to the date of this motion, shewing the name of each Post Office, the name of each Officer; his situation, and (in the case of subordinates having no significant designation) the branch of establishment in which employed, the date and nature of each officer's first employment in the public service of Victoria, in the Post Office Department, and in the particular office he now holds;—six-monthly allowances of each officer, six-monthly allowances of each officer with allowances pecuniary or in the form of house accommodation, six-monthly total of salaries and pecuniary allowances to officers of each establishment: revenue collected at each office for six months, from 1st July to 31st December, 1855.
 - (3.) The December, 1855, collections of each office; remarks as to any reason why December receipts vary from average of six months, and general remarks.
9. MR. O'SHANASSY: To move, That the Bill intituled, "*A Bill to authorise the admission of Alexander Keefer to practise as a barrister in the Supreme Court of the Colony of Victoria,*" be now read a second time.
10. MR. MILLER: To move, That the Melbourne and Hobson's Bay Railway Extension Bill be now read a second time.
11. MR. FAWKNER: To move, That this House resolve to transact no other business whatever, on Tuesdays, Wednesdays, and Thursdays, until the Electoral Bills and the Estimates are finally passed.
12. MR. RAE: To move, That the Petition of Farquhar McDonald be referred to a Select Committee, consisting of the Commissioner of Public Works, Mr. Murphy, Mr. Nicholson, Mr. Greeves, Mr. Hodgson, Mr. Grant, Mr. Lalor, and the Mover.

ORDERS OF THE DAY:—

2. LIBEL LAW AMENDMENT BILL—Third reading.
3. COLONIAL BARRISTERS AND ATTORNEYS ADMISSION BILL—Second Reading.

WEDNESDAY, 30TH JANUARY.

Government Business :—

NOTICES OF MOTION :—

1. THE COMMISSIONER OF TRADE AND CUSTOMS : To move, That a dutiful Address be presented to Her Majesty, under the 328th section of the Act, 16 and 17 Victoria, cap. 107, praying Her Majesty to authorize and permit the conveyance of goods and passengers from any one part of Victoria to any other part in other than British ships.
2. THE COMMISSIONER OF TRADE AND CUSTOMS : To ask leave to bring in a Bill to amend the Act, 18 Vic., No. 5, intituled, "*An Act to regulate the Conveyance of Passengers to Victoria,*" in accordance with the provisions of "*The Passengers' Act, 1855.*"

ORDERS OF THE DAY :—

1. ASSESSMENT ON STOCK BILL—To be further considered in Committee.
2. ELECTIONS REGULATION BILL—To be further considered in Committee.
3. VICTORIA ELECTORAL BILL—To be further considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. EXPENDITURE FOR ROADS AND BRIDGES—To be further considered in Committee.

FRIDAY, 1ST FEBRUARY.

NOTICE OF MOTION :—

1. DR. EMBLING : To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed on the Estimates the sum of £500 for a Mechanics' Institute in East Collingwood.

ORDER OF THE DAY :—

1. LIQUORS SALE LAW AMENDMENT BILL—To be further considered in Committee.

MEETINGS

OF

SELECT COMMITTEES.

Tuesday, 29th January.

- GOLD FIELDS—LOCAL COURTS—at 10 o'clock.
 GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.
 BALLAARAT OUTBREAK PETITION—at 12 o'clock.
 COLLINGWOOD BRIDGE COMPANY BILL—at 12 o'clock.

Wednesday, 30th January.

- GOLD—at 10 o'clock.
 SCOTCH THISTLE—at 12 o'clock.
 IMPORTATION OF LIVE STOCK—at half-past 12 o'clock.

Thursday, 31st January.

- AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.
 VOTES AND PROCEEDINGS
 OF THE
LEGISLATIVE COUNCIL.
 No. 30.

TUESDAY, 29TH JANUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PAPER.—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz. :—
 Mining on Private Property—Claim by John Selby for Compensation for Destruction of Property by Miners.

Ordered to be printed.

3. PETITION.—Mr. Pohlman presented a Petition from James Thomson, licensed occupant of a Run of Crown Lands in the Western District of the Colony, known as Keilambete, against the Assessment on Stock Bill.

Petition received.

4. ASSENT TO BILL.—The Speaker announced that His Excellency the Officer administering the Government had been pleased to give the Royal Assent to

“ *The Bills of Exchange Bill.* ”

5. GOLD EXPORT DUTY.—The Debate on the motion, That in the opinion of this House the Export Duty on Gold “is” unjust on principle, oppressive on the mining community, inexpedient, and ought to be abolished; and upon the amendment, That all the words in the above question after the word “is” be omitted, with a view to insert in lieu thereof the words, “excessive in amount, and ought to be reduced”—resumed.

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

Ayes, 44.

Mr. Snodgrass,
 Mr. Fellows,
 Mr. Sargood,
 Mr. Miller,
 Mr. Benson,
 Mr. Beaver,
 Mr. Forlonge,
 Mr. Henty,
 Mr. Wills,
 Dr. Embling,
 Mr. Wilkinson,
 Mr. A'Beckett,
 Mr. Horne,
 Mr. O'Brien,
 Mr. Greeves,
 Mr. Kennedy,
 Mr. Highett,
 Mr. Murphy
 Lieut. Col. Anderson,
 Mr. Russell,
 Mr. McCulloch,
 Mr. Nicholson,
 Mr. Burnley,
 Mr. Strachan,
 Mr. Taylor,
 Mr. Griffith,
 Mr. Riddell,
 Mr. Mollison,
 Mr. Smith,
 Mr. Hervey,
 Mr. King,
 The Chief Secretary,
 The Attorney General,
 The Treasurer,
 The Commissioner of Public Works,
 The Surveyor General,
 Mr. Chapman,
 The Solicitor General,
 Mr. Hodgson,
 Mr. Pohlman,
 Mr. O'Shanassy,
 Mr. Fawkner,
 Mr. Goodman,
 The Commissioner of Trade and
 Customs, (*Teller*).

Noes, 11.

Mr. Humffray,
 Mr. Rae,
 Mr. Lalor,
 Mr. Wheeler,
 Mr. Cameron,
 Mr. Grant,
 Dr. Owens,
 Mr. Longden,
 Mr. Fyfe,
 Mr. Myles,
 Mr. Pyke, (*Teller*).

Question—That in the opinion of this House the Export Duty on Gold is unjust on principle, oppressive on the mining community, inexpedient, and ought to be abolished—put.
Council divided.

Ayes, 9.

Mr. Pyke,
Mr. Longden,
Mr. Fyfe,
Mr. Myles,
Dr. Owens,
Mr. Cameron,
Mr. Grant,
Mr. Benson,
Mr. Snodgrass, (*Teller*).

Noes, 46.

Mr. Beaver,
Mr. Humffray,
Mr. Rae,
Mr. Lalor,
Mr. Wheeler,
Mr. O'Brien,
Mr. Forlonge,
Mr. Henty,
Mr. McCulloch,
Mr. Miller,
Mr. Burnley,
Mr. Wilkinson,
Mr. Highett,
Mr. Wills,
Mr. King,
Mr. Griffith,
Mr. Chapman,
Mr. Murphy,
Mr. Taylor,
The Commissioner of Public Works,
Mr. Mollison,
Mr. Hervey,
Lieut. Col. Anderson,
Mr. Riddell,
Mr. Smith,
Mr. Horne,
The Chief Secretary,
The Treasurer,
Mr. Hodgson,
Mr. Pohlman,
Mr. Greeves,
The Surveyor General,
Mr. Strachan,
Mr. Nicholson,
Mr. Sargood,
Mr. Russell,
The Solicitor General,
Mr. Kennedy,
Mr. A'Beckett,
The Attorney General,
Mr. O'Shanassy,
Mr. Fellows,
Mr. Goodman,
Mr. Fawkner,
Dr. Embling,
The Commissioner of Trade and
Customs, (*Teller*).

6. PETITION.—Mr. Pyke presented a petition from certain Miners on Forest Creek, praying that the Gold Export Duty might be abolished.

Petition received.

7. PHILOSOPHICAL INSTITUTE.—Mr. Hodgson moved, pursuant to notice, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Governor, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £500 as a grant in aid of the Philosophical Institute of Victoria.

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

The Chairman having reported that the Committee considered it expedient that an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £250 as a grant in aid of the Philosophical Institute of Victoria—The Council adopted such Report, and ordered the Address to be presented accordingly.

8. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Sargood postponed the Motion standing in his name, No. 2 on the Notice Paper of to-day, until Friday, 1st February instant.

9. COMMON LAW PRACTICE BILL.—Mr. Fellows moved, pursuant to *amended* notice, That the Speaker leave the Chair, and the Council resolve itself into a Committee of the whole to consider the Common Law Practice Bill.

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of whole accordingly.

The Chairman reported progress, and obtained leave to sit again Friday, 1st February instant.

10. PAPERS.—The Treasurer, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Papers, viz.:—
- Abstract of Receipts and Expenditure of Consolidated Revenue, from 23rd November to 31st December, 1855.
 - Abstract of Receipts and Payments on Account of Territorial Revenue, from 23rd November to 31st December, 1855.
 - Abstract of Receipts and Payments under Schedule B to 13 and 14 Vic., c. 56, from 23rd November to 31st December, 1855.
 - Statement of Expenditure under Schedule D to New Constitution Act, from 23rd November to 31st December, 1855.
 - Chinese Passengers and Protection Rates—Statement of Receipts and Expenditure applicable to the purposes of the Chinese Passengers and Protection Rates, during the period from 23rd November to 31st December, 1855.
 - Police Reward Fund—Statement of the Receipts and Expenditure applicable to the purposes of the Police Reward Fund, from 23rd November to 31st December, 1855.
 - Passengers' Rate Fund—Statement of the Receipts and Expenditure of the Passengers' Rate Fund, from 23rd November to 31st December, 1855.
 - Cash Balances—Statement of the Cash Balances of the several Colonial Revenues and Special Funds, on 31st December, 1855.
 - Poundage Fund—Return shewing amount to the credit of the Poundage Fund on the 31st December, 1855.

Severally ordered to be printed.

11. POSTPONEMENT OF NOTICES OF MOTION.—The following Motions, standing on the Notice Paper of to-day, were severally postponed as under :—
- No. 5. By Mr. Wills, until Friday, 1st February next.
 - No. 6. By Mr. Rae, until to-morrow.
 - No. 7. By Mr. Wills, until Friday, 1st February next.
 - No. 8. By Mr. Humffray, until to-morrow.
 - No. 9. By Mr. O'Shanassy, until Tuesday, 5th February next.
 - No. 10. By Mr. Miller, until Friday, 1st February next.
 - No. 12. By Mr. Rae, until to-morrow.
12. LIBEL LAW AMENDMENT BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of Mr. Snodgrass, read a third time and *passed*.
Mr. Snodgrass then moved that the following be the title of the Bill :—
“ *An Act to amend the Law respecting defamatory words and libel.*”
Question—put and passed.
13. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered the consideration of the following Order of the Day to be postponed until Friday, 1st February next :—
“ *Colonial Barristers and Attornies Admission Bill—Second Reading.*”
- Council adjourned at four minutes after seven o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 30TH JANUARY, 1856.

Government Business :—

NOTICES OF MOTION :—

1. THE COMMISSIONER OF TRADE AND CUSTOMS : To move, That a dutiful Address be presented to Her Majesty, under the 328th section of the Act, 16 and 17 Victoria, cap. 107, praying Her Majesty to authorize and permit the conveyance of goods and passengers from any one part of Victoria to any other part in other than British ships.
2. THE COMMISSIONER OF TRADE AND CUSTOMS : To ask leave to bring in a Bill to amend the Act, 18 Vic., No. 5, intituled, “ *An Act to regulate the Conveyance of Passengers to Victoria,*” in accordance with the provisions of “ *The Passengers' Act, 1855.*”
3. THE CHIEF SECRETARY : To move, That the claim of John Selby for compensation for destruction of property by miners, laid upon the Table of the Council on the 29th instant, be referred to the Select Committee of the Council now sitting on the subject of Mining on Private Property.

ORDERS OF THE DAY :—

1. ASSESSMENT ON STOCK BILL—To be further considered in Committee.
2. ELECTIONS REGULATION BILL—To be further considered in Committee.
3. VICTORIA ELECTORAL BILL—To be further considered in Committee.

General Business :—

NOTICES OF MOTION :—

1. MR. RAE: To move, That an Address be presented to His Excellency the Officer administering the Government, requesting that His Excellency will cause to be laid on the Table of this House copies of the Contract entered into by the Commissioners of Sewerage and Water Supply with any party or parties for the supply of pipes, castings, and other materials for the purposes of such Commission, also for copies of the letters inviting tenders for the said supply, and of the answers to said letters, together with any Minutes of the Commissioners in reference to the same.
2. MR. HUMFFRAY: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the House—
 - (1.) A Return shewing the Post Office Establishment of Ballarat for the year 1854, and specifying the names, positions, and salaries of Officers there; also the Revenue for each month of that year, with a calculation as to how far variations in the rates of postage affected the amount of collections at each period, referring to the present scale of postage as a unit; and a similar Return for the year 1855, shewing the staff and its increase or diminution, with the dates thereof during that year, and copies of any correspondence received by the Government during the year 1855, with reference to the adequacy or inadequacy of the Ballarat Post Office Establishment, and information as to how each such representation was dealt with.
 - (2.) A Tabular return of all Post Offices, including the General Post Office, established in Victoria up to the date of this motion, shewing the name of each Post Office, the name of each Officer; his situation, and (in the case of subordinates having no significant designation) the branch of establishment in which employed, the date and nature of each officer's first employment in the public service of Victoria, in the Post Office Department, and in the particular office he now holds;—six-monthly allowances of each officer, six-monthly allowances of each officer with allowances pecuniary or in the form of house accommodation, six-monthly total of salaries and pecuniary allowances to officers of each establishment: revenue collected at each office for six months, from 1st July to 31st December, 1855.
 - (3.) The December, 1855, collections of each office; remarks as to any reason why December receipts vary from average of six months, and general remarks.
3. MR. RAE: To move, That the Petition of Farquhar McDonald be referred to a Select Committee, consisting of the Commissioner of Public Works, Mr. Murphy, Mr. Nicholson, Mr. Greeves, Mr. Hodgson, Mr. Grant, Mr. Lalor, and the Mover.

ORDER OF THE DAY :—

1. EXPENDITURE FOR ROADS AND BRIDGES—To be further considered in Committee.

FRIDAY, 1ST FEBRUARY.

NOTICES OF MOTION :—

1. DR. EMBLING: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed on the Estimates the sum of £500 for a Mechanics' Institute in East Collingwood.
2. MR. SARGOOD: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to Her Most Gracious Majesty, respectfully praying Her Majesty that due regard may be had to the commercial, mining, and other industrial interests of this Colony, by appointing thereto, as Governor, a *Civilian* of accredited talent and experience as a statesman.
3. MR. WILLS: To move, That this House resolve itself into a Committee of the whole to take into consideration the propriety of presenting an Address to His Excellency the Officer administering the Government, requesting him to cause to be placed on the Estimates for 1856, the sum of £250 sterling, in aid of the "Geelong and Western District Agricultural and Horticultural Society."
4. MR. WILLS: To move, That the Petition from Samuel Gordon, Esquire, presented by him on the 25th instant, be referred to the Select Committee of this Council now sitting on the subject of Gold.
5. MR. MILLER: To move, That the Melbourne and Hobson's Bay Railway Extension Bill be now read a second time.

ORDERS OF THE DAY :—

1. LIQUORS SALE LAW AMENDMENT BILL—To be further considered in Committee.
2. COMMON LAW PRACTICE BILL—To be further considered in Committee.
3. COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL—Second Reading.

TUESDAY, 5TH FEBRUARY.

NOTICE OF MOTION:—

1. MR. O'SHANASSY: To move, That the Bill intituled, "*A Bill to authorise the admission of Alexander Keefer to practise as a barrister in the Supreme Court of the Colony of Victoria,*" be now read a second time.
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MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 30th January.

GOLD—at 10 o'clock.

SCOTCH THISTLE—at 12 o'clock.

GOLD FIELDS—LOCAL COURTS—at 12 o'clock.

COLLINGWOOD BRIDGE COMPANY BILL—at 12 o'clock.

IMPORTATION OF LIVE STOCK—at half-past 12 o'clock.

Thursday, 31st January.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

GOLD MINING ON PRIVATE PROPERTY—at a quarter past 11 o'clock.

Thursday, 7th February.

BALLAARAT OUTBREAK PETITION—at 11 o'clock.

J. F. PALMER,
Speaker.

The Colony
Administration

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

No. 31.

WEDNESDAY, 30TH JANUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PAPERS.—The Attorney General, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Papers, viz. :—
Convictions under Vagrancy Act.—Return to Address adopted on the motion of Mr. Mollison, 18th January, 1856.
Ordered to be printed.
3. CUSTOMS CONSOLIDATION ACT, 1853.—The Commissioner of Trade and Customs moved, pursuant to notice, That a dutiful Address be presented to Her Majesty, under the 328th section of the Act, 16 and 17 Victoria, cap. 107, praying Her Majesty to authorize and permit the conveyance of goods and passengers from any one part of Victoria to any other part in other than British ships.
Question—put and passed.
The Commissioner of Trade and Customs then moved that the following Address be adopted by the Council, viz. :—
“ MOST GRACIOUS SOVEREIGN,
“ We, Your Majesty’s most dutiful and loyal subjects, the Legislative Council of the Colony of Victoria, in Council assembled, in pursuance of the provisions of the ‘*Customs Consolidation Act, 1853*,’ do humbly pray Your Majesty to authorize and permit the conveyance of goods and passengers from any one part of the said Colony to any other part thereof in other than British ships.”
Question—put and passed.
The Commissioner of Trade and Customs then moved that an Address be presented to His Excellency the Officer administering the Government, requesting His Excellency to transmit the above Address to Her Majesty, and praying that he will be pleased to concur in the prayer thereof, and that he will transmit it with a notification of such concurrence to Her Majesty’s Principal Secretary of State for the Colonies.
Question—put and passed.
4. PASSENGERS’ ACT AMENDMENT BILL.—The Commissioner of Trade and Customs having, pursuant to notice, moved for and obtained leave to bring in a Bill to amend the Act for the conveyance of Passengers to Victoria, brought up a Bill, intituled, “ *A Bill to amend the Act 18 Victoria, No. 5, intituled, ‘An Act to regulate the conveyance of Passengers to Victoria,’ in accordance with the provisions of the Passengers Act, 1855,*” and moved that it be now read a first time.
Question—put and passed.—Bill read a first time, and ordered to be read a second time, Wednesday, 6th February next, and to be printed.
5. JOHN SELBY.—The Chief Secretary moved, pursuant to notice, That the claim of John Selby for compensation for destruction of property by miners, laid upon the Table of the Council on the 29th instant, be referred to the Select Committee of the Council now sitting on the subject of Mining on Private Property.
Question—put and passed.
6. ASSESSMENT ON STOCK BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress and obtained leave to sit again to-morrow.

7. **ELECTIONS REGULATION BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress and obtained leave to sit again, Wednesday, 6th February next.

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

The Chairman reported progress, and obtained leave to sit again to-morrow.

9. **MELBOURNE WATER AND SEWERAGE COMMISSION.**—Mr. Rae moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, requesting that His Excellency will cause to be laid on the Table of this House copies of the Contract entered into by the Commissioners of Sewerage and Water Supply with any party or parties for the supply of pipes, castings, and other materials for the purposes of such Commission, also for copies of the letters inviting tenders for the said supply, and of the answers to said letters, together with any Minutes of the Commissioners in reference to the same.

Question—put and passed.

10. **POST OFFICE, BALLAARAT.**—Mr. Humffray moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the House—

(1.) A Return shewing the Post Office Establishment of Ballaarat for the year 1854, and specifying the names, positions, and salaries of Officers there; also the Revenue for each month of that year, with a calculation as to how far variations in the rates of postage affected the amount of collections at each period, referring to the present scale of postage as an unit; and a similar Return for the year 1855, shewing the staff and its increase or diminution, with the dates thereof during that year, and copies of any correspondence received by the Government during the year 1855, with reference to the adequacy or inadequacy of the Ballaarat Post Office Establishment, and information as to how each such representation was dealt with.

(2.) A Tabular return of all Post Offices, including the General Post Office, established in Victoria up to the date of this motion, shewing the name of each Post Office, the name of each Officer; his situation, and (in the case of subordinates having no significant designation) the branch of establishment in which employed, the date and nature of each officer's first employment in the public service of Victoria, in the Post Office Department, and in the particular office he now holds;—six-monthly allowances of each officer, six-monthly allowances of each officer with allowances pecuniary or in the form of house accommodation, six-monthly total of salaries and pecuniary allowances to officers of each establishment: revenue collected at each office for six months, from 1st July to 31st December, 1855.

(3.) The December, 1855, collections of each office; remarks as to any reason why December receipts vary from average of six months, and general remarks.

Question—put and passed.

11. **MR. FARQUHAR McDONALD.**—Mr. Rae moved, pursuant to notice, That the Petition of Farquhar McDonald be referred to a Select Committee, consisting of the Commissioner of Public Works, Mr. Murphy, Mr. Nicholson, Mr. Greeves, Mr. Hodgson, Mr. Grant, Mr. Lalor, and the Mover.

Debate ensued.

Question—put and negatived.

12. **PAPERS.**—The undermentioned were, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council, viz:—

By the Treasurer—

Statement shewing the number of Debentures issued of each series—When sold—The price paid for each—And the place of payment of interest, under Act 18 Victoria, No. 40.

Statement of the proceeds of the sale of Debentures, under the Act 18 Victoria, No. 40; and of the sums advanced to the Commissioners of Sewers and Water Supply during the period from the 23rd November to the 31st December, 1855.

Severally ordered to be printed.

By the Commissioner of Trade and Customs—

River Murray Customs Duties—Copies of additional correspondence respecting collection of.

Ordered to be printed.

13. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until to-morrow, to take precedence of all other business:—

“Expenditure for Roads and Bridges”—To be further considered in Committee.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 31ST JANUARY, 1856.

*General Business :—*ORDER OF THE DAY (*To take precedence*):—

1. EXPENDITURE FOR ROADS AND BRIDGES—To be further considered in Committee.

1. MR. CAMPBELL: To ask the Chief Secretary if it is the intention of the Government to bring in a Bill for the appointment of a fourth Judge at an early period.

Government Business :—

ORDERS OF THE DAY :—

1. ASSESSMENT ON STOCK BILL—To be further considered in Committee.
2. VICTORIA ELECTORAL BILL—To be further considered in Committee.

FRIDAY, 1ST FEBRUARY.

NOTICES OF MOTION :—

1. DR. EMBLING: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed on the Estimates the sum of £500 for a Mechanics' Institute in East Collingwood.
2. MR. SARGOOD: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to Her Most Gracious Majesty, respectfully praying Her Majesty that due regard may be had to the commercial, mining, and other industrial interests of this Colony, by appointing thereto, as Governor, a *civilian* of accredited talent and experience as a statesman.
3. MR. WILLS: To move, That this House resolve itself into a Committee of the whole to take into consideration the propriety of presenting an Address to His Excellency the Officer administering the Government, requesting him to cause to be placed on the Estimates for 1856, the sum of £250 sterling, in aid of the "Geelong and Western District Agricultural and Horticultural Society."
4. MR. WILLS: To move, That the Petition from Samuel Gordon, Esquire, presented by him on the 25th instant, be referred to the Select Committee of this Council now sitting on the subject of Gold.
5. MR. MILLER: To move, That the Melbourne and Hobson's Bay Railway Extension Bill be now read a second time.
6. MR. WILLS: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid on the Table of the House a Copy of the Correspondence between the Government and the Manager of the Union Bank, Geelong, relative to the claim for compensation of the said Manager as regards certain sums advanced by him to the late Clerk of Petty Sessions, Mr. Stamp, for the public service.
7. MR. HERVEY: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause a sum not less than £1000 to be placed on the Estimates to assist in the removal of the barriers to the successful navigation of the Murray River.

ORDERS OF THE DAY :—

1. LIQUORS SALE LAW AMENDMENT BILL—To be further considered in Committee.
2. COMMON LAW PRACTICE BILL—To be further considered in Committee.
3. COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL—Second Reading.

TUESDAY, 5TH FEBRUARY.

NOTICES OF MOTION :—

1. MR. O'SHANASSY: To move, That the Bill intituled, "*A Bill to authorise the admission of Alexander Keefer to practise as a barrister in the Supreme Court of the Colony of Victoria,*" be now read a second time.
2. DR. EMBLING: To move, That a Committee, consisting of Mr. Griffith, Mr. Mollison, Mr. A'Beckett, Mr. Forlonge, Mr. Harrison, Mr. Beaver, and the Mover, be appointed to enquire into and report upon the suitability of the Alpaca to this Colony, and the method by which its introduction may be best accomplished.

WEDNESDAY, 6TH FEBRUARY.

Government Business :—

ORDERS OF THE DAY :—

1. PASSENGERS ACT AMENDMENT BILL.—Second reading.
2. ELECTIONS REGULATION BILL—To be further considered in Committee.

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 31st January.

- AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.
 GOLD MINING ON PRIVATE PROPERTY—at a quarter past 11 o'clock.
 SCOTCH THISTLE—at 12 o'clock.

Tuesday, 5th February.

- GOLD—at 11 o'clock.

Wednesday, 6th February.

- GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

Thursday, 7th February.

- BALLAARAT OUTBREAK PETITION—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 32.

THURSDAY, 31st JANUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. IMPORTATION OF LIVE STOCK.—Mr. Wills, as Chairman of the Select Committee of this Council appointed to enquire into and ascertain the best method of collecting information as to the number and description of Live Stock imported into Victoria from New South Wales and South Australia, brought up the Report, and moved that it be received and printed.
Question—put and passed.
3. EXPENDITURE FOR ROADS AND BRIDGES.—The Order of the Day for the further consideration in Committee of the whole Council of the propriety of presenting an Address to His Excellency the Governor, praying that the sum of £250,000 from the proposed vote for Roads and Bridges for the year 1856 be placed at the disposal of the Central Road Board to be expended during the next four months on the Roads and Bridges of the Colony, having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported that the Committee considered it expedient that an Address be presented to His Excellency the Officer administering the Government, praying that the sum of £250,000 from the proposed vote for Roads and Bridges for the year 1856 be placed at the disposal of the Central Road Board to be expended during the next four months on the Roads and Bridges of the Colony—The Council adopted such Report, and ordered the Address to be presented accordingly.
4. ASSESSMENT ON STOCK BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported the Bill with amendments.
On the motion of the Chief Secretary the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration Tuesday, 5th February instant.—Bill as amended to be printed.
5. VICTORIA ELECTORAL BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again to-morrow.

Council adjourned at five minutes to seven o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 1ST FEBRUARY, 1856.

NOTICES OF MOTION :—

1. DR. EMBLING : To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed on the Estimates the sum of £500 for a Mechanics' Institute in East Collingwood.
2. MR. SARGOOD : To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to Her Most Gracious Majesty, respectfully praying, Her Majesty that due regard may be had to the commercial, mining, and other industrial interests of this Colony, by appointing thereto, as Governor, a *civilian* of accredited talent and experience as a statesman.
3. MR. WILLS : To move, That this House resolve itself into a Committee of the whole to take into consideration the propriety of presenting an Address to His Excellency the Officer administering the Government, requesting him to cause to be placed on the Estimates for 1856, the sum of £250 sterling, in aid of the "Geelong and Western District Agricultural and Horticultural Society."
4. MR. WILLS : To move, That the Petition from Samuel Gordon, Esquire, presented by him on the 25th instant, be referred to the Select Committee of this Council now sitting on the subject of Gold.
5. MR. MILLER : To move, That the Melbourne and Hobson's Bay Railway Extension Bill be now read a second time.
6. MR. WILLS : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid on the Table of the House a Copy of the Correspondence between the Government and the Manager of the Union Bank, Geelong, relative to the claim for compensation of the said Manager as regards certain sums advanced by him to the late Clerk of Petty Sessions, Mr. Stamp, for the public service.
7. MR. HERVEY : To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause a sum not less than £1000 to be placed on the Estimates to assist in the removal of the barriers to the successful navigation of the Murray River.
8. MR. MOLLISON : To move for a Copy of the Contract entered into by the Central Road Board for the construction of a bridge designed to cross the Leigh at Inverleigh.

ORDERS OF THE DAY :—

1. LIQUORS SALE LAW AMENDMENT BILL—To be further considered in Committee.
2. COMMON LAW PRACTICE BILL—To be further considered in Committee.
3. COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL—Second Reading.
4. VICTORIA ELECTORAL BILL—To be further considered in Committee.

TUESDAY, 5TH FEBRUARY.

NOTICES OF MOTION :—

1. MR. O'SHANASSY : To move, That the Bill intituled, "*A Bill to authorise the admission of Alexander Keefer to practise as a barrister in the Supreme Court of the Colony of Victoria,*" be now read a second time.
2. DR. EMBLING : To move, That a Committee, consisting of Mr. Griffith, Mr. Mollison, Mr. a'Beckett, Mr. Forlonge, Mr. Harrison, Mr. Beaver, and the Mover, be appointed to enquire into and report upon the suitability of the Alpaca to this Colony, and the method by which its introduction may be best accomplished.

ORDER OF THE DAY :—

1. ASSESSMENT ON STOCK BILL—Adoption of Report.

WEDNESDAY, 6TH FEBRUARY.

Government Business :—

ORDERS OF THE DAY :—

1. PASSENGERS ACT AMENDMENT BILL.—Second reading.
2. ELECTIONS REGULATION BILL—To be further considered in Committee.

MEETINGS
OF
SELECT COMMITTEES.

Tuesday, 5th February.

GOLD—at 11 o'clock.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

SCOTCH THISTLE—at 12 o'clock.

Wednesday, 6th February.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

Thursday, 7th February.

BALLAARAT OUTBREAK PETITION—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 33.

FRIDAY, 1st FEBRUARY, 1856.

1. The Council met pursuant to adjournment.—The Speaker took the Chair.
2. ADDRESSES.—The Speaker reported that he had, pursuant to the resolutions of this Council, presented to His Excellency the Officer Administering the Government the following addresses :—
 - Funeral Expenses of, and Monument to the memory of, the late Sir Charles Hotham.
Adopted on the 10th January last, on the motion of Mr. Fawkner ;
and that His Excellency had, in reply to such Address, been pleased to state that he had without any delay given the necessary instructions for carrying out the wishes of the Council.
 - Ballaarat Riots—Expenses of Troops.—Adopted on the 17th January last, on the motion of Mr. Wheeler ;
and that His Excellency had, in reply to such such address, been pleased to state that he would cause all the information which could be obtained on this subject to be furnished to the Council.
 - Sandhurst Land Sales.—Adopted on the 18th January last, on the motion of Mr. Benson ;
and that His Excellency had, in reply to such Address, been pleased to state that the information requested by the Council upon this subject had, by his direction, been laid upon the Table of the House.
 - Convictions under Vagrancy Act.—Adopted on the 18th January last, on the motion of Mr. Mollison ;
and that His Excellency had, in reply to such Address, been pleased to state that the Return should be furnished as soon as possible.
 - Inspector of Weights and Measures, Geelong.—Adopted on the 18th January last, on the motion of Mr. Myles ;
and that His Excellency had, in reply to such Address, been pleased to state that he had caused copies of the correspondence on this subject to be laid upon the Table.
 - Yarra Bend Lunatic Asylum.—Adopted on the 22nd January last, on the motion of Mr. Mollison ;
and that His Excellency had, in reply to such Address, been pleased to state that a Copy of the Report applied for had been laid upon the Table of the House, as requested by the Legislative Council.
 - Members of Council.—Adopted on the 22nd January last, on the motion of Mr. O'Shanassy ;
and that His Excellency had, in reply to such Address, been pleased to state that the information desired by the Legislative Council on this subject should be supplied towards the close of the Session.
3. ASSENT TO BILL.—The Speaker announced to the Council that His Excellency the Officer administering the Government had been pleased to give the Royal Assent to
“ *The Bank of Victoria Incorporation Act amendment Bill.* ”
4. PAPER.—The Commissioner of Trade and Customs, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the under-mentioned Paper, viz. :—
 - Agricultural Produce—(Imports Seawards).—Statement of the Agricultural Produce and of all Preserved Meats imported (seawards) into the Colony during the Year 1855.

Ordered to be printed.

- 5 PETITIONS.—Mr. Pyke presented a Petition from certain miners and others, of Forest Creek, in the District of Castlemaine, suggesting a method of preparing the Electoral Roll, and praying its adoption.

Petition received.

Mr. Chapman presented a Petition from certain landed proprietors and other inhabitants of St. Kilda, praying that the second reading of the Bill of the Melbourne and Hobson's Bay Company might be postponed for the purpose of enabling the Petitioners to present a Petition for the suspension of the Standing Orders of the Council, so far as the same relate to Private Bills, and thereupon present a Petition for and bring in a Bill to incorporate a Company to be called "*The St. Kilda and Brighton Railway Company*," and that the Bill of the Melbourne and Hobson's Bay Railway Company might be referred back to the Select Committee, in order that such Committee might consider the particular merits of each plan, and report to the House accordingly.

Petition received.

Mr. Pyke presented a Petition from certain storekeepers and miners resident in Forest Creek and the vicinity, praying for the appointment of some resident on or about Adelaide Hill, as local Postmaster.

Petition received.

6. COLLINGWOOD BRIDGE COMPANY'S BILL.—Mr. Miller, as Chairman of the Select Committee to which this subject was referred, brought up the Report from the Committee, and moved that it be received.

Question—put and passed.—Report ordered to lie on the Table.

7. GEELONG AND WESTERN DISTRICT AGRICULTURAL AND HORTICULTURAL SOCIETY.—Mr. Wills moved, pursuant to notice, That this House resolve itself into a Committee of the whole to take into consideration the propriety of presenting an Address to His Excellency the Officer administering the Government, requesting him to cause to be placed on the Estimates for 1856, the sum of £250 sterling, in aid of the "Geelong and Western District Agricultural and Horticultural Society."

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

The Chairman having reported that the Committee considered it expedient that an Address be presented to His Excellency the Officer administering the Government, requesting him to cause to be placed on the Estimates for 1856 the sum of £250 sterling in aid of "The Geelong and Western District Agricultural and Horticultural Society," and the like sum in aid of "The Villiers and Heytesbury Association"—

Mr. Wills moved that the above resolution be adopted by the Council.

Mr. Mollison moved that the following words be added at the end of the resolution, viz. :—
"Provided a statement of the accounts of each society be submitted annually to the Legislature within thirty days after their assembling."

Debate ensued.

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

Question—that the report from the Committee, amended as aforesaid, be now adopted by the Council—put and passed.

8. SAMUEL GORDON, ESQUIRE.—Mr. Wills moved, pursuant to *amended* notice, That the Petition from Samuel Gordon, Esquire, presented by him on the 25th of January last, be referred to the Select Committee of this Council now sitting on the subject of Gold.

Question—put and passed.

9. MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL.—Mr. Miller moved, pursuant to notice, That the Melbourne and Hobson's Bay Railway Extension Bill "be" now read a second time.

Debate ensued.

Mr. Chapman moved, as an amendment, That all the words after the word "be" be omitted, with a view to insert in lieu thereof, the words, "referred to the Select Committee of this House now sitting, appointed to take into consideration the proper manner in which Railroads in this Colony should be constructed and managed," and that it be an instruction to the said Committee to report upon the above Bill to this House."

Debate continued.

The Chief Secretary moved, as a further amendment, That all the words in first proposed amendment be omitted, with a view to insert in lieu thereof the words "re-committed to the former Committee, and that the Committee be revived."

Question—That the words proposed as the first amendment stand part of the question—put and negatived.

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

Question—That the words "re-committed to the former Committee, and that the Committee be revived," be inserted in the place of the words omitted—put and passed.

Question—That the Melbourne and Hobson's Bay Railway Extension Bill be re-committed to the former Committee, and that the Committee be revived—put and passed.

10. UNION BANK, GEELONG.—Mr. Wills moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid on the Table of the House a Copy of the Correspondence between the Government and the Manager of the Union Bank, Geelong, relative to the claim for compensation of the said Manager as regards certain sums advanced by him to the late Clerk of Petty Sessions, Mr. Stamp.

Question—put and passed.

11. NAVIGATION OF THE MURRAY RIVER.—Mr. Hervey moved, pursuant to notice, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause a sum not less than £1000 to be placed on the Estimates to assist in the removal of the barriers to the successful navigation of the Murray River.

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

The Speaker resumed the Chair.

12. PAPER.—The President of the Central Road Board, by command of His Excellency the Officer administering the Government, laid upon the Council Table the undermentioned Paper, viz:—

Copy of Contract entered into by the Central Road Board for the construction of a Bridge destined to cross the Leigh, at Inverleigh.

Ordered to lie on the Table.

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

“*Liquors Sale Law Amendment Bill—To be further considered in Committee*”—until Tuesday, 5th February instant.

“*Common Law Practice Bill—To be further considered in Committee*”—until Friday, 8th February instant, and

“*Colonial Barristers and Attornies Admission Bill—Second Reading*”—until Tuesday, 5th February instant.

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

The Chairman reported progress, and obtained leave to sit again on Wednesday, 6th February instant.

Council adjourned at three minutes after seven o'clock until three o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 5TH FEBRUARY, 1856.

NOTICES OF MOTION:—

1. MR. O'SHANASSY: To move, That the Bill intituled, “*A Bill to authorise the admission of Alexander Keefer to practise as a barrister in the Supreme Court of the Colony of Victoria,*” be now read a second time.
2. DR. EMBLING: To move, That a Committee, consisting of Mr. Griffith, Mr. Mollison, Mr. A'Beckett, Mr. Forlonge, Mr. Harrison, Mr. Beaver, and the Mover, be appointed to enquire into and report upon the suitability of the Alpaca to this Colony, and the method by which its introduction may be best accomplished.
3. MR. KNIGHT: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause a complete Survey of the Coast from Cape Otway to Lady Bay to be made.

ORDERS OF THE DAY:—

1. ASSESSMENT ON STOCK BILL—Adoption of Report.
2. LIQUORS SALE LAW AMENDMENT BILL—To be further considered in Committee.
3. COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL—Second Reading.

WEDNESDAY, 6TH FEBRUARY.

Government Business:—

ORDERS OF THE DAY:—

1. PASSENGERS ACT AMENDMENT BILL.—Second reading.
2. ELECTIONS REGULATION BILL—To be further considered in Committee.
3. VICTORIA ELECTORAL BILL—To be further considered in Committee.

General Business :—

NOTICE OF MOTION :—

1. MR. WILLS : To move, That an Address be presented to His Excellency the Officer administering the Government, requesting that he will cause to be laid on the Table of the House a statement of the extent and general description of the country in Victoria, the occupiers of which would be likely to avail themselves of the route to Adelaide, in the event of the free navigation of the Murray being effected.

THURSDAY, 7TH FEBRUARY.

General Business :—

NOTICE OF MOTION :—

1. MR. CHAPMAN : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of the House an account of all sums of money expended on the Great Dandenong Road (commonly called the Three Chains Road), in 1853, 1854, and 1855. A similar return of all sums expended on Mornington during the same year. An account of the proceeds of land sold on the Dandenong Road during the same period. An account of the proceeds of land sales in Mornington during the same period.

FRIDAY, 8TH FEBRUARY.

NOTICE OF MOTION :—

1. MR. PYKE : To move, That in the opinion of this House it is desirable that (in accordance with the recommendations of the Commission appointed to enquire into the state of the Gold Fields) the document termed the Miners' Right should be composed of parchment and entitle the holder to the free use of the Escort.

ORDER OF THE DAY :—

1. COMMON LAW PRACTICE BILL—To be further considered in Committee.

MEETINGS

OF

SELECT COMMITTEES.

Tuesday, 5th February.

GOLD—at 11 o'clock.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

SCOTCH THISTLE—at 12 o'clock.

Wednesday, 6th February.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

Thursday, 7th February.

BALLAARAT OUTBREAK PETITION—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 34.

TUESDAY, 5TH FEBRUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PAPERS.—The undermentioned Papers were laid upon the Table of the Council by command of His Excellency the Officer administering the Government, as under:—
 - By the Chief Secretary—
 - Discovery of Gold.—Letter from E. H. Hargreaves, Esq., acknowledging the receipt of his portion of Reward.
 - Ordered to be printed.
 - By the Treasurer—
 - Ovens District Post Offices.—Return to Address, adopted on the motion of Mr. Cameron, 11th January, 1856.
 - Ordered to be printed.
3. ASSENT TO BILL.—The Speaker announced to the Council that His Excellency the Officer administering the Government had given the Royal Assent to the
 - “*Influx of Criminals Prevention Act continuation Bill.*”
4. PETITIONS.—Mr. Fawkner presented a Petition from certain persons styling themselves the representatives of the Wesleyan Methodist Association Churches of Australia, met at Geelong, praying that no influence which could be brought to bear on the subject would induce the Council to pass the Bill for the opening of public houses on the Sabbath Day.
 - Petition received.
 - Mr. Greeves presented a Petition from certain shareholders of the St. Kilda Sea Bathing Company, praying that the Standing Orders of the Council, so far as the same relate to the bringing in of Private Bills, and also to the insertion in the *Government Gazette* and newspapers for four consecutive weeks of a notice of intention to apply for leave to bring in any Bill, might be suspended, and that the Petitioners might be at liberty, upon publication twice only in the *Government Gazette* and one newspaper published in the City of Melbourne of such notice as aforesaid, to bring in a Bill for the purpose of incorporating the petitioners and others into a joint stock company, and enabling them to make, construct, and maintain such bathing houses as mentioned in the Petition.
 - Petition received.
 - Mr. Fawkner presented a Petition from certain persons styling themselves representatives of the Wesleyan Methodist Association Churches in Australia, met at Geelong, urging upon the Council the annulling of the 53rd clause of the New Constitution, whereby £50,000 of the public money is appropriated for the support of religion in the Colony.
 - Petition received.
5. POSTPONEMENT OF NOTICE OF MOTION.—Mr. O'Shanassy postponed the motion standing in his name, No. 1 on the Notice Paper of to-day, until after the consideration of the Orders of the Day.
6. ALPACA.—Dr. Embling moved, pursuant to notice, That a Committee, consisting of Mr. Griffith, Mr. Mollison, Mr. A'Beckett, Mr. Forlonge, Mr. Harrison, Mr. Beaver, and the Mover, be appointed to enquire into and report upon the suitability of the Alpaca to this Colony, and the method by which its introduction may be best accomplished.
 - Question—put and passed.
7. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Beaver, on behalf of Mr. Knight, postponed the motion standing in the name of Mr. Knight, No. 3 on the Notice Paper of to-day, until Friday, 8th February instant.
8. INVERLEIGH BRIDGE.—Mr. Mollison moved, That a copy of the contract entered into by the Central Road Board for the construction of a bridge designed to cross the Leigh at Inverleigh be laid upon the Table.
 - Question—put and passed.
9. ASSESSMENT ON STOCK BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read, the Chief Secretary moved that “the” report be now adopted.
 - Mr. Fawkner moved, as an amendment, That all the words after the word “the” be omitted, with a view to insert, in lieu thereof, the words “Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the re-consideration of this Bill.”
 - Question—That the words proposed to be omitted stand part of the question—put.

Council divided.

Ayes, 21.

Mr. Greeves,
Mr. King,
Mr. Hervey,
Mr. Griffith,
Mr. Horne,
Mr. Taylor,
Mr. Riddell,
Mr. Highett,
Mr. Murphy,
Mr. Wilkinson,
Mr. Pohlman,
Mr. Campbell,
Mr. McCulloch,
Mr. Mollison,
The Surveyor General,
Mr. O'Brien,
The Treasurer,
The Solicitor General,
The Attorney General,
The Chief Secretary,
The Commissioner of Trade and
Customs, (*Teller.*)

Noes, 14.

Mr. Wheeler,
Mr. Myles,
Mr. Hodgson,
Mr. O'Shanassy,
Mr. Fawkner,
Mr. Nicholson,
Mr. Longden,
Dr. Embling,
Mr. Rae,
Mr. Pyke,
Mr. Humffray,
Mr. Benson,
Dr. Owens,
Mr. Snodgrass, (*Teller.*)

Question—That the Report from the Committee of the whole upon this Bill be now adopted by the Council—put and passed.—Bill ordered to be read a third time to-morrow.

10. LIQUORS SALE LAW AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again Tuesday, 12th February instant.

11. COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL.—Mr. Grant moved, That this Bill be now read a second time.

Debate ensued.

Mr. Mollison moved the previous question.

Debate continued.

Question—That this question be now put—put.

Council divided.

Ayes, 14.

Dr. Embling,
Mr. Nicholson,
Mr. Wheeler,
Mr. O'Shanassy,
Mr. Grant,
Mr. Humffray,
Mr. Myles,
Mr. Longden,
Dr. Owens,
Mr. Benson,
Mr. Pyke,
Mr. O'Brien,
Mr. Cameron,
Mr. Greeves, (*Teller.*)

Noes, 12.

The Surveyor General,
The Commissioner of Trade and
Customs,
The Chief Secretary,
The Treasurer,
Mr. Goodman,
Mr. Snodgrass,
The Attorney General,
The Commissioner of Public Works,
The Solicitor General,
Mr. Pohlman,
Mr. Mollison,
Mr. Riddell, (*Teller.*)

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

On the motion of Mr. Grant, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The Chairman reported progress, and obtained leave to sit again Tuesday, 12th February instant.

12. KEEFER'S ADMISSION BILL.—Mr. O'Shanassy moved, pursuant to notice, That the Bill intituled, "*A Bill to authorise the admission of Alexander Keefer to practise as a barrister in the Supreme Court of the Colony of Victoria,*" be now read a second time.

Debate ensued.

Question—put and passed.—Bill read a second time.

On the motion of Mr. O'Shanassy, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The Chairman reported progress, and obtained leave to sit again Tuesday, 12th February instant.

13. PAPER.—The Commissioner of Trade and Customs, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the under-mentioned Paper :—

Immigration.—Copy Despatch from the Secretary to Her Majesty's Colonial Land and Emigration Commissioners, relative to the difficulty of obtaining a suitable class of emigrants.

Ordered to be printed.

Council adjourned at twelve minutes past seven o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 6TH FEBRUARY, 1856.

Government Business :—

NOTICES OF MOTION :—

1. THE SURVEYOR GENERAL : To move, For leave to bring in a Bill to amend an Act intituled "*An Act for the Establishment of Municipal Institutions in Victoria.*"
2. THE ATTORNEY GENERAL : To move, For leave to bring in a Bill to amend an Act intituled "*An Act to make provision for the better Administration of Justice in the Colony of Victoria.*"
3. THE COMMISSIONER OF PUBLIC WORKS : To move, For leave to bring in a Bill to amend an Act intituled "*An Act for Volunteer Corps in Victoria.*"
4. THE ATTORNEY GENERAL : To move, For leave to bring in a Bill to repeal so much of an Act intituled "*An Act more effectually to promote the Erection of Buildings for Public Worship and to provide for the Maintenance of Ministers of Religion in the Colony of Victoria,*" as relates to any grant of money out of the general revenue of Victoria.

ORDERS OF THE DAY :—

1. PASSENGERS ACT AMENDMENT BILL—Second reading.
2. ELECTIONS REGULATION BILL—To be further considered in Committee.
3. VICTORIA ELECTORAL BILL—To be further considered in Committee.
4. ASSESSMENT ON STOCK BILL—Third reading.

General Business :—

1. MR. RIDDELL : To ask the Chief Secretary whether the £500 vote to the Industrial Society has been drawn, and whether any account of its Expenditure has been furnished.
2. MR. BENSON : To ask whether the Chief Secretary has received any information from either of the Gold Fields of the practice of private individuals granting leases and leave to mine for gold, thereby infringing on the prerogative of the Crown, and invading the rights of public property.

NOTICES OF MOTION :—

1. MR. WILLS : To move, That an Address be presented to His Excellency the Officer administering the Government, requesting that he will cause to be laid on the Table of the House a statement of the extent and general description of the country in Victoria, the occupiers of which would be likely to avail themselves of the route to Adelaide, in the event of the free navigation of the Murray being effected.
2. MR. GREEVES : To move, That the Petition of the Shareholders of the St. Kilda Sea Bathing Company, presented by him on the 5th February, be taken into consideration, and that the Standing Orders relative to the introduction of private Bills be suspended, in order to enable the petitioners to bring in a Bill to incorporate a Company to be called "The St. Kilda Sea Bathing Company."

THURSDAY, 7TH FEBRUARY.

Government Business :—

NOTICES OF MOTION :—

1. THE TREASURER : To move, That the House resolve itself into a Committee of the whole, for the purpose of taking into consideration the Estimates for 1856.
2. THE SURVEYOR GENERAL : To move, For leave to bring in a Bill to repeal an Act intituled "*An Act to incorporate a Company to be called 'The Melbourne, Mount Alexander and Murray River Railway Company.'*"

General Business :—

NOTICE OF MOTION :—

1. MR. CHAPMAN : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of the House an account of all sums of money expended on the Great Dandenong Road (commonly called the Three Chains Road), in 1853, 1854, and 1855. A similar return of all sums expended on Mornington during the same year. An account of the proceeds of land sold on the Dandenong Road during the same period. An account of the proceeds of land sales in Mornington during the same period.

FRIDAY, 8TH FEBRUARY.

NOTICES OF MOTION :—

1. MR. PYKE: To move, That in the opinion of this House it is desirable that (in accordance with the recommendations of the Commission appointed to enquire into the state of the Gold Fields) the document termed the Miners' Right should be composed of parchment and entitle the holder to the free use of the Escort.
2. MR. HUMFFRAY: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table, copies of all correspondence with the Government relative to the jumping of a quartz claim occupied by Messrs. Syme and Co., of Mount Egerton, including the correspondence with the Resident Warden and Mr. Lane, the local magistrate, together with the opinion of the Law Officers of the Crown respecting the same.
3. MR. KNIGHT: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause a complete Survey of the Coast from Cape Otway to Lady Bay to be made.

ORDER OF THE DAY :—

1. COMMON LAW PRACTICE BILL—To be further considered in Committee.

TUESDAY, 12TH FEBRUARY.

ORDERS OF THE DAY :—

1. LIQUORS SALE LAW AMENDMENT BILL—To be further considered in Committee.
2. COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL—To be further considered in Committee.
3. KEEFER'S ADMISSION BILL—To be further considered in Committee.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 6th February.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.

SCOTCH THISTLE—at 12 o'clock.

Thursday, 7th February.

BALLAARAT OUTBREAK PETITION—at 11 o'clock.

GOLD MINING ON PRIVATE PROPERTY—at 12 o'clock.

Tuesday, 12th February.

GOLD—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 35.

WEDNESDAY, 6TH FEBRUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. POSTPONEMENT OF NOTICE OF MOTION.—The Surveyor General postponed the motion standing in his name No. 1 on the Notice Paper to-day, until Tuesday, 12th February instant.
3. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL.—The Attorney General having, pursuant to notice, moved for and obtained leave to bring in a Bill to amend the Act for the better administration of Justice, brought up a Bill, intituled, "*A Bill to amend an Act, intituled, 'An Act to make provision for the better administration of Justice in the Colony of Victoria,'*" and moved that it be now read a first time.
Question—put and passed.—Bill read a first time, ordered to be printed, and read a second time to-morrow.
4. VOLUNTEER CORPS ACT AMENDMENT BILL.—The Commissioner of Public Works having, pursuant to notice, moved for and obtained leave to bring in a Bill to amend the Act for Volunteer Corps, brought up a Bill, intituled, "*A Bill to amend an Act, intituled, 'An Act for Volunteer Corps in Victoria,'*" and moved that it be now read a first time.
Question—put and passed.—Bill read a first time, ordered to be printed, and read a second time to-morrow.
5. GRANT FOR PUBLIC WORSHIP ACT REPEAL BILL.—The Attorney General having, pursuant to notice, moved for and obtained leave to bring in a Bill to repeal the Act to promote the erection of Buildings for Public Worship, and to provide for the maintenance of Ministers of Religion, brought up a Bill, intituled, "*A Bill to repeal so much of an Act, intituled, 'An Act more effectually to promote the erection of Buildings for Public Worship, and to provide for the maintenance of Ministers of Religion in the Colony of Victoria,' as relates to any grant of money out of the General Revenue of Victoria,*" and moved that it be now read a first time.
Question—put and passed.—Bill read a first time, ordered to be printed, and read a second time Friday, 8th February instant.
6. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed as under :—
"*Passengers Act Amendment Bill—Second reading,*"—until Friday, 8th February instant.
"*Elections Regulation Bill—To be further considered in Committee,*"—until after the consideration of the 3rd Order for to-day.
7. VICTORIA ELECTORAL BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof. The Chairman reported the Bill with amendments.
On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the reconsideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration Wednesday, 13th February instant.—Bill as amended to be printed.
8. ELECTIONS REGULATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration Wednesday, 13th February instant.—Bill as amended to be printed.

9. **ASSESSMENT ON STOCK BILL.**—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Chief Secretary, read a third time and *passed*.
The Chief Secretary then moved that the following be the title of the Bill :—
“ *An Act to re-enact an Act, intituled, ‘ An Act to authorize for a limited period an Assessment on Stock.’*”
Question—put and passed.
10. **NAVIGATION OF RIVER MURRAY.**—Mr. Wills moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, requesting that he will cause to be laid on the Table of the House a statement of the extent and general description of the country in Victoria, the occupiers of which would be likely to avail themselves of the route to Adelaide, in the event of the free navigation of the Murray being effected.
Debate ensued.
Motion by leave withdrawn.
11. **THE ST. KILDA SEA BATHING COMPANY INCORPORATION BILL.**—On the motion of Mr. Greeves, the Petition presented by him yesterday respecting this Bill was read by the Clerk.
Mr. Greeves then moved, pursuant to notice, That the Standing Orders relative to the introduction of private Bills be suspended, in order to enable the petitioners to bring in a Bill to incorporate a Company to be called “ The St. Kilda Sea Bathing Company.”
Question—put.
Notice having been taken that one-third of the Members, exclusive of the Speaker, were not present, the Speaker counted the House, and it appearing that one-third of the Members, exclusive of the Speaker, were not present, the Speaker adjourned the Council at twenty-seven minutes past five o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 7TH FEBRUARY, 1856.

Government Business :—

NOTICES OF MOTION :—

1. **THE TREASURER** : To move, That the House resolve itself into a Committee of the whole, for the purpose of taking into consideration the Estimates for 1856.
2. **THE SURVEYOR GENERAL** : To move, For leave to bring in a Bill to repeal an Act intituled “ *An Act to incorporate a Company to be called ‘ The Melbourne, Mount Alexander and Murray River Railway Company.’*”

ORDERS OF THE DAY :—

1. **ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL**—Second reading.
2. **VOLUNTEER CORPS ACT AMENDMENT BILL**—Second reading.

General Business :—

NOTICE OF MOTION :—

1. **MR. CHAPMAN** : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of the House an account of all sums of money expended on the Great Dandenong Road (commonly called the Three Chains Road), in 1853, 1854, and 1855. A similar return of all sums expended on Mornington during the same year. An account of the proceeds of land sold on the Dandenong Road during the same period. An account of the proceeds of land sales in Mornington during the same period.

FRIDAY, 8TH FEBRUARY.

1. **MR. CAMERON** : To ask the Chief Secretary the reason why certain Rules of the Local Court at Beechworth, submitted for the approval of the Government, were disallowed by letter from the Assistant Colonial Secretary, dated 28th December last, on account of the words “ jumping ” and “ shepherding ” having been used in framing such rules, while on the 3rd of October last rules of another Local Court containing the same phraseology were published in the *Government Gazette* as sanctioned by the Government.

NOTICES OF MOTION :—

1. **MR. PYKE** : To move, That in the opinion of this House it is desirable that (in accordance with the recommendations of the Commission appointed to enquire into the state of the Gold Fields) the document termed the Miners’ Right should be composed of parchment and entitle the holder to the free use of the Escort.
2. **MR. HUMFRAY** : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table, copies of all correspondence with the Government relative to the jumping of a quartz claim occupied by Messrs. Syme and Co., of Mount Egerton, including the correspondence with the Resident Warden and Mr. Lane, the local magistrate, together with the opinion of the Law Officers of the Crown respecting the same.

3. MR. KNIGHT: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause a complete Survey of the Coast from Cape Otway to Lady Bay to be made.
4. MR. MILLER: To move, That the Collingwood Bridge Company's Bill be now read a second time.

ORDERS OF THE DAY:—

1. COMMON LAW PRACTICE BILL—To be further considered in Committee.
2. GRANT FOR PUBLIC WORSHIP ACT REPEAL BILL.—Second reading.
3. PASSENGERS' ACT AMENDMENT BILL—Second reading.

TUESDAY, 12TH FEBRUARY.

NOTICE OF MOTION:—

1. THE SURVEYOR GENERAL: To move, For leave to bring in a Bill to amend an Act, intituled, "*An Act for the Establishment of Municipal Institutions in Victoria.*"

ORDERS OF THE DAY:—

1. LIQUORS SALE LAW AMENDMENT BILL—To be further considered in Committee.
2. COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL—To be further considered in Committee.
3. KEEFER'S ADMISSION BILL—To be further considered in Committee.

WEDNESDAY, 13TH FEBRUARY.

Government Business:—

ORDERS OF THE DAY:—

1. VICTORIA ELECTORAL BILL—Adoption of Report.
2. ELECTIONS REGULATION BILL—Adoption of Report.

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 7th February.

- BALLAARAT OUTBREAK PETITION—at 11 o'clock.
 AGRICULTURAL AND HORTICULTURAL STATISTICS—at 11 o'clock.
 GOLD MINING ON PRIVATE PROPERTY—at 12 o'clock.

Tuesday, 12th February.

- GOLD—at 11 o'clock.

Wednesday, 13th February.

- GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 36.

THURSDAY, 7TH FEBRUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
 2. PAPERS.—The Treasurer, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Papers, viz. :—
Additional Estimates of Expenditure for 1856.
Ordered to be printed.
Supplementary Estimate of Expenditure for the service of the year 1855.
Ordered to be printed.
 3. SCOTCH THISTLE.—Mr. Snodgrass, as Chairman of the Select Committee to which the consideration of this subject was referred, brought up the report from the Committee, and moved that it be received and printed.
Question—put and passed.
 4. AGRICULTURAL AND HORTICULTURAL STATISTICS.—Mr. Wills, as Chairman of the Select Committee to which the consideration of this subject was referred, brought up the report from the Committee, and moved that be it received and printed.
Question—put and passed.
 5. PAPER.—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz. :—
Melbourne Water and Sewerage Commission.—Return to Address, adopted on the motion of Mr. Rae, 30th January, 1856.
Ordered to be printed.
 6. ESTIMATES.—The Treasurer moved, pursuant to *amended* notice, That the Speaker leave the Chair, and the Council resolve itself into a Committee of the whole, for the purpose of taking into consideration the Estimates for 1856.
Debate ensued.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman reported progress, and obtained leave to sit again to-morrow.
 7. MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY PURCHASE BILL.—
The Surveyor General having, pursuant to *amended* notice, moved for and obtained leave to bring in a Bill to enable Her Majesty's Government to purchase the rights and interests of the Melbourne, Mount Alexander, and Murray River Railway Company, brought up a Bill, intituled, "*A Bill to enable Her Majesty's Government to purchase the Rights and Interests of the Melbourne, Mount Alexander, and Murray River Railway Company,*" and moved that it be now read a first time.
Question—put and passed.—Bill read a first time—Ordered to be printed, and read a second time Wednesday, 13th February instant.
 8. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until to-morrow :—
"*Administration of Justice Act Amendment Bill—Second reading.*"
"*Volunteer Corps Act Amendment Bill—Second reading.*"
- Council adjourned at seven minutes to six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 8TH FEBRUARY, 1856.

1. MR. CAMERON : To ask the Chief Secretary the reason why certain Rules of the Local Court at Beechworth, submitted for the approval of the Government, were disallowed by letter from the Assistant Colonial Secretary, dated 28th December last, on account of the words "jumping" and "shepherding" having been used in framing such rules, while on the 3rd of October last rules of another Local Court containing the same phraseology were published in the *Government Gazette* as sanctioned by the Government.

NOTICES OF MOTION :—

1. MR. PYKE : To move, That in the opinion of this House it is desirable that (in accordance with the recommendations of the Commission appointed to enquire into the state of the Gold Fields) the document termed the Miners' Right should be composed of parchment and entitle the holder to the free use of the Escort.
2. MR. HUMFFRAY : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table, copies of all correspondence with the Government relative to the jumping of a quartz claim occupied by Messrs. Syme and Co., of Mount Egerton, including the correspondence with the Resident Warden and Mr. Lane, the local magistrate, together with the opinion of the Law Officers of the Crown respecting the same.
3. MR. KNIGHT : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause a complete Survey of the Coast from Cape Otway to Lady Bay to be made.
4. MR. MILLER : To move, That the Collingwood Bridge Company's Bill be now read a second time.
5. MR. SNODGRASS : To move, For leave to bring in a Bill for preventing the further spread of the Thistle.

ORDERS OF THE DAY :—

1. COMMON LAW PRACTICE BILL—To be further considered in Committee.
2. GRANT FOR PUBLIC WORSHIP ACT REPEAL BILL.—Second reading.
3. PASSENGERS' ACT AMENDMENT BILL—Second reading.
4. ESTIMATES FOR 1856—To be further considered in Committee.
5. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—Second reading.
6. VOLUNTEER CORPS ACT AMENDMENT BILL—Second reading.

TUESDAY, 12TH FEBRUARY.

NOTICES OF MOTION :—

1. THE SURVEYOR GENERAL : To move, For leave to bring in a Bill to amend an Act intituled "*An Act for the Establishment of Municipal Institutions in Victoria.*"
2. MR. KNIGHT : To move, For leave to bring in a Bill to amend the Act intituled "*An Act to restrain the careless use of Fire.*"

ORDERS OF THE DAY :—

1. LIQUORS SALE LAW AMENDMENT BILL—To be further considered in Committee.
2. COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL—To be further considered in Committee.
3. KEEFER'S ADMISSION BILL—To be further considered in Committee.

WEDNESDAY, 13TH FEBRUARY.

Government Business :—

ORDERS OF THE DAY :—

1. VICTORIA ELECTORAL BILL—Adoption of Report.
2. ELECTIONS REGULATION BILL—Adoption of Report.
3. THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY PURCHASE BILL—Second reading.

MEETINGS

OF

SELECT COMMITTEES.

Friday, 8th February.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

Tuesday, 12th February.

GOLD—at 11 o'clock.

Wednesday, 13th February.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 37.

FRIDAY, 8TH FEBRUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITION.—Mr. Fawcner presented a petition from certain inhabitants of the Municipality of East Collingwood and Fitz Roy Ward, stating that the Bridge now projected over the Yarra, at East Collingwood, whilst it might benefit a few shareholders, would bring ruin upon the large population of East Collingwood, and seriously interfere with the prosperity of Fitz Roy Ward.
Petition received.
3. RECOMMENDATIONS OF GOLD COMMISSION.—Mr. Pyke moved, pursuant to notice, That in the opinion of this House it is desirable that (in accordance with the recommendations of the Commission appointed to enquire into the state of the Gold Fields) the document termed the Miners' Right should be composed of "parchment," and entitle the holder to the free use of the Escort.
The Commissioner of Trade and Customs moved, as an amendment, That all the words in the above resolution after the word "parchment" be omitted.
Question—That the words proposed to be omitted stand part of the question—put and negatived.
Question—That in the opinion of this House it is desirable that (in accordance with the recommendations of the Commission appointed to enquire into the state of the Gold Fields) the document termed the Miners' Right should be composed of parchment—put and passed.
4. QUARTZ CLAIM OF MESSRS. SYME AND Co.—Mr. Humffray moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table copies of all correspondence with the Government relative to the jumping of a quartz claim occupied by Messrs. Syme and Co., of Mount Egerton, including the correspondence with the Resident Warden and Mr. Lane, the local magistrate, together with the opinion of the Law Officers of the Crown respecting the same.
Question—put and passed.
5. SURVEY OF COAST.—Mr. Knight moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will bring under the favorable consideration of Her Majesty's Principal Secretary of State for the Colonies the following resolutions:—
 - 1st. That in the opinion of this House it is desirable that a careful and accurate survey of the Coast of Victoria and of the seas adjoining thereto should be undertaken at as early a date as possible.
 - 2nd. That while this House is prepared to appropriate such sum as may be required for the survey of their Ports and Harbors, they deem that the general survey of the coasts and seas should be undertaken under the immediate superintendence of the Lords Commissioners of the Admiralty.
 - 3rd. That the existing charts and surveys are, in many respects, imperfect, and that the extensive trade of the Australian Colonies calls for their accuracy being rendered undoubted.
 Debate ensued.
Question—put and passed.
6. THE COLLINGWOOD BRIDGE COMPANY BILL.—Mr. Miller moved, pursuant to notice, That this Bill be "now" read a second "time."
Mr. Fawcner moved, as an amendment, That the word "now" be omitted, and that the words "this day week" be added after the word "time."
Question—that the word proposed to be omitted stand part of the question—put and passed.
Question—That this Bill be now read a second time—put and passed.—Bill read a second time.
On the motion of Mr. Miller, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress and obtained leave to sit again Tuesday, 12th February instant.

7. **THISTLE BILL.**—Mr. Snodgrass having moved for and obtained leave to bring in a Bill for preventing the further spread of the thistle, brought in a Bill, intituled, "*A Bill for preventing the further spread of the Thistle,*" and moved that it be now read a first time.
Question—put and passed—Bill read a first time—Ordered to be read a second time, Tuesday, 12th February instant, and to be printed.
8. **COMMON LAW PRACTICE BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress and obtained leave to sit again Tuesday, 12th February instant, to take precedence of all other business on that day.
9. **GRANT FOR PUBLIC WORSHIP ACT REPEAL BILL.**—The Attorney General moved that this Bill be now read a second time.
Question—put and passed.—Bill read a second time and ordered to be considered in Committee Wednesday, 13th February instant.
10. **PASSENGERS' ACT AMENDMENT BILL.**—The Commissioner of Trade and Customs moved that this Bill be now read a second time.
Question—put and passed.—Bill read a second time.
On the motion of the Commissioner of Trade and Customs, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress and obtained leave to sit again Wednesday, 13th February instant.
11. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Council ordered that the consideration of the following Orders of the Day be postponed until Wednesday, 13th February instant:—
"*Estimates for 1856—To be further considered in Committee.*"
"*Administration of Justice Act Amendment Bill—Second reading.*"
12. **VOLUNTEER CORPS ACT AMENDMENT BILL.**—The Commissioner of Public Works moved, That this Bill be now read a second time.
Question—put and passed.—Bill read a second time.
On the motion of the Commissioner of Public Works, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress and obtained leave to sit again Tuesday, 12th February instant.
- Council adjourned at twenty minutes to seven o'clock until three o'clock on Tuesday.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 12TH FEBRUARY, 1856.

ORDER OF THE DAY (*To take precedence*):—

1. **COMMON LAW PRACTICE BILL.**—To be further considered in Committee.
1. **MR. GRANT:** To ask the Honorable the Attorney General, Whether the attention of the Law Officers of the Crown has been drawn to the doubts publicly expressed as to the validity of the New Constitution Bill for this Colony, notwithstanding it may have received the Royal Assent, in consequence of its having undergone alterations and amendments in Parliament without the concurrence and sanction of this House; and, if so, whether he is prepared to lay before this House the opinion of the Law Officers of the Crown as to whether the said Constitution Bill can, or does, possess the force of Law within this Colony.
2. **DR. OWENS:** To ask the Honorable the Chief Secretary to inform the House of the reasons on which the Government have given up for mining purposes at this juncture, the Survey Paddock at Taradale; also for information of the instructions directing the warden of the district to dictate terms, and impose arbitrary conditions for working such Paddock; and further, to inform this House if the Government intend to yield possession to the people of all other Government Reserves supposed to be auriferous, and if so, are such lands to be worked by the miners embarrassed by conditions not recognised by this Council, or otherwise than under regulations enforced on ordinary Crown Lands, and tending to complicate the difficulties connected with mining on private lands.
3. **MR. CAMERON:** To ask the Chief Secretary the reason why certain Rules of the Local Court at Beechworth, submitted for the approval of the Government, were disallowed by letter from the Assistant Colonial Secretary, dated 28th December last, on account of the words "jumping" and "shepherding" having been used in framing such rules, while on the 3rd of October last rules of another Local Court containing the same phraseology were published in the *Government Gazette* as sanctioned by the Government.

NOTICES OF MOTION :—

1. THE SURVEYOR GENERAL : To move, For leave to bring in a Bill to amend an Act, intituled, "*An Act for the Establishment of Municipal Institutions in Victoria.*"
2. MR. KNIGHT : To move, For leave to bring in a Bill to amend the Act, intituled, "*An Act to restrain the careless use of Fire.*"
3. MR. KNIGHT : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table Copies of correspondence between the Surveyor General, Mr. Surveyor Watson, and R. H. Woodward, Esq., with reference to a Cemetery in the vicinity of Tower Hill, in the district of Belfast.
4. MR. GREEVES : To move—
 - (1.) That the Petition of the Shareholders of the St. Kilda Sea Bathing Company, presented on the 5th February, be taken into consideration, and that the Standing Orders relative to the introduction of Private Bills be suspended, in order to enable him to move for leave to bring in a Bill to incorporate a Company, to be called, "The St. Kilda Sea Bathing Company."

Contingent—

 - (2.) To move, For leave to bring in a Bill to incorporate a Company, to be called, "The St. Kilda Sea Bathing Company."

*Contingent—*On the Bill being read a first time, to move, That it be referred to a Select Committee, to consist of the Commissioner of Public Works, Mr. Nicholson, Mr. Hervey, Mr. Sargood, Mr. Humfray, Mr. McCulloch, and the Mover.
5. MR. FELLOWS : To move, That the petition of Wm. Robertson, presented by him on the 8th day of January last, be referred to the Select Committee to which the correspondence between Mr. Robertson and the Government has been referred.
6. MR. CHAPMAN : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of the House an account of all sums of money expended on the Great Dandenong Road (commonly called the Three Chains Road), in 1853, 1854, and 1855, distinguishing between the sums so expended within the Parish of Prahran, and not within the same. A similar return of all sums expended on Mornington during the same years. An account of the proceeds of land sold on the Dandenong Road during the same period. An account of the proceeds of land sales in Mornington during the same period.
7. MR. GRANT : To move, For leave to bring in a Bill for adopting and applying portions of certain Acts of the Imperial Parliament passed in the 13th and 14th and in the 15th and 16th years of the Reign of Her Majesty Queen Victoria, in the Administration of Justice in the Colony of Victoria.

ORDERS OF THE DAY :—

2. LIQUORS SALE LAW AMENDMENT BILL—To be further considered in Committee.
3. COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL—To be further considered in Committee.
4. KEEFER'S ADMISSION BILL—To be further considered in Committee.
5. COLLINGWOOD BRIDGE COMPANY BILL—To be further considered in Committee.
6. THISTLE BILL—Second reading.
7. VOLUNTEER CORPS ACT AMENDMENT BILL—To be further considered in Committee.

WEDNESDAY, 13TH FEBRUARY.

Government Business :—

ORDERS OF THE DAY :—

1. VICTORIA ELECTORAL BILL—Adoption of Report.
2. ELECTIONS REGULATION BILL—Adoption of Report.
3. THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY PURCHASE BILL—Second reading.
4. GRANT FOR PUBLIC WORSHIP ACT REPEAL BILL—To be considered in Committee.
5. PASSENGERS' ACT AMENDMENT BILL—To be further considered in Committee.
6. ESTIMATES FOR 1856—To be further considered in Committee.
7. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—Second reading.

MEETINGS
OF
SELECT COMMITTEES.

Tuesday, 12th February.

GOLD—at 11 o'clock.

GOLD MINING ON PRIVATE PROPERTY—at 11 o'clock.

RAILWAYS—at 12 o'clock.

Wednesday, 13th February.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

ROBERTSON'S CORRESPONDENCE—at 12 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 38.

TUESDAY, 12TH FEBRUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ADDRESSES.—The Speaker announced that he had, pursuant to the resolutions of this Council, presented to His Excellency the Officer administering the Government the following Addresses, viz. :—
 - National Board of Education.—Adopted on the 25th January, 1856, on the motion of Mr. Longden ;
and that His Excellency had, in reply to such Address, been pleased to state that copies of these documents would be laid before the House as soon as the decision of the Government had been arrived at on the question.
 - Mechanics' Institute, Castlemaine.—Adopted on the 25th January, 1856, on the Motion of Mr. Wheeler ;
and that His Excellency had, in reply to such Address, been pleased to state that copies of this correspondence had been laid upon the Table of the House as desired by the Legislative Council.
 - Philosophical Institute.—Adopted on the 29th January, 1856, on the motion of Mr. Hodgson ;
and that His Excellency had, in reply to such Address, been pleased to state that instructions had been given by him to have this sum placed on the Estimates for the present year in accordance with the wishes of the Council.
 - " *Customs Consolidation Act, 1853.*"—Adopted by the Council on 30th January, 1856, on the motion of the Commissioner of Trade and Customs ;
and that His Excellency had, in reply to such Address, been pleased to state that the Address of the Council should be duly forwarded to the Right Honorable the Secretary of State for the Colonies.
 - Melbourne Water and Sewerage Commission.—Adopted on the 30th January, 1856, on the motion of Mr. Rae ;
and that His Excellency had, in reply to such Address, been pleased to state that he had directed a copy of this contract to be laid upon the Table of the House.
 - Post Office, Ballarat.—Adopted on the 30th January, 1856, on the motion of Mr. Humffray ;
and that His Excellency had, in reply to such Address, been pleased to state that the returns asked for were in course of compilation, and would be laid upon the Table of the House as complete as possible and without any unnecessary delay.
 - Geelong and Western District Agricultural and Horticultural Society.—Adopted on the 1st February instant, on the motion of Mr. Wills ;
and that His Excellency had, in reply to such Address, been pleased to state that the sums requested would be placed on the Additional Estimates for 1856, in compliance with the request of the Legislative Council.
 - Union Bank, Geelong.—Adopted on the 1st February instant, on the motion of Mr. Wills ;
and that His Excellency had, in reply to such Address, been pleased to state that copies of these Papers would be laid upon the Table of the Council without delay.
3. ASSENT TO BILLS.—The Speaker reported to the Council that His Excellency the Officer administering the Government had been pleased to give the Royal Assent to
 - " *The Libel Law Amendment Bill ;*"
 - " *The Assessment on Stock Act Amendment Bill.*"
4. PETITIONS.—Mr. A'Beckett presented a Petition from certain inhabitants of St. Peter's Parish, praying the Council to refuse to alter the present Law so as to sanction the public sale of liquors on the Sabbath Day.
Petition received.
The Surveyor General presented a Petition from certain inhabitants of Richmond, in public meeting assembled, praying the Council to pass a Law to relieve the district from its present position in respect to their availing themselves of Municipal Institutions, and to prevent a solemn Law being again evaded ; also that Candidates should be resident, and declare their willingness to accept of office if elected Councillors ; that the votes might be taken by ballot, to prevent undue influence ; and that the latest Electoral Roll should be used as the Roll from which electors for the Municipal Councillors should vote.
Petition received.

5. PAPERS.—The following Papers were laid upon the Table of the Council, by order of His Excellency the Officer administering the Government, by the undermentioned Officers, viz.:—
By Mr. Murphy—
Central Road Board.—Return of Monies paid into the Treasury derived from Punts and Tolls, from 1st January to 31st December, 1855.
Ordered to be printed.
By the Chief Secretary—
Local Court Regulation, Hepburn.—Additional Regulation.
Ordered to be printed.
6. COMMON LAW PRACTICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again Friday, 15th February instant.
7. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.—The Surveyor General having, pursuant to notice, moved for and obtained leave to bring in a Bill to amend the Municipal Institutions Act, brought up a Bill, intituled, “*A Bill to amend an Act intituled ‘An Act for the establishment of Municipal Institutions in Victoria,’*” and moved that it be now read a first time.
Question—put and passed.—Bill read a first time—Ordered to be read a second time Thursday, 14th February instant, and to be printed.
8. CARELESS USE OF FIRE RESTRICTION ACT AMENDMENT BILL.—Mr. Knight having, pursuant to notice, moved for and obtained leave to bring in a Bill to amend the Act to restrain the careless use of fire, brought in a Bill, intituled, “*A Bill to amend an Act intituled ‘An Act to restrain the careless use of Fire,’*” and moved that it be now read a first time.
Question—put and passed.—Bill read a first time—Ordered to be read a second time Thursday, 14th February instant, and to be printed.
9. TOWER HILL CEMETERY.—Mr. Knight moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table copies of correspondence between the Surveyor General, Mr. Surveyor Watson, and R. H. Woodward, Esq., with reference to a Cemetery in the vicinity of Tower Hill, in the district of Belfast.
Debate ensued.
Motion by leave withdrawn.
10. ST. KILDA SEA BATHING COMPANY’S BILL.—Mr. Greeves moved, pursuant to amended notice, That the Standing Orders relative to the introduction of Private Bills be suspended, in order to enable him to move for leave to bring in a Bill to incorporate a Company, to be called “*The St. Kilda Sea Bathing Company.*”
Question—put and passed.
Mr. Greeves having produced a receipt from the Treasurer for the payment of the sum of £25, brought in a Bill, intituled, “*A Bill to incorporate a Company to be called ‘The St. Kilda Sea Bathing Company,’ and for other purposes therein mentioned,*” and moved, pursuant to *contingent* notice, That it be now read a first time.
Question—put and passed.—Bill read a first time.
Mr. Greeves then moved, pursuant to *contingent* notice, that the Bill be referred to a Select Committee, to consist of the Commissioner of Public Works, Mr. Nicholson, Mr. Hervey, Mr. Sargood, Mr. Humffray, Mr. McCulloch, and the Mover.
Question—put and passed.
11. MR. ROBERTSON.—Mr. Fellows moved, pursuant to notice, That the petition of Wm. Robertson, presented by him on the 8th day of January last, be referred to the Select Committee to which the correspondence between Mr. Robertson and the Government has been referred.
Question—put and passed.
12. DANDENONG ROAD.—Mr. Chapman moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of the House an account of all sums of money expended on the Great Dandenong Road (commonly called the Three Chains Road), in 1853, 1854, and 1855, distinguishing between the sums so expended within the Parish of Prahran, and not within the same. A similar return of all sums expended on Mornington during the same years. An account of the proceeds of land sold on the Dandenong Road during the same period. An account of the proceeds of land sales in Mornington during the same period.
Debate ensued.
Question—put and passed.
13. PAPER.—Mr. Murphy, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz.:—
Dandenong Road.—Return to Address, adopted on the motion of Mr. Chapman, 12th February, 1856.
Ordered to be printed.

14. **TRUSTEES BILL.**—Mr. Grant having, pursuant to notice, moved for and obtained leave to bring in a Bill for adopting and applying portions of certain Acts of the Imperial Parliament in the administration of justice in the Colony of Victoria, brought in a Bill, intituled, "*A Bill for adopting and applying portions of certain Acts of the Imperial Parliament, passed in the thirteenth and fourteenth and in the fifteenth and sixteenth years of the reign of Her Majesty Queen Victoria, in the administration of Justice in the Colony of Victoria,*" and moved that it be now read a first time.
Question—put and passed.—Bill read a first time—Ordered to be read a second time Tuesday, 19th February instant, and to be printed.
15. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until Friday, 15th February instant:—
"*Liquors Sale Law Amendment Bill—To be further considered in Committee.*"
16. **COLONIAL BARRISTERS AND ATTORNIES ADMISSION BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again this day six months.
17. **KEEFER'S ADMISSION BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration Friday, 15th February instant.
18. **COLLINGWOOD BRIDGE COMPANY BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again Friday, 15th February instant.
19. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until Friday, 15th February instant:—
"*This Bill—Second Reading.*"
20. **VOLUNTEER CORPS ACT AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration Friday, 15th February instant—Bill as amended to be printed.
Council adjourned at seven minutes to seven o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 13TH FEBRUARY, 1856.

Government Business :—

ORDERS OF THE DAY :—

1. **VICTORIA ELECTORAL BILL**—Adoption of Report.
2. **ELECTIONS REGULATION BILL**—Adoption of Report.
3. **THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY PURCHASE BILL**—
Second reading.
4. **GRANT FOR PUBLIC WORSHIP ACT REPEAL BILL**—To be considered in Committee.
5. **PASSENGERS' ACT AMENDMENT BILL**—To be further considered in Committee.
6. **ESTIMATES FOR 1856**—To be further considered in Committee.
7. **ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL**—Second reading.

General Business :—

1. **MR. KNIGHT** : To ask the Chief Secretary why none of the Tenders for conveyance of the Mails coastwise by steamers to the westward have been accepted.
2. **MR. FAWKNER** : To ask the Chief Secretary, In case the proceedings of the present Government of America should result in a war, have the Government of Victoria laid down for the Colony any of the measures that may be necessary to take, considering the great number of persons now in the Colony professing to be either Californians or naturalized or native born subjects of America; and the danger that would result to this Gold Colony from so large a portion of the subjects of a state at war with Great Britain spread all over this Colony, and able to give information highly dangerous to the welfare of Victoria.

NOTICE OF MOTION :—

1. **MR. MOLLISON** : To move, That the several Reports on the state of the Asylum at Yarra Bend, laid on the Table of the Council, be taken into consideration when the votes for the Asylum are under review by the Committee of the whole House.

THURSDAY, 14TH FEBRUARY.

Government Business :—

ORDER OF THE DAY :—

1. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL—Second reading.

General Business :—

ORDER OF THE DAY :—

1. CARELESS USE OF FIRE RESTRICTION ACT AMENDMENT BILL—Second reading.

FRIDAY, 15TH FEBRUARY.

NOTICES OF MOTION :—

1. MR. LONGDEN: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of this House, a Return shewing—
- (1.) The quantity of Land sold up to 31st December, 1855, in the district of the Avoca, and the amount realised by such sale.
 - (2.) Quantity of Land surveyed up to present date.
 - (3.) The amount expended on Roads, Bridges, &c., in that district, up to same period.
 - (4.) Amount (if any) proposed to be expended by Government on Roads, Bridges, &c., during the current year, in the same district.
2. MR. FAWKNER: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid upon the Table of the House a copy of application (if any was made) by the inhabitants of Church-street, for the making or macadamization of that street; copy of minute of the Road Board before whom such application (if any) was made, with the names of the members of the Board assenting thereto, together with full particulars of extent of works performed, name or names of all contractors, and the amount of work done by each contractor, and the amount of money paid each, together with total expenses on Church-street.

ORDERS OF THE DAY :—

1. COMMON LAW PRACTICE BILL—To be further considered in Committee.
2. LIQUORS SALE LAW AMENDMENT BILL—To be further considered in Committee.
3. KEEFER'S ADMISSION BILL—Adoption of Report.
4. COLLINGWOOD BRIDGE COMPANY BILL—To be further considered in Committee.
5. THISTLE BILL—Second reading.
6. VOLUNTEER CORPS ACT AMENDMENT BILL—Adoption of Report.

TUESDAY, 19TH FEBRUARY.

NOTICE OF MOTION :—

1. MR. LONGDEN: To move, That the practice now existing on the Gold Fields (in accordance with the Gold Fields Regulations) of demanding from the miner previous to entertaining any claim he may make for redress a fee of two pounds ought at once to be discontinued.

ORDER OF THE DAY :—

1. TRUSTEES BILL—Second reading.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 13th February.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

GOLD MINING ON PRIVATE PROPERTY—at half-past 11 o'clock.

ROBERTSON'S CORRESPONDENCE—at 12 o'clock.

RAILWAYS—at 12 o'clock.

Tuesday, 19th February.

GOLD—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 39.

WEDNESDAY, 13TH FEBRUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITIONS.—Mr. O'Shanassy presented a Petition from certain Shareholders of the Colonial Bank of Australasia, praying that the Standing Orders of the Council (so far as the same relate to the presentation of Petitions for private Bills within thirty days of the commencement of the Session), might be suspended; and that the petitioners might have permission to present a Petition for leave to introduce a Bill to incorporate the said Company.
Petition received.
Mr. Humffray presented a Petition from Charles Smith, of Ballaarat, baker, praying the Council to take his case, as set forth in the Petition, into its serious consideration.
Petition received.
Mr. Humffray presented a Petition from Henry Harris, of Ballaarat, praying the Council would further consider his claim for compensation.
Petition received.
Mr. Chapman presented a Petition from William Robertson, of Hobart Town, Tasmania, and of Colac, in Victoria, praying that it may be an instruction to the Select Committee, to which his case was referred, to allow the Petitioner to appear before them, and to support his rights by Counsel.
Petition received.
3. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until after the consideration of the other Orders for to-day:—
“*Victoria Electoral Bill—Adoption of Report.*”
“*Elections Regulation Bill—Adoption of Report.*”
4. THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY PURCHASE BILL.—The Surveyor General moved that this Bill “be” now read a second time.
Debate ensued.
Mr. O'Shanassy moved as an amendment, that all the words in the above question after the word “be” be omitted, with a view to insert in lieu thereof the words “referred to the Select Committee on Railways for consideration and report.”
Debate continued.
Question—That the words proposed to be omitted stand part of the question—put and negatived.
Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put and passed.
Question—That this Bill be referred to the Select Committee on Railways for consideration and report—put and passed.
5. GRANT FOR PUBLIC WORSHIP ACT REPEAL BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council having been read—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman having reported the Bill without amendment, the Council adopted the Bill as reported and ordered the same to be read a third time to-morrow.

6. **PASSENGERS' ACT AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported the Bill with amendments.
On the motion of the Commissioner of Trade and Customs, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
The Chairman having reported the Bill with a further amendment, the Council ordered the same to be taken into consideration to-morrow.—Bill, as amended, to be printed.
7. **ESTIMATES FOR 1856.**—The Order of the Day for the further consideration of the Estimates for 1856 in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again to-morrow.
8. **ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL.**—The Attorney General moved that this Bill be now read a second time.
Notice having been taken that one-third of the Members exclusive of the Speaker were not present, the Speaker counted the House, and it appearing that one-third of the Members exclusive of the Speaker were not present, the Speaker adjourned the Council at twenty-five minutes after seven o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 14TH FEBRUARY, 1856.

Government Business :—

ORDERS OF THE DAY :—

1. **ESTIMATES FOR 1856**—To be further considered in Committee.
2. **MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL**—Second reading.
3. **GRANT FOR PUBLIC WORSHIP ACT REPEAL BILL**—Third reading.
4. **PASSENGERS' ACT AMENDMENT BILL**—Adoption of Report.

General Business :—

1. **MR. O'BRIEN** : To ask the Honorable the Surveyor General—
 - (1.) The number of Pre-emptive Rights of 640 Acres granted, or about to be granted, to William Forlonge, Esquire, M.L.C.
 - (2.) How many such Pre-emptive Rights adjoin each other, and if the Station for which he claims such Pre-emptive Rights are adjoining, and if not, the distance between them; and whether Mr. Wilmot, the Assistant Surveyor, is now engaged in a survey of such claims.

NOTICES OF MOTION :—

1. **MR. HUMFFRAY** : To move, That the Petition of Henry Harris, presented by him on the 13th instant, be printed.
2. **MR. HUMFFRAY** : To move, That the Petition of Charles Smith, presented by him on the 13th instant, be printed.

ORDER OF THE DAY :—

1. **CARELESS USE OF FIRE RESTRICTION ACT AMENDMENT BILL**—Second reading.

FRIDAY, 15TH FEBRUARY.

NOTICES OF MOTION :—

1. **MR. LONGDEN** : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of this House, a Return shewing—
 - (1.) The quantity of Land sold up to 31st December, 1855, in the district of the Avoca, and the amount realised by such sale.
 - (2.) Quantity of Land surveyed up to present date.
 - (3.) The amount expended on Roads, Bridges, &c., in that district, up to same period.
 - (4.) Amount (if any) proposed to be expended by Government on Roads, Bridges, &c., during the current year, in the same district.
2. **MR. FAWKNER** : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid upon the Table of the House a copy of application (if any was made) by the inhabitants of Church-street, for the making or macadamization of that street; copy of minute of the Road Board before whom such application (if any) was made, with the names of the members of the Board assenting thereto, together with full particulars of extent of works performed, name or names of all contractors, and the amount of work done by each contractor, and the amount of money paid each, together with total expenses on Church-street.

3. MR. O'SHANASSY : To move—

(1.) That the Standing Orders, relative to the presentation of Petitions for Private Bills within thirty days from the commencement of the Session, be suspended, in order to enable him now to present a Petition for leave to bring in a Bill to incorporate a Company, to be called, "The Colonial Bank of Australasia."

Contingent—On the Petition being received—

(2.) To move, For leave to bring in a Bill to incorporate a Company, to be called, "The Colonial Bank of Australasia."

Contingent—

(3.) On the Bill being read a first time, To move, That it be referred to a Select Committee, to consist of the Attorney General, Mr. Miller, Mr. Chapman, Mr. Kennedy, Mr. Humffray, Mr. Wills, Mr. Grant, and the Mover.

4. MR. FELLOWES : To move, For leave to bring in a Bill to establish an Inn of Court.

5. MR. GRANT : To move, That in consequence of doubts having publicly been expressed as to the validity of the New Constitution Bill for this Colony, by reason of its having undergone alterations and amendments in Parliament, without the concurrence or sanction of this House, and notwithstanding its having received the Royal Assent, an Address be presented to His Excellency the Officer Administering the Government praying that His Excellency may be pleased to direct the Law Officers of the Crown to lay before this House their written opinion as to whether the said Constitution Bill can or does possess the force of law in this Colony.

ORDERS OF THE DAY :—

1. COMMON LAW PRACTICE BILL—To be further considered in Committee.
2. LIQUORS SALE LAW AMENDMENT BILL—To be further considered in Committee.
3. KEEFER'S ADMISSION BILL—Adoption of Report.
4. COLLINGWOOD BRIDGE COMPANY BILL—To be further considered in Committee.
5. THISTLE BILL—Second reading.
6. VOLUNTEER CORPS ACT AMENDMENT BILL—Adoption of Report.

TUESDAY, 19TH FEBRUARY.

NOTICES OF MOTION :—

1. MR. LONGDEN : To move, That the practice now existing on the Gold Fields (in accordance with the Gold Fields Regulations) of demanding from the miner previous to entertaining any claim he may make for redress a fee of two pounds ought at once to be discontinued.
2. MR. GREEVES : To move, That an Address be presented to His Excellency the Officer Administering the Government, praying that His Excellency will be pleased to cause to be laid on the Table of the House, a Return of cases in the Jurisdiction above £10 in which judgment has been recovered in the County Courts of Bourke and Grant respectively, shewing the amount recovered, and the taxed costs allowed in each case, and specifying the amount paid to Counsel when retained, and the number of cases in which Counsel were retained.

ORDER OF THE DAY :—

1. TRUSTEES BILL—Second reading.

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 14th February.

RAILWAYS—at 11 o'clock.

ROBERTSON'S CORRESPONDENCE—at 1 o'clock.

Tuesday, 19th February.

GOLD—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 40.

THURSDAY, 14TH FEBRUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PAPERS.—The Treasurer, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz. :—
Post Office, Ballaarat.—Return to Address adopted on the 30th January last, on the motion of Mr. Humffray.
Ordered to be printed.
3. SUSPENSION OF STANDING ORDER.—On the motion of the Attorney General, the Council ordered that Standing Order, No. 18, be suspended.
The Attorney General then moved, That all the business on the Notice Paper of yesterday that lapsed in consequence of the Council being counted out, be restored to the Notice Paper of to-day.
Question—put and passed.
4. MR. ROBERTSON.—Mr. Fellows, as Chairman of the Select Committee to which Mr. Robertson's correspondence was referred, brought up a Progress Report from the Committee, and moved that it be received and printed.
Question—put and passed.
5. GOLD MINING ON PRIVATE PROPERTY.—Mr. Pyke, as Chairman of the Select Committee to which this subject was referred, brought up the Report from the Committee, and moved that it be received and printed.
Question—put and passed.
6. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL.—The Attorney General moved, pursuant to notice, That this Bill be now read a second time.
Debate ensued.
Question—put and passed.—Bill read a second time.
On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow.
7. ESTIMATES FOR 1856.—The Order of the Day for the further consideration in Committee of the whole Council of the Estimates for 1856 having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again Tuesday, 19th February instant.
8. ELECTORAL BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the reconsideration of this Bill.
The Chairman reported progress, and obtained to sit again to-morrow.
9. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed as under :—
“*Elections Regulation Bill—Adoption of Report*”—until to-morrow.
“*Municipal Institutions Act Amendment Bill—Second reading*”—until Tuesday, 19th February instant.
10. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Mollison postponed the motion in his name, restored to the Paper this day, until to-morrow.
11. GRANT FOR PUBLIC WORSHIP ACT REPEAL BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Attorney General, read a third time and passed.
The Attorney General then moved that the following be the title of the Bill :—
“*An Act to repeal so much of an Act intituled ‘An Act more effectually to promote the erection of buildings for Public Worship, and to provide for the maintenance of Ministers of Religion in the Colony of Victoria, as relates to any grant of money out of the General Revenue.’*”
Question—put and passed.

12. **PASSENGERS' ACT AMENDMENT BILL.**—On the motion of the Commissioner of Trade and Customs, the Council adopted the Report from the Committee of the whole upon this Bill, and ordered the Bill to be read a third time to-morrow.
13. **MR. HARRIS.**—Mr. Humffray moved, pursuant to notice, That the Petition of Henry Harris presented by him on the 13th instant, be printed.
Debate ensued.
Motion by leave withdrawn.
14. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until to-morrow:—
“*Careless use of Fire Restriction Act Amendment Bill—Second Reading.*”
Council adjourned at eight o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 15TH FEBRUARY, 1856.

1. **MR. FAWKNER:** To ask the Chief Secretary, In case the proceedings of the present Government of America should result in a war, have the Government of Victoria laid down for the Colony any of the measures that may be necessary to take, considering the great number of persons now in the Colony professing to be either Californians or naturalized or native born subjects of America; and the danger that would result to this Gold Colony from so large a portion of the subjects of a state at war with Great Britain spread all over this Colony, and able to give information highly dangerous to the welfare of Victoria.

NOTICES OF MOTION:—

1. **MR. LONGDEN:** To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of this House, a Return shewing—
(1.) The quantity of Land sold up to 31st December, 1855, in the district of the Avoca, and the amount realised by such sale.
(2.) Quantity of Land surveyed up to present date.
(3.) The amount expended on Roads, Bridges, &c., in that district, up to same period.
(4.) Amount (if any) proposed to be expended by Government on Roads, Bridges, &c., during the current year, in the same district.
2. **MR. FAWKNER:** To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid upon the Table of the House a copy of application (if any was made) by the inhabitants of Church-street, for the making or macadamization of that street; copy of minute of the Road Board before whom such application (if any) was made, with the names of the members of the Board assenting thereto, together with full particulars of extent of works performed, name or names of all contractors, and the amount of work done by each contractor, and the amount of money paid each, together with total expenses on Church-street.
3. **MR. O'SHANASSY:** To move—
(1.) That the Standing Orders, relative to the presentation of Petitions for Private Bills within thirty days from the commencement of the Session, be suspended, in order to enable him now to present a Petition for leave to bring in a Bill to incorporate a Company, to be called, “The Colonial Bank of Australasia.”
Contingent—On the Petition being received—
(2.) To move, For leave to bring in a Bill to incorporate a Company, to be called, “The Colonial Bank of Australasia.”
Contingent—
(3.) On the Bill being read a first time, To move, That it be referred to a Select Committee, to consist of the Attorney General, Mr. Miller, Mr. Chapman, Mr. Kennedy, Mr. Humffray, Mr. Wills, Mr. Grant, and the Mover.
4. **MR. FELLOWES:** To move, For leave to bring in a Bill to establish an Inn of Court.
5. **MR. GRANT:** To move, That in consequence of doubts having publicly been expressed as to the validity of the New Constitution Bill for this Colony, by reason of its having undergone alterations and amendments in Parliament, without the concurrence or sanction of this House, and notwithstanding its having received the Royal Assent, an Address be presented to His Excellency the Officer Administering the Government praying that His Excellency may be pleased to direct the Law Officers of the Crown to lay before this House their written opinion as to whether the said Constitution Bill can or does possess the force of law in this Colony.
6. **MR. KNIGHT:** To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place upon the Estimates the sum of £500 in aid of the Mechanics' Institute at Warrnambool, and a like sum for a Mechanics' Institute at Belfast.

7. MR. KNIGHT: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency would be pleased to cause to be laid on the Table of this House, a Return shewing the amounts tendered for the conveyance of the mails coastwise by steamers to the westward, and also Port Albert, and stating the reasons for such tenders not having been accepted.
8. MR. HORNE: To move, That this House resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying His Excellency to cause a sum sufficient for the erection of a Bridge over the Menai River, to be placed upon the Estimates of this year.
9. MR. FELLOWS: To move, That the Progress Report of the Select Committee on Robertson's Correspondence be taken into consideration.
10. MR. MOLLISON: To move, That the several Reports on the state of the Asylum at Yarra Bend, laid on the Table of the Council, be taken into consideration when the votes for the Asylum are under review by the Committee of the whole House.

ORDERS OF THE DAY:—

1. COMMON LAW PRACTICE BILL—To be further considered in Committee.
2. LIQUORS SALE LAW AMENDMENT BILL—To be further considered in Committee.
3. KEEFER'S ADMISSION BILL—Adoption of Report.
4. COLLINGWOOD BRIDGE COMPANY BILL—To be further considered in Committee.
5. THISTLE BILL—Second reading.
6. VOLUNTEER CORPS ACT AMENDMENT BILL—Adoption of Report.
7. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—To be further considered in Committee.
8. VICTORIA ELECTORAL BILL—To be further considered in Committee.
9. ELECTIONS REGULATION BILL—To be further considered in Committee.
10. PASSENGERS' ACT AMENDMENT BILL—Third reading.
11. CARELESS USE OF FIRE RESTRICTION ACT AMENDMENT BILL—Second reading.

TUESDAY, 19TH FEBRUARY.

NOTICES OF MOTION:—

1. MR. LONGDEN: To move, That the practice now existing on the Gold Fields (in accordance with the Gold Fields Regulations) of demanding from the miner previous to entertaining any claim he may make for redress a fee of two pounds ought at once to be discontinued.
2. MR. GREEVES: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid on the Table of the House, a Return of cases in the Jurisdiction above £10 in which judgment has been recovered in the County Courts of Bourke and Grant respectively, shewing the amount recovered, and the taxed costs allowed in each case, and specifying the amount paid to Counsel when retained, and the number of cases in which Counsel were retained.
3. MR. GREEVES: To move, That a Select Committee be appointed to consider the propriety of immediately establishing a line of steamers between Melbourne and Point de Galle or Singapore, with power to take evidence; such Committee to consist of the Chief Secretary, the Commissioner of Trade and Customs, Mr. O'Shanassy, Mr. McCulloch, Mr. Goodman, and the Mover.

ORDERS OF THE DAY:—

1. TRUSTEES BILL—Second reading.
2. ESTIMATES FOR 1856—To be further considered in Committee.
3. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL—Second reading.

MEETINGS
OF
SELECT COMMITTEES.

Tuesday, 19th February.

GOLD—at 11 o'clock.

GOLD FIELDS—LOCAL COURTS—at 11 o'clock.

Wednesday, 20th February.

THE ALPACA—at 11 o'clock.

RAILWAYS—at 11 o'clock.

Thursday, 21st February.

ROBERTSON'S CORRESPONDENCE—at 1 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 41.

FRIDAY, 15TH FEBRUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITIONS.—Mr. O'Shanassy presented a petition from Alexander Keefer, now of Melbourne, in the Colony of Victoria, a member of the Bar of Upper Canada, praying the Council would be pleased to re-consider a clause in "*Keefer's Admission Bill*," and that the certificates of the Law Society in Upper Canada, now before the Council, might not be overlooked, and moved that it be now received.
Debate ensued.
Question—put and passed.
Mr. Grant presented a Petition from the Council for the Municipal District of Emerald Hill, praying the Council to consider the peculiar circumstances of the case as set forth in the Petition, and pass unconditionally the sum placed on the Estimates towards the erection of a Mechanics' Institution at Emerald Hill, and moved that it be received.
Debate ensued.
Question—put and negatived.
3. AVOCA DISTRICT—ROADS, BRIDGES, &c.—Mr. Longden moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of this House, a Return shewing—
 - (1.) The quantity of Land sold up to 31st December, 1855, in the district of the Avoca, and the amount realised by such sale.
 - (2.) Quantity of Land surveyed up to present date.
 - (3.) The amount expended on Roads, Bridges, &c., in that district, up to same period.
 - (4.) Amount (if any) proposed to be expended by Government on Roads, Bridges, &c., during the current year, in the same district.
 Question—put and passed.
4. CHURCH STREET, COLLINGWOOD.—Mr. Fawknor moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid upon the Table of the House a copy of application (if any was made) by the inhabitants of Church-street, for the making or macadamization of that street; copy of minute of the Road Board before whom such application (if any) was made, with the names of the members of the Board assenting thereto, together with full particulars of extent of works performed, name or names of all contractors, and the amount of work done by each contractor, and the amount of money paid each, together with total expenses on Church-street.
Debate ensued.
Question—put and negatived.
5. COLONIAL BANK OF AUSTRALASIA.—Mr. O'Shanassy moved, pursuant to *amended* notice—That the Standing Orders, relative to the presentation of Petitions for Private Bills within thirty days from the commencement of the Session, be suspended, in order to enable Mr. O'Shanassy now to present a Petition for leave to bring in a Bill to incorporate a Company, to be called, "The Colonial Bank of Australasia."
Question—put and passed.
Mr. O'Shanassy then presented a Petition from certain proprietors of shares in the capital of a certain Banking company, called "The Colonial Bank of Australasia," praying they might have leave to bring in the said Bill to incorporate the said proprietors, and limit their liability, and for the other purposes therein mentioned.
Petition received.
Mr. O'Shanassy moved, pursuant to *contingent* notice, for leave to bring in a Bill to incorporate a Company, to be called, "The Colonial Bank of Australasia."
Question—put and passed.

Mr. O'Shanassy having produced a certificate that the sum of £25 had been paid into the hands of the Treasurer, and having brought up a Bill, intituled, "*A Bill to incorporate the Proprietors of a certain Banking Company, called 'The Colonial Bank of Australasia,' and for other purposes therein mentioned,*" moved that it be now read a first time.

Question—put and passed—Bill read a first time.

Mr. O'Shanassy moved, pursuant to *amended contingent* notice, That this Bill be referred to a Select Committee, to consist of the Attorney General, Mr. Miller, Mr. Chapman, Mr. Kennedy, Mr. Humffray, Mr. Wills, Mr. Grant, and the Mover.

Debate ensued.

Mr. Highett required that the Committee be appointed by ballot.

Question—That this Bill be referred to a Select Committee to consist of ten members—put and passed.

The House then proceeded to the ballot, and the following members, being reported to have the greatest number of votes, were declared by the Speaker to be the members of the Committee, viz. :—Mr. Miller, Mr. McCulloch, Mr. O'Shanassy, Mr. Ross, The Attorney General, The Commissioner of Trade and Customs, Mr. Kennedy, Mr. Highett, Mr. Humffray, and Mr. Wills.

6. INN OF COURT BILL.—Mr. Fellows moved, pursuant to notice, for leave to bring in a Bill to establish an Inn of Court.

Mr. Grant moved the previous question.

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

Question—That leave be given to bring in a Bill to establish an Inn of Court—put and passed.

Mr. Fellows then brought up a Bill, intituled, "*A Bill to establish an Inn of Court,*" and moved that it be now read a first time.

Question—put and passed—Bill read a first time. Ordered to be read a second time Friday, 22nd February instant, and to be printed.

7. CONSTITUTION ACT.—Mr. Grant moved, pursuant to notice, That in consequence of doubts having publicly been expressed as to the validity of the New Constitution Bill for this Colony, by reason of its having undergone alterations and amendments in Parliament, without the concurrence or sanction of this House, and notwithstanding its having received the Royal Assent, an Address be presented to His Excellency the Officer Administering the Government praying that His Excellency may be pleased to direct the Law Officers of the Crown to lay before this House their written opinion as to whether the said Constitution Bill can or does possess the force of law in this Colony.

Debate ensued.

Question—put.

Council divided.

Ayes, 33.

The Attorney General,
The Chief Secretary,
The Treasurer,
Mr. Chapman,
Mr. O'Shanassy,
The Commissioner of Public Works,
Mr. Horne,
The Surveyor General,
Mr. A'Beckett,
Mr. Forlonge,
Mr. Cameron,
Mr. Longden,
Mr. McCulloch,
Dr. Embling,
Mr. Grant,
Mr. Humffray,
Dr. Owens,
Mr. Rae,
Mr. Benson,
Mr. Burnley,
Mr. Goodman,
Mr. Kennedy,
Mr. Myles,
Mr. Wheeler,
Mr. Fyfe,
Mr. Wilkinson,
Mr. Hodgson,
Mr. Highett,
Mr. Murphy,
Mr. Snodgrass,
Mr. Griffith,
Mr. Campbell,
The Commissioner of Trade and
Customs, (*Teller.*)

Noes, 12.

Mr. Smith,
Mr. Greeves,
Mr. King,
Mr. Knight,
Mr. Wills,
Mr. O'Brien,
Mr. Lalor,
Mr. Taylor,
Mr. Miller,
Mr. Nicholson,
Mr. Fawkner,
Mr. Fellows, (*Teller.*)

8. **WARRNAMBOOL—BELFAST—MECHANICS' INSTITUTES.**—Mr. Knight moved, pursuant to notice, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place upon the Estimates the sum of £500 in aid of the Mechanics' Institute at Warrnambool, and a like sum for a Mechanics' Institute at Belfast.
 Question—put and passed.
 Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
 The Chairman reported progress, and obtained leave to sit again Wednesday, 20th February instant.
9. **WESTWARD MAILS.**—Mr. Knight moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency would be pleased to cause to be laid on the Table of this House, a Return shewing the amounts tendered for the conveyance of the mails coastwise by steamers to the westward, and also Port Albert, and stating the reasons for such tenders not having been accepted.
 Debate ensued.
 Question—put and passed.
10. **PAPERS.**—The Commissioner of Trade and Customs, by Command of His Excellency the Officer administering the Government, laid upon the Table of the Council the under-mentioned Paper:—
 Immigration.—Copy of a Despatch from the Right Honorable the Secretary of State for the Colonies respecting Land Deposit and Remittance Regulations.
 Ordered to be printed.
11. **BRIDGE OVER THE MERRI RIVER.**—Mr. Horne moved, pursuant to notice, That this House resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying His Excellency to cause a sum sufficient for the erection of a Bridge over the Merri River, to be placed upon the Estimates of this year.
 Question—put and passed.
 Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
 The Chairman reported progress and obtained leave to sit again Tuesday, 19th February instant.
12. **MR. ROBERTSON'S CORRESPONDENCE.**—Mr. Chapman, on behalf of Mr. Fellows, moved, pursuant to *amended* notice, That it be an instruction to the Committee on Mr. Robertson's correspondence, that they have liberty to hear counsel on behalf of Mr. Robertson.
 Debate ensued.
 Question—put and negatived.
13. **YARRA BEND LUNATIC ASYLUM.**—Mr. Miller, on behalf of Mr. Mollison, moved, pursuant to notice, That the several Reports on the state of the Asylum at Yarra Bend, laid on the Table of the Council, be taken into consideration when the votes for the Asylum are under review by the Committee of the whole House.
 Question—put and passed.
14. **POSTPONEMENT OF ORDERS OF THE DAY.**—The Council ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 19th February instant:—
"Common Law Practice Bill—To be further considered in Committee."
"Liquors Sale Law Amendment Bill—To be further considered in Committee."
"Thistle Bill—Second reading."
15. **KEEFER'S ADMISSION BILL.**—The Order of the Day for the consideration of the Report from the Committee of the whole Council on this Bill having been read—On the motion of Mr. O'Shanassy, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
 The Chairman having reported the Bill with further amendments, the Council adopted the same and ordered the Bill to be read a third time on Tuesday, 19th February instant.
16. **COLLINGWOOD BRIDGE COMPANY BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
 The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration Friday, 22nd February instant.
17. **VOLUNTEER CORPS ACT AMENDMENT BILL.**—The Council adopted the Report from the Committee of the whole upon this Bill, and ordered the Bill to be read a third time on Tuesday, 19th February instant.

18. **ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill, with amendments, the Council ordered the same to be taken into consideration Wednesday, 20th February instant.—Bill as amended to be printed.
19. **VICTORIA ELECTORAL BILL.**—The Order of the Day for the further re-consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further re-consideration thereof.
The Chairman having reported the Bill with further amendments—The Council ordered the same to be taken into consideration on Wednesday, the 20th of February instant. Bill as amended to be printed.
20. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until Wednesday next :—
“*Elections Regulation Bill—To be further considered in Committee.*”
21. **PASSENGERS ACT AMENDMENT BILL.**—The Order of the Day for the third reading of this Bill having been read—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with a further amendment, the Council adopted the report.
The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill on the motion of the Attorney General read a third time and *passed*.
The Attorney General then moved that the following be the title of the Bill :—
“*An Act to amend an Act intitled “An Act to regulate the Conveyance of Passengers to Victoria.”*”
Question—put and passed.
22. **CARELESS USE OF FIRE RESTRICTION ACT AMENDMENT BILL.**—Mr. Knight moved that this Bill be now read a second time.
Question—put and passed—Bill read a second time.
On the motion of Mr. Knight, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again Tuesday, 19th February instant.
Council adjourned at eleven minutes to eight o'clock until three o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 19TH FEBRUARY, 1856.

General Business :—

1. **MR. MILLER :** To ask the Chief Secretary whether it is the intention of the Government to grant any portion of the sum of £2000, placed on the Estimates for the formation of Cemeteries, to the Committee of the Brighton Cemetery.

NOTICES OF MOTION :—

1. **MR. LONGDEN :** To move, That the practice now existing on the Gold Fields (in accordance with the Gold Fields Regulations) of demanding from the miner previous to entertaining any claim he may make for redress a fee of two pounds ought at once to be discontinued.
2. **MR. GREEVES :** To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid on the Table of the House, a Return of cases in the Jurisdiction above £10 in which judgment has been recovered in the County Courts of Bourke and Grant respectively, shewing the amount recovered, and the taxed costs allowed in each case, and specifying the amount paid to Counsel when retained, and the number of cases in which Counsel were retained.
3. **MR. GREEVES :** To move, That a Select Committee be appointed to consider the propriety of immediately establishing a line of steamers between Melbourne and Point de Galle or Singapore, with power to take evidence; such Committee to consist of the Chief Secretary, the Commissioner of Trade and Customs, Mr. O'Shanassy, Mr. McCulloch, Mr. Goodman, and the Mover.
4. **MR. HUMFRAY :** To move, That on the consideration of the Estimates for Roads and Bridges the sum of £10,000 be voted specially for the repair of the main road leading through Ballaarat, and the construction of drains to prevent in future the disastrous effects occasioned by the flooding of stores on the main road referred to.

5. MR. BEAVER: To move, That this House resolve itself into a Committee of the whole for the purpose of considering the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place a sum not exceeding £200 upon the Estimates for the current year, as a recognition of the meritorious services rendered by Mr. George Doran, master of the steamer *Queen*, in rescuing the passengers and saving the mails of the R.M. ship *Schomberg*, in December last.
6. MR. GOODMAN: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of this House a Return of all monies received by the Government for the sale of land in the parish of Prahran within the boundaries of the proposed municipal district.

ORDERS OF THE DAY:—

1. TRUSTEES BILL—Second reading.
2. ESTIMATES FOR 1856—To be further considered in Committee.
3. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL—Second reading.
4. BRIDGE OVER THE MERRI RIVER—To be further considered in Committee.
5. COMMON LAW PRACTICE BILL—To be further considered in Committee.
6. LIQUORS SALE LAW AMENDMENT BILL—To be further considered in Committee.
7. KEEFER'S ADMISSION BILL—Third reading.
8. THISTLE BILL—Second reading.
9. VOLUNTEER CORPS ACT AMENDMENT BILL—Third reading.
10. CARELESS USE OF FIRE RESTRICTION ACT AMENDMENT BILL—To be further considered in Committee.

WEDNESDAY, 20TH FEBRUARY.

Government Business :—

ORDERS OF THE DAY :—

1. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—Adoption of Report.
2. VICTORIA ELECTORAL BILL—Adoption of Report.
3. ELECTIONS REGULATION BILL—To be further considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. WARRNAMBOOL AND BELFAST MECHANICS' INSTITUTIONS—To be further considered in Committee.

FRIDAY, 22ND FEBRUARY.

NOTICE OF MOTION :—

1. MR. PYKE: To move, That the Report of the Committee on Mining on Private Property be taken into consideration, with a view to obtaining the decision of the Council thereupon.

ORDERS OF THE DAY :—

1. INN OF COURT BILL—Second reading.
2. COLLINGWOOD BRIDGE COMPANY BILL—Adoption of Report.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 19th February.

- GOLD—at 11 o'clock.
 GOLD FIELDS—LOCAL COURTS—at 11 o'clock.
 ST. KILDA SEA BATHING COMPANY BILL—at 12 o'clock.
 MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL—at 12 o'clock.

Wednesday, 20th February.

- THE ALPACA—at 11 o'clock.
 RAILWAYS—at 11 o'clock.
 BALLAARAT OUTBREAK PETITION—at 11 o'clock.

Thursday, 21st February.

- COLONIAL BANK OF AUSTRALASIA INCORPORATION BILL—at 12 o'clock.
 ROBERTSON'S CORRESPONDENCE—at 1 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 42.

TUESDAY, 19TH FEBRUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITION.—Mr. Nicholson presented a Petition from certain Members of the Brunswick and Pentridge Athenæum praying the Council, taking into favorable consideration the statements set forth in the Petition, would adopt such measures as the Council should think best calculated to increase the prosperity and usefulness of the Society.
Petition received.
3. PAPER.—Mr. Murphy, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz. :—
Avoca District—Roads, Bridges, &c.—Return to Address, adopted on the motion of Mr. Longden, 15th February instant.
Ordered to be printed.
4. GOLD FIELDS—LOCAL COURTS.—Mr. Benson, as Chairman of the Select Committee to which this subject was referred, brought up the Report from the Committee, and moved that it be received and printed.
Question—put and passed.
5. PAPER.—The Treasurer, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz. :—
Westward Mails.—Return to Address, adopted on the 15th February instant, on the motion of Mr. Knight.
Ordered to be printed.
6. PETITION.—Mr. Pyke presented a Petition from certain residents on Forest Creek, praying the Council to take the necessity of their case, as set forth in the Petition, into consideration.
Petition received.
7. COUNTY COURTS—BOURKE AND GRANT.—Mr. Greeves moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid on the Table of the House, a Return of cases in the Jurisdiction above £10 in which judgment has been recovered in the County Courts of Bourke and Grant respectively, shewing the amount recovered, and the taxed costs allowed in each case, and specifying the amount paid to Counsel when retained, and the number of cases in which Counsel were retained, and the amount paid to witnesses in each case.
Question—put and passed.
8. STEAM POSTAL COMMUNICATION WITH GREAT BRITAIN.—Mr. Greeves moved, pursuant to *amended* notice, That a Select Committee be appointed to consider the propriety of immediately establishing a line of steamers between Melbourne and Point de Galle or "Singapore," with power to take evidence; such Committee to consist of the Chief Secretary, the Commissioner of Trade and Customs, the Treasurer, Mr. Strachan, Mr. Henty, Mr. O'Shanassy, Mr. McCulloch, Mr. Goodman, and the Mover.
Mr. Longden moved, as an amendment, That the following words be inserted after the word "Singapore," viz., "or such other point as may be agreed upon."
Debate ensued.
Question—That the words proposed to be inserted be so inserted—put and negatived.
Question—That a Select Committee be appointed to consider the propriety of immediately establishing a line of steamers between Melbourne and Point de Galle or Singapore, with power to take evidence; such Committee to consist of the Chief Secretary, the Commissioner of Trade and Customs, the Treasurer, Mr. Strachan, Mr. Henty, Mr. O'Shanassy, Mr. McCulloch, Mr. Goodman, and the Mover—put and passed.
9. MR. GEORGE DORAN—STEAMER "QUEEN".—Mr. Beaver moved, pursuant to notice, That this House resolve itself into a Committee of the whole for the purpose of considering the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place a sum not exceeding £200 upon the Estimates for the current year, as a recognition of the meritorious services rendered by Mr. George Doran, master of the steamer *Queen*, in rescuing the passengers and saving the mails of the R.M. ship *Schomberg*, in December last.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

The Chairman having reported that the Committee considered it expedient that an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place a sum not exceeding £200 upon the Estimates for the current year, as a recognition of the meritorious services rendered by Mr. George Doran, master of the steamer *Queen*, in rescuing the passengers and saving the mails of the R.M. ship *Schomberg*, in December last—the Council adopted the report, and ordered the Address to be presented accordingly.

10. PRAHRAN.—Mr. Goodman moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of this House, a Return of all monies received by the Government for the sale of land in the parish of Prahran within the boundaries of the “proposed” municipal district.

Debate ensued.

The Commissioner of Public Works moved, as an amendment, That the word “proposed” be omitted from the above question.

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

Question—That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid on the Table of this House, a Return of all monies received by the Government for the sale of land in the parish of Prahran within the boundaries of the proposed municipal district—put and passed.

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

“*Trustees Bill—Second reading*”—until Friday, 22nd February instant.

“*Estimates for 1856—To be further considered in Committee*”—until after the consideration of the sixth Order of the Day.

12. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.—The Surveyor General moved that this Bill be now read a second time.

Debate ensued.

Motion by leave withdrawn.

The Council then ordered that the consideration of this Order of the Day be postponed until Thursday, 21st February instant.

13. BRIDGE OVER THE MERRI RIVER.—The Order of the Day for the further consideration in Committee of the whole Council of the propriety of presenting an Address to His Excellency the Officer administering the Government, praying His Excellency to cause a sum sufficient for the erection of a Bridge over the Merri River to be placed upon the Estimates of this year, having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

The Speaker resumed the Chair.

14. COMMON LAW PRACTICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration Tuesday, 26th February instant.—Bill as amended to be printed.

15. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Friday, 22nd February instant, to take precedence of all other business on that day:—

“*Liquors Sale Laws Amendment Bill—To be further considered in Committee.*”

16. ESTIMATES FOR 1856.—The Order of the Day for the further consideration in Committee of the whole Council of the Estimates for 1856 having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again to-morrow.

17. KEEFER'S ADMISSION BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of Mr. O'Shanassy, read a third time and *passed*.

Mr. O'Shanassy moved that the following be the title of the Bill:—

“*An Act to authorise the Admission of Alexander Keefer to practise as a Barrister in the Supreme Court of the Colony of Victoria.*”

Question—put and passed.

18. THISTLE BILL.—Mr. Snodgrass moved that this Bill be now read a second time.

Debate ensued.

Question—put and passed.—Bill read a second time.

On the motion of Mr. Snodgrass, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The Chairman reported progress, and obtained leave to sit again Friday, 22nd February instant.

19. VOLUNTEER CORPS ACT AMENDMENT BILL.—The Order of the Day for the third reading of this Bill having been read—On the motion of the Commissioner of Public Works, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
The Chairman having reported the Bill with a further amendment, the Council adopted the same, and ordered the Bill to be read a third time to-morrow.
20. CARELESS USE OF FIRE RESTRICTION ACT AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration Thursday, 21st February instant.—Bill as amended to be printed.
21. PAPER.—The Surveyor General, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz. :—
Pahran.—Return to Address, adopted this day, on the motion of Mr. Goodman.
Ordered to be printed.
- Council adjourned at seventeen minutes past six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 20TH FEBRUARY, 1856.

Government Business :—

ORDERS OF THE DAY :—

1. ESTIMATES FOR 1856—To be further considered in Committee.
2. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—Adoption of Report.
3. VICTORIA ELECTORAL BILL—Adoption of Report.
4. ELECTIONS REGULATION BILL—To be further considered in Committee.
5. VOLUNTEER CORPS ACT AMENDMENT BILL—Third reading.

General Business :—

1. MR. GRANT : To ask the Chief Secretary whether the bargain between the Government and Mr. Forlonge has been consummated by the grant of the contiguous pre-emptive rights asked for by that gentleman; also, whether the grants are issued, and when.

ORDER OF THE DAY :—

1. WARRNAMBOOL AND BELFAST MECHANICS' INSTITUTIONS—To be further considered in Committee.

THURSDAY, 21ST FEBRUARY.

Government Business :—

ORDER OF THE DAY :—

1. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL—Second reading.

General Business :—

ORDER OF THE DAY :—

1. CARELESS USE OF FIRE RESTRICTION ACT AMENDMENT BILL—Adoption of Report.

FRIDAY, 22ND FEBRUARY.

ORDER OF THE DAY (*To take precedence*) :—

1. LIQUORS SALE LAWS AMENDMENT BILL—To be further considered in Committee.

NOTICES OF MOTION :—

1. MR. PYKE : To move, That the Report of the Committee on Mining on Private Property be taken into consideration, with a view to obtaining the decision of the Council thereupon.
2. MR. PYKE : To move, on the consideration of the Report of the Select Committee on Mining on Private Property—
 - (1.) That this Council is of opinion that (subject to the exceptions and reservations recommended in the 5th clause of the Report), it is desirable for the public good that all lands found to be auriferous should, under suitable regulations, be mined for gold.
 - (2.) That regulations restricting the working of any auriferous lands to bodies of miners associated on the Cost Book system, and rendering it compulsory on the owners of such lands to accept a per centage of the gold raised thereon as compensation, are inapplicable and unsatisfactory, unequal in their operation, and calculated to cause much litigation; and this Council is of opinion that all purchased lands which it may hereafter be proposed to open for mining purposes, should be valued by Arbitrators (to be appointed as recommended in clause 6 of the Report); that the Government should resume possession of such lands, and compensate the owners; and that all persons desirous of mining thereon should be charged a sum proportionate to the amount of compensation.
 - (3.) That this Council refuses to sanction any measure having for its object the sale of the land with the gold, inasmuch as such a course would cause the alienation of an incalculable portion of the national wealth—a procedure unjust in principle and mischievous in tendency.

3. DR. OWENS: To move, on the consideration of the Report on Mining on Private Property, the following resolutions:—

- (1.) That the urgent circumstances connected with mining on private lands render it necessary on the part of this Council to amend the laws relating to alienated auriferous lands, and to assure the public confidence of the security of the rights of private property; but as it is impossible to restrict the legitimate right of mining for gold, it is now necessary that all auriferous lands be surrendered, when required for the general good of the country, under proper and general regulations.
- (2.) That inasmuch as there does not exist any means of determining the limits of auriferous lands, and as gold is very generally distributed throughout this Colony, it is desirable that the owners of auriferous lands be empowered to sanction licensed miners, on terms mutually agreed upon, mining for gold on their own property, under the regulations of the district.
- (3.) That the interests of the miners require that in case the proprietor of auriferous lands refuse consent, or otherwise obstruct the working of such lands, the miner shall have the right of petition to the Local Court of the district, demanding that such lands be thrown open for public mining purposes.
- (4.) That the Local Court, on petition, shall determine as to the advisability of throwing open such lands, and shall report on the same to the Government.
- (5.) That in case such lands shall be thrown open, the Government shall obtain a fair and just assessment of the value of the land, by a jury taken from the petty jury list, open to challenge, to be awarded as compensation to the proprietor, and such land being duly conveyed to the Crown, shall thereupon be proclaimed as "Reverted Crown Lands," open to the miners generally.
- (6.) That licensed miners shall mine for gold on all Reverted Crown Lands, but the Local Court shall be authorised to declare the amount of fee necessary to meet all charges on the Government (under ordinary circumstances not to exceed one pound per annum), on payment of which the Warden of the district shall issue a Special Miner's Right to work Reverted Crown Lands throughout the Colony.

ORDERS OF THE DAY:—

2. INN OF COURT BILL—Second reading.
3. COLLINGWOOD BRIDGE COMPANY BILL—Adoption of Report.
4. TRUSTEES BILL—Second reading.
5. THISTLE BILL—To be further considered in Committee.

TUESDAY, 26TH FEBRUARY.

ORDER OF THE DAY:—

1. COMMON LAW PRACTICE BILL—Adoption of Report.

MEETINGS OF SELECT COMMITTEES.

Wednesday, 20th February.

- THE ALPACA—at 11 o'clock.
RAILWAYS—at 11 o'clock.
BALLAARAT OUTBREAK PETITION—at 11 o'clock.
STEAM POSTAL COMMUNICATION—at 11 o'clock.

Thursday, 21st February.

- GOLD—at 11 o'clock.
COLONIAL BANK OF AUSTRALASIA INCORPORATION BILL—at 12 o'clock.
ROBERTSON'S CORRESPONDENCE—at 1 o'clock.

Friday, 22nd February.

- ST. KILDA SEA BATHING COMPANY BILL—at 11 o'clock.

Tuesday, 26th February.

- MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 43.

WEDNESDAY, 20TH FEBRUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITIONS.—Mr. Nicholson presented a Petition from certain Ratepayers of East Collingwood Municipality assembled in public meeting, praying the Council would introduce into the Bill to amend the Act establishing Municipal Institutions now under consideration, a clause or clauses conferring power of sub-division into Wards.
Petition received.
Mr. Lalor presented a Petition from John Gwyn Middleton Wigley, Solicitor, of Ballarat, praying the Council to take his case, as set forth in the Petition, into consideration.
Petition received.
3. ESTIMATES FOR 1856.—The Order of the Day for the further consideration of the Estimates for 1856 in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress and obtained leave to sit again to-morrow.
4. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until to-morrow:—
“Administration of Justice Act Amendment Bill—Adoption of Report.”
“Victoria Electoral Bill—Adoption of Report.”
“Elections Regulation Bill—To be further considered in Committee.”
5. VOLUNTEER CORPS ACT AMENDMENT BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Commissioner of Public Works, read a third time and passed.
The Commissioner of Public Works moved that the following be the title of the Bill:—
“An Act to amend an Act, intituled, ‘An Act for Volunteer Corps in Victoria.’”
Question—put and passed.
6. SUSPENSION OF STANDING ORDER.—Objection having been taken to a notice of question to be asked of the Chief Secretary by Mr. Grant, The Chief Secretary moved, That Standing Order, No. 18, be suspended.
Debate ensued.
Question—That Standing Order, No. 18, be suspended—put.
Council divided.

Ayes, 19.

The Chief Secretary,
The Commissioner of Trade and
Customs,
The Commissioner of Public Works,
Mr. Greeves,
The Solicitor General,
Mr. Horne,
The Treasurer,
Mr. Longden,
Mr. Hodgson,
Mr. Wheeler,
Mr. Hervey,
Mr. Nicholson,
Mr. Lalor,
Mr. Knight,
The Acting Chief Commissioner of
Police
Mr. Smith,
Mr. King,
Mr. Snodgrass,
The Surveyor General, (*Teller.*)

Noes, 8.

Mr. O'Brien,
Mr. Myles,
Mr. Grant,
Dr. Owens,
Mr. Cameron,
Mr. Benson,
Mr. Humffray,
Mr. Pyke, (*Teller.*)

The Chief Secretary then moved, That the question placed on the Notice Paper of to-day by Mr. Grant, be erased from the Paper.

Mr. Snodgrass moved, as an amendment, That the Council proceed to the next Order of the Day.

Debate ensued.

Question—That the Council proceed to the next Order of the Day—put.
Council divided.

Ayes, 11.
Mr. Pyke,
Mr. Myles,
Mr. Grant,
Mr. Humffray,
Mr. Nicholson,
Dr. Owens,
Mr. Benson,
Mr. Cameron,
Mr. O'Brien,
Mr. Snodgrass,
Mr. Longden, (*Teller.*)

Noes, 16.
The Solicitor General,
Mr. Lalor,
Mr. Wheeler,
Mr. King,
Mr. Knight,
The Acting Chief Commissioner of
Police,
The Commissioner of Trade and
Customs,
The Commissioner of Public Works,
Mr. Smith,
Mr. Hervey,
Mr. Greeves,
Mr. Horne,
Mr. Hodgson,
The Chief Secretary,
The Treasurer,
The Surveyor General, (*Teller.*)

Question—That the question placed on the Notice Paper for to-day, by Mr. Grant, be erased from the Paper—put and passed.

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

“ *Warrnambool and Belfast Mechanics’ Institutions—To be further considered in Committee.* ”

8. PAPERS.—The following Papers were, by command of His Excellency the Officer administering the Government, laid upon the Council Table, viz :—

By the Chief Secretary—

Lighthouse on King’s Island and Light Dues—Correspondence respecting.
Avoca Local Court.—Additional regulation.
Heathcote Local Court.—Regulations.

Severally ordered to be printed.

By the Commissioner of Trade and Customs—

Department of Her Majesty’s Customs.—Report of the Board appointed to enquire into the condition and management of the Department of Her Majesty’s Customs, with Minutes of Evidence and Appendices.

Ordered to be printed.

Council adjourned at twenty-nine minutes past six o’clock until three o’clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 21ST FEBRUARY, 1856.

Government Business :—

ORDERS OF THE DAY :—

1. ESTIMATES FOR 1856—To be further considered in Committee.
2. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL—Second reading.
3. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—Adoption of Report.
4. VICTORIA ELECTORAL BILL—Adoption of Report.
5. ELECTIONS REGULATION BILL—To be further considered in Committee.

General Business :—

1. MR. HUMFFRAY : To ask the Commissioner of Public Works whether he has taken the necessary steps for the early erection of the new gaol for Ballaarat, as the present log prison is described as so inadequate for the wants of the locality that it prevents a classification of prisoners, and has therefore a most demoralising tendency, besides being very destructive to the health of the inmates.

NOTICE OF MOTION:—

1. MR. HUMFRAY: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid upon the Table of the House, the Petition on behalf of Mr. Benden Sherral Hassall (presented to the late Governor Sir Charles Hotham), praying for compensation in consequence of a gunshot wound received by him on the 20th November, 1854, during a conflict between some persons and the military escort, whilst he was standing in front of his dwelling pointing out the road leading to the camp, at the request of the officer in command.
Contingent—To move, That the said Petition be referred to the Select Committee on the Ballaarat Outbreak Petition.

ORDERS OF THE DAY:—

1. CARELESS USE OF FIRE RESTRICTION ACT AMENDMENT BILL—Adoption of Report.
2. WARRNAMBOOL AND BELFAST MECHANICS' INSTITUTIONS—To be further considered in Committee.

FRIDAY, 22ND FEBRUARY.

ORDER OF THE DAY (To take precedence):—

1. LIQUORS SALE LAWS AMENDMENT BILL—To be further considered in Committee.

NOTICES OF MOTION:—

1. MR. PYKE: To move, That the Report of the Committee on Mining on Private Property be taken into consideration, with a view to obtaining the decision of the Council thereupon.
2. MR. PYKE: To move, on the consideration of the Report of the Select Committee on Mining on Private Property—
 - (1.) That this Council is of opinion that (subject to the exceptions and reservations recommended in the 5th clause of the Report), it is desirable for the public good that all lands found to be auriferous should, under suitable regulations, be mined for gold.
 - (2.) That regulations restricting the working of any auriferous lands to bodies of miners associated on the Cost Book system, and rendering it compulsory on the owners of such lands to accept a per centage of the gold raised thereon as compensation, are inapplicable and unsatisfactory, unequal in their operation, and calculated to cause much litigation; and this Council is of opinion that all purchased lands which it may hereafter be proposed to open for mining purposes, should be valued by Arbitrators (to be appointed as recommended in clause 6 of the Report); that the Government should resume possession of such lands, and compensate the owners; and that all persons desirous of mining thereon should be charged a sum proportionate to the amount of compensation.
 - (3.) That this Council refuses to sanction any measure having for its object the sale of the land with the gold, inasmuch as such a course would cause the alienation of an incalculable portion of the national wealth—a procedure unjust in principle and mischievous in tendency.
3. DR. OWENS: To move, on the consideration of the Report on Mining on Private Property the following resolutions:—
 - (1.) That the urgent circumstances connected with mining on private lands render it necessary on the part of this Council to amend the laws relating to alienated auriferous lands, and to assure the public confidence of the security of the rights of private property; but as it is impossible to restrict the legitimate right of mining for gold, it is now necessary that all auriferous lands be surrendered, when required for the general good of the country, under proper and general regulations.
 - (2.) That inasmuch as there does not exist any means of determining the limits of auriferous lands, and as gold is very generally distributed throughout this Colony, it is desirable that the owners of auriferous lands be empowered to sanction licensed miners, on terms mutually agreed upon, mining for gold on their own property, under the regulations of the district.
 - (3.) That the interests of the miners require that in case the proprietor of auriferous lands refuse consent, or otherwise obstruct the working of such lands, the miner shall have the right of petition to the Local Court of the district, demanding that such lands be thrown open for public mining purposes.
 - (4.) That the Local Court, on petition, shall determine as to the advisability of throwing open such lands, and shall report on the same to the Government.
 - (5.) That in case such lands shall be thrown open, the Government shall obtain a fair and just assessment of the value of the land, by a jury taken from the petty jury list, open to challenge, to be awarded as compensation to the proprietor, and such land being duly conveyed to the Crown, shall thereupon be proclaimed as "Reverted Crown Lands," open to the miners generally.
 - (6.) That licensed miners shall mine for gold on all Reverted Crown Lands, but the Local Court shall be authorised to declare the amount of fee necessary to meet all charges on the Government (under ordinary circumstances not to exceed one pound per annum), on payment of which the Warden of the district shall issue a Special Miner's Right to work Reverted Crown Lands throughout the Colony.

ORDERS OF THE DAY:—

2. INN OF COURT BILL—Second reading.
3. COLLINGWOOD BRIDGE COMPANY BILL—Adoption of Report.
4. TRUSTEES BILL—Second reading.
5. THISTLE BILL—To be further considered in Committee.

TUESDAY, 26TH FEBRUARY.

ORDER OF THE DAY:—

1. COMMON LAW PRACTICE BILL—Adoption of Report.

MEETINGS
OF
SELECT COMMITTEES.

Thursday, 21st February.

RAILWAYS—at half-past 9 o'clock.

GOLD—at 11 o'clock.

ROBERTSON'S CORRESPONDENCE—at 1 o'clock.

BALLARAT OUTBREAK PETITION—at 1 o'clock.

Friday, 22nd February.

ST. KILDA SEA BATHING COMPANY BILL—at 11 o'clock.

STEAM POSTAL COMMUNICATION—at half-past 11 o'clock.

Tuesday, 26th February.

MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL—at 11 o'clock.

Wednesday, 27th February.

COLONIAL BANK OF AUSTRALASIA INCORPORATION BILL—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 44.

THURSDAY, 21ST FEBRUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITIONS.—Mr. Fawkner presented a Petition from certain ratepayers of the Municipal District of East Collingwood, praying the Council not to sanction any measure having for its object the division of this Municipal District into Wards.
Petition received.
Mr. Wheeler presented a Petition from certain landholders, storekeepers, and other residents of the District of Barrinhup, in the County of Talbot, praying the Council would give sanction to erect a suitable bridge across the Loddon at Bryant's Crossing Place, and would order such steps to be taken as would ensure its completion before the ensuing winter.
Petition received.
3. ESTIMATES FOR 1856.—The Order of the Day for the further consideration of the Estimates for 1856 in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again Tuesday, 26th February instant.
4. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.—The Surveyor General moved, That this Bill be now read a second time.
Debate ensued.
Mr. Greeves moved, That the further debate on this Bill be adjourned until to-morrow.
Question—That the further debate on this Bill be adjourned until to-morrow—put and passed.
5. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed as under :—
“ *Administration of Justice Act Amendment Bill—Adoption of Report* ”—until Wednesday, 27th February instant ; and
“ *Victoria Electoral Bill—Adoption of Report* ”—and
“ *Elections Regulation Bill—To be further considered in Committee* ”—until Tuesday, 26th February instant.
6. MR. B. S. HASSALL.—Mr. Humffray moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will cause to be laid upon the Table of the House, the Petition on behalf of Mr. Benden Sherral Hassall (presented to the late Governor Sir Charles Hotham), praying for compensation in consequence of a gunshot wound received by him on the 20th November, 1854, during a conflict between some persons and the military escort, whilst he was standing in front of his dwelling pointing out the road leading to the camp, at the request of the officer in command.
Question—put and passed.
7. CARELESS USE OF FIRE RESTRICTION ACT AMENDMENT BILL.—On the motion of Mr. Knight, the Council adopted the Report from the Committee of the whole upon this Bill, and ordered the Bill to be read a third time to-morrow.
8. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until to-morrow :—
“ *Warrnambool and Belfast Mechanics' Institutions—To be further considered in Committee.* ”

Council adjourned at twenty-two minutes past six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 22ND FEBRUARY, 1856.

ORDER OF THE DAY (*To take precedence*):—

1. LIQUORS SALE LAWS AMENDMENT BILL—To be further considered in Committee.

NOTICES OF MOTION:—

1. MR. PYKE: To move, That the Report of the Committee on Mining on Private Property be taken into consideration, with a view to obtaining the decision of the Council thereupon.
2. MR. PYKE: To move, on the consideration of the Report of the Select Committee on Mining on Private Property—

- (1.) That this Council is of opinion that (subject to the exceptions and reservations recommended in the 5th clause of the Report), it is desirable for the public good that all lands found to be auriferous should, under suitable regulations, be mined for gold.
- (2.) That regulations restricting the working of any auriferous lands to bodies of miners associated on the Cost Book system, and rendering it compulsory on the owners of such lands to accept a per centage of the gold raised thereon as compensation, are inapplicable and unsatisfactory, unequal in their operation, and calculated to cause much litigation; and this Council is of opinion that all purchased lands which it may hereafter be proposed to open for mining purposes, should be valued by Arbitrators (to be appointed as recommended in clause 6 of the Report); that the Government should resume possession of such lands, and compensate the owners; and that all persons desirous of mining thereon should be charged a sum proportionate to the amount of compensation.
- (3.) That this Council refuses to sanction any measure having for its object the sale of the land with the gold, inasmuch as such a course would cause the alienation of an incalculable portion of the national wealth—a procedure unjust in principle and mischievous in tendency.

3. DR. OWENS: To move, on the consideration of the Report on Mining on Private Property the following resolutions:—

- (1.) That the urgent circumstances connected with mining on private lands render it necessary on the part of this Council to amend the laws relating to alienated auriferous lands, and to assure the public confidence of the security of the rights of private property; but as it is impossible to restrict the legitimate right of mining for gold, it is now necessary that all auriferous lands be surrendered, when required for the general good of the country, under proper and general regulations.
- (2.) That inasmuch as there does not exist any means of determining the limits of auriferous lands, and as gold is very generally distributed throughout this Colony, it is desirable that the owners of auriferous lands be empowered to sanction licensed miners, on terms mutually agreed upon, mining for gold on their own property, under the regulations of the district.
- (3.) That the interests of the miners require that in case the proprietor of auriferous lands refuse consent, or otherwise obstruct the working of such lands, the miner shall have the right of petition to the Local Court of the district, demanding that such lands be thrown open for public mining purposes.
- (4.) That the Local Court, on petition, shall determine as to the advisability of throwing open such lands, and shall report on the same to the Government.
- (5.) That in case such lands shall be thrown open, the Government shall obtain a fair and just assessment of the value of the land, by a jury taken from the petty jury list, open to challenge, to be awarded as compensation to the proprietor, and such land being duly conveyed to the Crown, shall thereupon be proclaimed as "Reverted Crown Lands," open to the miners generally.
- (6.) That licensed miners shall mine for gold on all Reverted Crown Lands, but the Local Court shall be authorised to declare the amount of fee necessary to meet all charges on the Government (under ordinary circumstances not to exceed one pound per annum), on payment of which the Warden of the district shall issue a Special Miner's Right to work Reverted Crown Lands throughout the Colony.

Contingent—On the Report of the Select Committee on Gold Mining on Private Property being considered—

4. MR. SNODGRASS: To move—

- (1.) That in the opinion of this Council it is desirable that all lands in Victoria, if auriferous, whether public or private, be mined for gold.
- (2.) That for this purpose all owners of private lands be authorised to mine such private lands, and that an Act of this Legislature be passed to legalise their so doing.
- (3.) That for the future the gold (if any) be sold with the land, every precaution short of actual test being taken before survey or sale.
- (4.) That nothing contained in the above resolutions shall be construed to affect the rights of property legally acquired, or to compel any owner of land to submit to any encroachment without his sanction.

ORDERS OF THE DAY :—

2. INN OF COURT BILL—Second reading.
3. COLLINGWOOD BRIDGE COMPANY BILL—Adoption of Report.
4. TRUSTEES BILL—Second reading.
5. THISTLE BILL—To be further considered in Committee.
6. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL—Adjourned debate on second reading.
7. CARELESS USE OF FIRE RESTRICTION ACT AMENDMENT BILL—Third reading.
8. WARRNAMBOOL AND BELFAST MECHANICS' INSTITUTIONS—To be further considered in Committee.

TUESDAY, 26TH FEBRUARY.

ORDERS OF THE DAY :—

1. COMMON LAW PRACTICE BILL—Adoption of Report.
2. ESTIMATES FOR 1856—To be further considered in Committee.
3. VICTORIA ELECTORAL BILL—Adoption of Report.
4. ELECTIONS REGULATION BILL—To be further considered in Committee.

WEDNESDAY, 27TH FEBRUARY.

Government Business :—

ORDER OF THE DAY :—

1. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—Adoption of Report.

MEETINGS

OF

SELECT COMMITTEES.

Friday, 22nd February.

- ST. KILDA SEA BATHING COMPANY BILL—at 11 o'clock.
 STEAM POSTAL COMMUNICATION—at half-past 11 o'clock.
 BALLAARAT OUTBREAK PETITION—at half-past 12 o'clock.

Tuesday, 26th February.

- GOLD—at 10 o'clock.
 MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL—at 11 o'clock.
 ROBERTSON'S CORRESPONDENCE—at half-past 1 o'clock.

Wednesday, 27th February.

- COLONIAL BANK OF AUSTRALASIA INCORPORATION BILL—at 11 o'clock.

Thursday, 28th February.

- RAILWAYS—at 10 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 45.

FRIDAY, 22ND FEBRUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PAPERS.—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned papers, viz. :—
Beechworth, Sandhurst, Yackandandah and Mount Blackwood—Local Court Regulations.
Ordered to be printed.
Mr. B. S. Hassall.—Return to Address, adopted on the motion of Mr. Humffray, on the 21st February instant.
Ordered to be printed, and referred to the Select Committee now sitting on the Ballaarat Outbreak Petition.
3. LIQUORS SALE LAWS AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again Tuesday, 26th February instant—to take precedence of all other business on that day.
4. POSTPONEMENT OF NOTICES OF MOTION.—The several Motions standing on the Notice Paper of to-day, were postponed until Tuesday, 26th February instant.
5. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until Tuesday, 26th February instant :—
“*Inn of Court Bill—Second reading.*”
“*Trustees Bill—Second reading.*”
6. COLLINGWOOD BRIDGE BILL.—On the motion of Mr. Miller the Council adopted the Report from the Committee of the whole upon this Bill, and ordered the Bill to be read a third time Tuesday, 26th February instant.
7. ST. KILDA SEA BATHING COMPANY'S BILL.—Mr. Greeves, as Chairman of the Select Committee of this Council to which this Bill was referred, brought up the Report from the Committee, and moved that it be received.
Question—put and passed.
8. THISTLE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again Tuesday, 26th February instant.
9. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.—The adjourned debate on the question—
That this Bill be now read a second time—resumed.
Mr. Snodgrass moved, That the further debate on this subject be adjourned until Tuesday, 26th February instant.
Question—That the further debate on this subject be adjourned until Tuesday, 26th February instant—put and negatived.
Debate continued.
Question—That this Bill be now read a second time—put and passed.—Bill read a second time, and ordered to be considered in Committee Tuesday, 26th February instant.
10. CARELESS USE OF FIRE RESTRICTION ACT AMENDMENT BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of Mr. Knight, read a third time and *passed*.
Mr. Knight moved that the following be the title of the Bill :—
“*An Act to amend an Act, intituled, ‘An Act to restrain the careless use of*
“*‘Fire.’*”
Question—put and passed.

11. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, the 26th February instant:—
“Warrnambool and Beljast Mechanics’ Institutions—To be further considered in Committee.”
 Council adjourned at twenty-six minutes past six o’clock until three o’clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 26TH FEBRUARY, 1856.

ORDER OF THE DAY (*To take precedence*):—

1. **LIQUORS SALE LAWS AMENDMENT BILL**—To be further considered in Committee.

NOTICES OF MOTION :—

1. **MR. MOLLISON** : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table, a Return shewing the total amount of monies received by the Government from the sale of Crown Lands in the parishes of Bylands, Wallan Wallan, Lancefield, Broadford, and Moranding, from the 1st of January, 1853, to the present time.
2. **MR. KING** : To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed upon the Estimates a sum not exceeding £1000, to defray the cost of building a Police Office at Port Albert, and a Lock-up at Tarraville.
3. **MR. HUMFFRAY** : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the House a Return of all moneys received by the Police Department for the care and sustenance of horses and other cattle detained by them on account of being supposed to be stolen or otherwise.
4. **MR. GREEVES** : To move, That the St. Kilda Sea Bathing Company’s Bill be now read a second time.
5. **MR. PYKE** : To move, That the Report of the Committee on Mining on Private Property be taken into consideration, with a view to obtaining the decision of the Council thereupon.
6. **MR. PYKE** : To move, on the consideration of the Report of the Select Committee on Mining on Private Property—
 - (1.) That this Council is of opinion that (subject to the exceptions and reservations recommended in the 5th clause of the Report), it is desirable for the public good that all lands found to be auriferous should, under suitable regulations, be mined for gold.
 - (2.) That regulations restricting the working of any auriferous lands to bodies of miners associated on the Cost Book system, and rendering it compulsory on the owners of such lands to accept a per centage of the gold raised thereon as compensation, are inapplicable and unsatisfactory, unequal in their operation, and calculated to cause much litigation; and this Council is of opinion that all purchased lands which it may hereafter be proposed to open for mining purposes, should be valued by Arbitrators (to be appointed as recommended in clause 6 of the Report); that the Government should resume possession of such lands, and compensate the owners; and that all persons desirous of mining thereon should be charged a sum proportionate to the amount of compensation.
 - (3.) That this Council refuses to sanction any measure having for its object the sale of the land with the gold, inasmuch as such a course would cause the alienation of an incalculable portion of the national wealth—a procedure unjust in principle and mischievous in tendency.
7. **DR. OWENS** : To move, on the consideration of the Report on Mining on Private Property the following resolutions :—
 - (1.) That the urgent circumstances connected with mining on private lands render it necessary on the part of this Council to amend the laws relating to alienated auriferous lands, and to assure the public confidence of the security of the rights of private property; but as it is impossible to restrict the legitimate right of mining for gold, it is now necessary that all auriferous lands be surrendered, when required for the general good of the country, under proper and general regulations.
 - (2.) That inasmuch as there does not exist any means of determining the limits of auriferous lands, and as gold is very generally distributed throughout this Colony, it is desirable that the owners of auriferous lands be empowered to sanction licensed miners, on terms mutually agreed upon, mining for gold on their own property, under the regulations of the district.
 - (3.) That the interests of the miners require that in case the proprietor of auriferous lands refuse consent, or otherwise obstruct the working of such lands, the miner shall have the right of petition to the Local Court of the district, demanding that such lands be thrown open for public mining purposes.
 - (4.) That the Local Court, on petition, shall determine as to the advisability of throwing open such lands, and shall report on the same to the Government.

- (5.) That in case such lands shall be thrown open, the Government shall obtain a fair and just assessment of the value of the land, by a jury taken from the petty jury list, open to challenge, to be awarded as compensation to the proprietor, and such land being duly conveyed to the Crown, shall thereupon be proclaimed as "Reverted Crown Lands," open to the miners generally.
- (6.) That licensed miners shall mine for gold on all Reverted Crown Lands, but the Local Court shall be authorised to declare the amount of fee necessary to meet all charges on the Government (under ordinary circumstances not to exceed one pound per annum), on payment of which the Warden of the district shall issue a Special Miner's Right to work Reverted Crown Lands throughout the Colony.

Contingent—On the Report of the Select Committee on Gold Mining on Private Property being considered—

8. MR. SNODGRASS: To move—

- (1.) That in the opinion of this Council it is desirable that all lands in Victoria, if auriferous, whether public or private, be mined for gold.
- (2.) That for this purpose all owners of private lands be authorised to mine such private lands, and that an Act of this Legislature be passed to legalise their so doing.
- (3.) That for the future the gold (if any) be sold with the land, every precaution short of actual test being taken before survey or sale.
- (4.) That nothing contained in the above resolutions shall be construed to affect the rights of property legally acquired, or to compel any owner of land to submit to any encroachment without his sanction.

ORDERS OF THE DAY:—

2. COMMON LAW PRACTICE BILL—Adoption of Report.
3. ESTIMATES FOR 1856—To be further considered in Committee.
4. VICTORIA ELECTORAL BILL—Adoption of Report.
5. ELECTIONS REGULATION BILL—To be further considered in Committee.
6. INN OF COURT BILL—Second reading.
7. COLLINGWOOD BRIDGE COMPANY BILL—Third reading.
8. TRUSTEES BILL—Second reading.
9. THISTLE BILL—To be further considered in Committee.
10. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL—To be considered in Committee.
11. WARRNAMBOOL AND BELFAST MECHANICS' INSTITUTIONS—To be further considered in Committee.

WEDNESDAY, 27TH FEBRUARY.

Government Business:—

ORDER OF THE DAY:—

1. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—Adoption of Report.

MEETINGS

OF

SELECT COMMITTEES.

Tuesday, 26th February.

GOLD—at 10 o'clock.

STEAM POSTAL COMMUNICATION—at 11 o'clock.

MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL—at 11 o'clock.

BALLAARAT OUTBREAK PETITION—at 12 o'clock.

ROBERTSON'S CORRESPONDENCE—at half-past 1 o'clock.

Wednesday, 27th February.

COLONIAL BANK OF AUSTRALASIA INCORPORATION BILL—at 11 o'clock.

Thursday, 28th February.

RAILWAYS—at 10 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 46.

TUESDAY, 26TH FEBRUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITIONS.—Mr. Fawkner presented a Petition from certain Inhabitants of the Municipality of East Collingwood and Fitz-Roy Ward, praying the Council to recommend to His Excellency the Officer administering the Government in Victoria the great necessity that exists for erecting a bridge at the foot of Johnston-street, and a grant of land to form an approach thereto from the Kew Road.
Petition received.
Mr. Wheeler presented a Petition from George Breading, praying that, with a view to the preservation of a privilege of authorised Miners, the statement made by the Honorable the Colonial Secretary, when moving the second reading of the "Gold Fields Act," might be constituted an official regulation, that any person being a *bonâ fide* holder of a Miner's Right or Lease should be entitled to address the meeting at Local Court Elections, and that the converse might also be confirmed, that no person not thus qualified should be allowed to address the meeting, or take part in its proceedings, unless with the sanction of the Chairman or Warden, as may be.
Petition received.
Mr. Nicholson presented a Petition from certain landholders and householders of East Collingwood, praying the privilege of a sub-division of municipal districts into wards, under the authority of the Executive Council, and also praying the Council to provide that the election of members of Municipal Councils should take place annually.
Petition received.
Mr. Greeves presented a Petition from J. Boyle, styling himself Chairman of the "Emerald Hill Vigilance Association," praying that the opening of public houses during certain hours on Sundays for the sale of liquors, as proposed in the Liquors Sale Laws Amendment Bill, now before the Council, might receive the sanction of the Council, and that the clauses relating thereto might pass into law.
On the motion of Mr. Fawkner, the Petition was read by the Clerk.
Petition received.
Mr. Rae presented a Petition from certain landowners and householders of East Collingwood, suggesting to the Council the desirability that the members of the Municipal Council be elected annually.
Petition received.
3. PAPERS.—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Papers, viz. :—
Sandhurst—Local Court Regulation.
Ordered to be printed.
Central Board of Health—First Annual Report under the Act 18 Victoria, No. 13.
Ordered to be printed.
4. ADDRESSES.—The Speaker announced that he had, in pursuance of the resolutions of this Council, presented to His Excellency the Officer Administering the Government, the following Addresses, viz. :—
Quartz Claim of Messrs. Syme and Co.—Adopted on the 8th February, 1856, on the motion of Mr. Humffray;
and that His Excellency had, in reply to such Address, been pleased to state that the copies of this correspondence were in course of preparation, and would shortly be laid upon the Table of the Council.

Survey of Coast.—Adopted on the 8th February, 1856, on the motion of Mr. Knight; and that His Excellency had, in reply to such Address, been pleased to state that he would at once bring under the notice of the Principal Secretary of State for the Colonies, the Address of the Council on the subject of the Survey of the Coast line.

Dandenong Road.—Adopted on the 12th February, 1856, on the motion of Mr. Chapman; and that His Excellency had, in reply to such Address, been pleased to state that the information required by these returns he had caused to be laid upon the Table of the Council, in accordance with the desire expressed in the Address.

Avoca District—Roads, Bridges, &c.—Adopted on the 15th February, 1856, on the motion of Mr. Longden; and that His Excellency had, in reply to such Address, been pleased to state that these returns had been laid upon the Table of the Council by His Excellency's Command.

New Constitution Act.—Adopted on the 15th February, 1856, on the motion of Mr. Grant; and that His Excellency had, in reply to such Address, been pleased to state that the opinion of the Law Officers of the Crown, applied for by the Legislative Council, should be laid upon the Table of the House.

Westward Mails.—Adopted on the 15th February, 1856, on the motion of Mr. Knight; and that His Excellency had, in reply to such Address, been pleased to state that the information applied for by the Council he had directed to be given.

County Courts—Bourke and Grant.—Adopted on the 19th February, 1856, on the motion of Mr. Greeves; and that His Excellency had, in reply to such Address, been pleased to state that these returns should be supplied at as early a date as possible.

Mr. George Doran—Steamer *Queen*.—Adopted on the 19th February, 1856, on the motion of Mr. Beaver; and that His Excellency had, in reply to such Address, been pleased to state that, in accordance with the wishes of the Council, he would cause the sum named to be placed on the Supplementary Estimates.

Prahran.—Adopted on the 19th February, 1856, on the motion of Mr. Goodman; and that His Excellency had, in reply to such Address, been pleased to state that the return had been supplied in accordance with the request of the Council.

5. LIQUORS SALE LAWS AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again this day six months.

6. BYLANDS, &c.—SALE OF CROWN LANDS.—Mr. Mollison moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table, a Return shewing the total amount of monies received by the Government from the sale of Crown Lands in the parishes of Bylands, Wallan Wallan, Lancefield, Broadford, and Moranding, from the 1st of January, 1853, to the present time.

Question—put and passed.

7. PAPERS.—The Surveyor General, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper:—

Bylands, &c.—Sale of Crown Lands.—Return to Address adopted this day on the motion of Mr. Mollison.

Ordered to be printed.

8. POSTPONEMENT OF NOTICE OF MOTION.—Mr. King postponed the motion standing in his name, No. 2 on the Notice Paper of to-day, until to-morrow.

9. POLICE—MONIES FOR SUSTENANCE OF HORSES.—Mr. Humffray moved, pursuant to amended notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of the House, a Return of all monies received by the Police Department for the care and sustenance of horses and other cattle detained by them on account of being supposed to be stolen or otherwise, and for forage supplied to other Departments—under separate heads.

Question—put and passed.

10. ST. KILDA SEA BATHING COMPANY'S BILL.—Mr. Greeves moved, pursuant to notice, That this Bill be "now" read a second "time."

Mr. Fawcner moved, as an amendment, That the word "now" be omitted, and that the words "this day six months" be added after the word "time."

Debate ensued.

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

Council divided.

Ayes, 28.
 Mr. Snodgrass,
 Mr. Knight,
 Mr. Taylor,
 Mr. Murphy,
 Mr. Kennedy,
 Mr. Hervey,
 Mr. Wilkinson,
 Mr. O'Brien,
 Mr. Benson,
 Mr. Wills,
 Dr. Owens,
 Mr. Smith,
 Mr. Henty,
 Mr. Sargood,
 Mr. McCulloch,
 Mr. O'Shanassy,
 Mr. Campbell,
 Mr. Humffray,
 Mr. Nicholson,
 Mr. A'Beckett,
 Mr. Russell,
 Mr. Longden,
 Mr. Pyke,
 Mr. Fyfe,
 Mr. Horne,
 Mr. Hodgson,
 Mr. Miller,
 Mr. Greeves, (*Teller*.)

Noes, 18.
 The Treasurer,
 The Chief Secretary,
 The Commissioner of Public Works,
 The Acting Chief Commissioner of
 Police,
 Mr. Fawkner,
 Mr. Strachan,
 Mr. Cameron,
 The Commissioner of Trade and
 Customs,
 Mr. Beaver,
 Mr. Myles,
 Mr. Lalor,
 Mr. Goodman,
 Mr. Rae,
 Mr. Fellows,
 The Solicitor General,
 Mr. Highett,
 Mr. Mollison,
 Mr. Wheeler, (*Teller*.)

Notice having been taken that Mr. Hervey, who voted with the Ayes, was interested in the Company, the Speaker erased his name from the division, and declared the numbers to be—for the Ayes, 27; for the Noes, 18.

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

On the motion of Mr. Greeves, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The Chairman reported progress, and obtained leave to sit again Friday, 29th February instant.

11. GOLD MINING ON PRIVATE PROPERTY.—On the motion of Mr. Pyke, the Report from the Select Committee of this Council on this subject was read by the Clerk.

Mr. Pyke moved, pursuant to notice, That the Report of the Committee on Mining on Private Property be taken into consideration, with a view to obtaining the decision of the Council thereupon.

Question—put and passed.

Mr. Pyke then moved, pursuant to *contingent* notice:—

(1.) That this Council is of opinion that (subject to the exceptions and reservations recommended in the 5th clause of the Report), it is desirable for the public good that all lands found to be auriferous should, under suitable regulations, be mined for gold.

(2.) That regulations restricting the working of any auriferous lands to bodies of miners associated on the Cost Book system, and rendering it compulsory on the owners of such lands to accept a per centage of the gold raised thereon as compensation, are inapplicable and unsatisfactory, unequal in their operation, and calculated to cause much litigation; and this Council is of opinion that all purchased lands which it may hereafter be proposed to open for mining purposes, should be valued by Arbitrators (to be appointed as recommended in clause 6 of the Report); that the Government should resume possession of such lands, and compensate the owners; and that all persons desirous of mining thereon should be charged a sum proportionate to the amount of compensation.

(3.) That this Council refuses to sanction any measure having for its object the sale of the land with the gold, inasmuch as such a course would cause the alienation of an incalculable portion of the national wealth—a procedure unjust in principle and mischievous in tendency.

Dr. Owens moved, That the further debate on this subject be adjourned until Friday, 29th February instant, to take precedence of all other business on that day.

Question—put and passed.

12. POSTPONEMENT OF NOTICES OF MOTION.—Dr. Owens and Mr. Snodgrass postponed the motions standing in their names on the Notice Paper for to-day (Nos. 7 and 8 respectively), until Friday, 29th February instant.

13. COMMON LAW PRACTICE BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read—On the motion of Mr. Fellows the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.

The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time Tuesday, 4th March next.—Bill as amended to be printed.

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

“ Estimates for 1856—To be further considered in Committee.”

15. **VICTORIA ELECTORAL BILL.**—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman reported progress, and obtained leave to sit again to-morrow.

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

“ Elections Regulation Bill—Adoption of Report ”—until to-morrow.

“ Inn of Court Bill—Second Reading ;” and

“ Trustees Bill—Second Reading ”—until Friday, 29th February instant.

“ Thistle Bill—To be further considered in Committee ;” and

“ Municipal Institutions Act Amendment Bill—To be considered in Committee ”—until Thursday, 28th February instant ; and

“ Warrnambool and Belfast Mechanics’ Institutions—To be further considered in Committee ”—until Friday, 29th February instant.

17. **COLLINGWOOD BRIDGE COMPANY BILL.**—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of Mr. Hodgson, read a third time and passed.

Mr. Hodgson then moved that the following be the title of the Bill :—

“ An Act to incorporate a Company to be called ‘ The Studley Park Bridge Company,’ and to enable the said Company to erect and maintain a Bridge over the River Yarra Yarra, at Church-street, East Collingwood, and to take toll thereat, and for other purposes.”

Question—put and passed.

Council adjourned at twelve minutes past seven o’clock until three o’clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 27TH FEBRUARY, 1856.

Government Business :—

ORDERS OF THE DAY :—

1. **VICTORIA ELECTORAL BILL**—To be further re-considered in Committee.
2. **ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL**—Adoption of Report.
3. **ESTIMATES FOR 1856**—To be further considered in Committee.
4. **ELECTIONS REGULATION BILL**—Adoption of Report.

General Business :—

NOTICES OF MOTION :—

1. **MR. FAWKNER :** To move, That the Petition presented by him from the inhabitants of East Collingwood, on the 26th instant, be referred to the Committee now sitting on the Estimates for the year 1856.
2. **MR. KNIGHT :** To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to issue instructions to the Postmaster General, to the effect that mails shall be made up and forwarded to the sea-port towns of Warrnambool, Belfast, Portland, and Alberton by each of the steamers now regularly running ; such mails to comprise all letters addressed to either of the above-mentioned towns at that time within the post, whether marked “ per steamer ” or not ; such mails to be made up at as late a period prior to the sailing of the steamers as practicable ; and that instructions be forwarded to the Postmasters in the above townships to forward the return mails in like manner.
3. **MR. WHEELER :** To move, That the Petition of George Breading, presented 26th February instant, be printed.
4. **MR. LALOR :** To move, That a Select Committee be appointed to report on the Standing Orders of this House, with a view of defining what expressions may not be allowed in debate. Such Committee to consist of the Attorney General, the Chairman of Committees, Mr. Mollison, Mr. Campbell, Dr. Greeves, and Mr. Murphy.
5. **MR. RAE :** To move, That the Petition of James Murray, presented on the 8th January, be printed.
6. **MR. KING :** To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed upon the Estimates a sum not exceeding £1000, to defray the cost of building a Police Office at Port Albert, and a Lock-up at Tarraville.

THURSDAY, 28TH FEBRUARY.

Government Business :—

ORDER OF THE DAY :—

1. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL—To be considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. THISTLE BILL—To be further considered in Committee.

FRIDAY, 29TH FEBRUARY.

ORDER OF THE DAY (*To take precedence*) :—

1. GOLD MINING ON PRIVATE PROPERTY—Adjourned debate.

NOTICES OF MOTION :—

1. DR. OWENS : To move, on the consideration of the Report on Mining on Private Property the following resolutions :—
 - (1.) That the urgent circumstances connected with mining on private lands render it necessary on the part of this Council to amend the laws relating to alienated auriferous lands, and to assure the public confidence of the security of the rights of private property ; but as it is impossible to restrict the legitimate right of mining for gold, it is now necessary that all auriferous lands be surrendered, when required for the general good of the country, under proper and general regulations.
 - (2.) That inasmuch as there does not exist any means of determining the limits of auriferous lands, and as gold is very generally distributed throughout this Colony, it is desirable that the owners of auriferous lands be empowered to sanction licensed miners, on terms mutually agreed upon, mining for gold on their own property, under the regulations of the district.
 - (3.) That the interests of the miners require that in case the proprietor of auriferous lands refuse consent, or otherwise obstruct the working of such lands, the miner shall have the right of petition to the Local Court of the district, demanding that such lands be thrown open for public mining purposes.
 - (4.) That the Local Court, on petition, shall determine as to the advisability of throwing open such lands, and shall report on the same to the Government.
 - (5.) That in case such lands shall be thrown open, the Government shall obtain a fair and just assessment of the value of the land, by a jury taken from the petty jury list, open to challenge, to be awarded as compensation to the proprietor, and such land being duly conveyed to the Crown, shall thereupon be proclaimed as "Reverted Crown Lands," open to the miners generally.
 - (6.) That licensed miners shall mine for gold on all Reverted Crown Lands, but the Local Court shall be authorised to declare the amount of fee necessary to meet all charges on the Government (under ordinary circumstances not to exceed one pound per annum), on payment of which the Warden of the district shall issue a Special Miner's Right to work Reverted Crown Lands throughout the Colony.

Contingent—On the Report of the Select Committee on Gold Mining on Private Property being considered—

2. MR. SNODGRASS : To move—
 - (1.) That in the opinion of this Council it is desirable that all lands in Victoria, if auriferous, whether public or private, be mined for gold.
 - (2.) That for this purpose all owners of private lands be authorised to mine such private lands, and that an Act of this Legislature be passed to legalise their so doing.
 - (3.) That for the future the gold (if any) be sold with the land, every precaution short of actual test being taken before survey or sale.
 - (4.) That nothing contained in the above resolutions shall be construed to affect the rights of property legally acquired, or to compel any owner of land to submit to any encroachment without his sanction.
3. MR. BENSON : To move, That this House take into consideration the Report of the Select Committee on the Powers of the Local Courts, and adopt the same.

ORDERS OF THE DAY :—

2. ST. KILDA SEA BATHING COMPANY BILL—To be further considered in Committee.
3. INN OF COURT BILL—Second reading.
4. TRUSTEES BILL—Second reading.
5. WARRNAMBOOL AND BELFAST MECHANICS' INSTITUTIONS BILL— To be further considered in Committee.

TUESDAY, 4TH MARCH.

ORDER OF THE DAY :—

1. COMMON LAW PRACTICE BILL—Third reading.

MEETINGS
OF
SELECT COMMITTEES.

Wednesday, 27th February.

COLONIAL BANK OF AUSTRALASIA INCORPORATION BILL—at 11 o'clock.
ROBERTSON'S CORRESPONDENCE—at half-past 12 o'clock.

Thursday, 28th February.

RAILWAYS—at 10 o'clock.
GOLD—at 10 o'clock.
STEAM POSTAL COMMUNICATION—at 11 o'clock.

Friday, 29th February.

BALLAARAT OUTBREAK PETITION—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 47.

WEDNESDAY, 27TH FEBRUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITION.—Mr. Greeves presented a Petition from certain persons styling themselves the President and Vice-President of the Licensed Victuallers' Association, praying the Council would not allow the simple question of the proper and reasonable amount of the annual license fee to be embarrassed by the introduction of any proposition to throw open the trade indiscriminately, to the ruin of the Petitioners and all engaged in their business, without conferring any corresponding benefit upon the community at large.
Petition received.
3. PAPER.—The Surveyor General, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz. :—
Unsurveyed Country in Heytesbury.—Report of Acting Surveyor to Surveyor General, as to Physical character of.
Ordered to be printed.
4. ASSENT TO BILLS.—The Speaker announced to the Council that His Excellency the Officer administering the Government had been pleased to give the Royal Assent to the following Bills :—
 - “ Grant for Public Worship Act Repeal Bill.”
 - “ Passengers' Act Amendment Bill.”
 - “ Keefer's Admission Bill.”
 - “ Volunteer Corps Act Amendment Bill.”
 - “ Careless Use of Fire Restriction Act Amendment Bill.”
5. MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL.—Mr. Miller, as Chairman of the Select Committee to which this subject was referred, brought up the second Report from the Committee, and moved that it be received.
Question—put and passed.
6. VICTORIA ELECTORAL BILL.—The Order of the Day for the further re-consideration of this Bill in Committee of the whole Council having been read—the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof. The Chairman reported the Bill with further amendments.
On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration, Tuesday, 4th March next.—Bill, as amended, to be printed.
7. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL.—The Order of the Day for the further consideration of the Report from the Committee of the whole Council upon this Bill having been read, on the motion of Mr. Horne, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman reported progress and obtained leave to sit again to-morrow.
8. PAPERS.—The Treasurer, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned papers, viz. :—
Steam Postal Communication.—Despatch from the Right Honorable the Secretary of State respecting Steam Postal Communication with the United Kingdom.
Ordered to be printed and referred to the Select Committee now sitting on this subject.
Mr. John Allen.—Return to Address, adopted on the 29th November last, on the motion of Mr. O'Brien.
Ordered to be printed.
Proceeds from Sale of Unclaimed Cattle.—Statement shewing the distribution of the proceeds of the sales of unclaimed cattle under the *Impounding Act*, amongst the several Charitable Institutions of the Colony.
Ordered to be printed.

9. ESTIMATES FOR 1856.—The Order of the Day for the further consideration of the Estimates for 1856 in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again to-morrow.

10. ELECTIONS REGULATION BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read, on the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration Tuesday, 4th March next.—Bill as amended to be printed.

11. POSTPONEMENT OF NOTICES OF MOTION.—The following motions, standing on the Notice Paper of to-day, were postponed as under :—

No. 1. By Mr. Fawkner, and

No. 4. By Mr. Lalor, until to-morrow.

No. 5. By Mr. Rae, until Friday, 29th February instant, and

No. 6. By Mr. King, until to-morrow.

12. MAILS COASTWISE.—Mr. Knight moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to issue instructions to the Postmaster General, to the effect that mails shall be made up and forwarded to the sea-port towns of Warrnambool, Belfast, Portland, and Alberton by each of the steamers now regularly running; such mails to comprise all letters addressed to either of the above-mentioned towns at that time within the post, whether marked "per steamer" or not; such mails to be made up at as late a period prior to the sailing of the steamers as practicable; and that instructions be forwarded to the Postmasters in the above townships to forward the return mails in like manner.

Question—put and passed.

13. MR. BREADING.—Mr. Wheeler moved, pursuant to notice, That the Petition of George Breading, presented 26th February instant, be printed.

Question—put and passed.

Council adjourned at sixteen minutes past seven o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 28TH FEBRUARY, 1856.

Government Business :—

ORDERS OF THE DAY :—

1. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL—To be considered in Committee.
2. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—To be further re-considered in Committee.
3. ESTIMATES FOR 1856—To be further considered in Committee.

General Business :—

NOTICES OF MOTION :—

1. MR. MILLER : To move, That the Melbourne and Hobson's Bay Railway Extension Bill be now read a second time.
2. MR. CHAPMAN : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will please to cause to be laid upon the Table of the House any report which may have been made, in accordance with the Address of this House, on the 3rd May, 1855, of any survey which may have been made of the best anchorage at or near Snapper Point, together with any estimate which may have been made of the probable cost of constructing a Wharf, to which vessels might approach, not exceeding fifty tons burthen.
3. MR. FAWKNER : To move, That the Petition presented by him from the inhabitants of East Collingwood, on the 26th instant, be referred to the Committee now sitting on the Estimates for the year 1856.
4. MR. LALOR : To move, That a Select Committee be appointed to report on the Standing Orders of this House, with a view of defining what expressions may not be allowed in debate. Such Committee to consist of the Attorney General, the Chairman of Committees, Mr. Mollison, Mr. Campbell, Dr. Greeves, and Mr. Murphy.
5. MR. KING : To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed upon the Estimates a sum not exceeding £1000, to defray the cost of building a Police Office at Port Albert, and a Lock-up at Tarraville.

ORDER OF THE DAY :—

1. THISTLE BILL—To be further considered in Committee.

FRIDAY, 29TH FEBRUARY.

ORDER OF THE DAY (*To take precedence*):—

1. GOLD MINING ON PRIVATE PROPERTY—Adjourned debate.

NOTICES OF MOTION:—

1. DR. OWENS: To move, on the consideration of the Report on Mining on Private Property the following resolutions:—

- (1.) That the urgent circumstances connected with mining on private lands render it necessary on the part of this Council to amend the laws relating to alienated auriferous lands, and to assure the public confidence of the security of the rights of private property; but as it is impossible to restrict the legitimate right of mining for gold, it is now necessary that all auriferous lands be surrendered, when required for the general good of the country, under proper and general regulations.
- (2.) That inasmuch as there does not exist any means of determining the limits of auriferous lands, and as gold is very generally distributed throughout this Colony, it is desirable that the owners of auriferous lands be empowered to sanction licensed miners, on terms mutually agreed upon, mining for gold on their own property, under the regulations of the district.
- (3.) That the interests of the miners require that in case the proprietor of auriferous lands refuse consent, or otherwise obstruct the working of such lands, the miner shall have the right of petition to the Local Court of the district, demanding that such lands be thrown open for public mining purposes.
- (4.) That the Local Court, on petition, shall determine as to the advisability of throwing open such lands, and shall report on the same to the Government.
- (5.) That in case such lands shall be thrown open, the Government shall obtain a fair and just assessment of the value of the land, by a jury taken from the petty jury list, open to challenge, to be awarded as compensation to the proprietor, and such land being duly conveyed to the Crown, shall thereupon be proclaimed as "Reverted Crown Lands," open to the miners generally.
- (6.) That licensed miners shall mine for gold on all Reverted Crown Lands, but the Local Court shall be authorised to declare the amount of fee necessary to meet all charges on the Government (under ordinary circumstances not to exceed one pound per annum), on payment of which the Warden of the district shall issue a Special Miner's Right to work Reverted Crown Lands throughout the Colony.

Contingent—On the Report of the Select Committee on Gold Mining on Private Property being considered—

2. MR. SNODGRASS: To move—

- (1.) That in the opinion of this Council it is desirable that all lands in Victoria, if auriferous, whether public or private, be mined for gold.
- (2.) That for this purpose all owners of private lands be authorised to mine such private lands, and that an Act of this Legislature be passed to legalise their so doing.
- (3.) That for the future the gold (if any) be sold with the land, every precaution short of actual test being taken before survey or sale.
- (4.) That nothing contained in the above resolutions shall be construed to affect the rights of property legally acquired, or to compel any owner of land to submit to any encroachment without his sanction.

3. MR. BENSON: To move, That this House take into consideration the Report of the Select Committee on the Powers of the Local Courts, and adopt the same.

4. MR. RAE: To move, That the Petition of James Murray, presented on the 8th January, be printed.

ORDERS OF THE DAY:—

2. ST. KILDA SEA BATHING COMPANY BILL—To be further considered in Committee.
3. INN OF COURT BILL—Second reading.
4. TRUSTEES BILL—Second reading.
5. WARRNAMBOOL AND BELFAST MECHANICS' INSTITUTIONS BILL—To be further considered in Committee.

TUESDAY, 4TH MARCH.

ORDERS OF THE DAY:—

1. COMMON LAW PRACTICE BILL—Third reading.
2. VICTORIA ELECTORAL BILL—Adoption of Report.
3. ELECTIONS REGULATION BILL—Adoption of Report.

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 28th February.

COLONIAL BANK OF AUSTRALASIA INCORPORATION BILL—at half-past 9 o'clock.

RAILWAYS—at 10 o'clock.

GOLD—at 10 o'clock.

STEAM POSTAL COMMUNICATION—at 11 o'clock.

Friday, 29th February.

BALLAARAT OUTBREAK PETITION—at 11 o'clock.

ROBERTSON'S CORRESPONDENCE—at 1 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 48.

THURSDAY, 28TH FEBRUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITION.—Mr. Rae presented a Memorial from certain inhabitants of Richmond, in public meeting assembled, praying the Council would consent to an examination of plans and sections, and hear evidence of the proposed line of Railway from Melbourne to Richmond, Prahran, and St. Kilda; and that a line of Railway connecting these localities might at once be commenced as a public work of the Colony.
Petition received.
3. STEAM POSTAL COMMUNICATION.—Mr. Greeves, Chairman of the Select Committee to which this subject was referred, brought up the Report from the Committee, and moved that it be received.
Question—put and passed—Report read by the Clerk and ordered to be printed.
4. SUSPENSION OF STANDING ORDERS.—Mr. Greeves moved that Standing Order No. 18 be suspended.
Question—put.
Council divided.

Ayes, 23.

Mr. Humffray,
The Surveyor General,
Mr. Pyke,
Mr. Benson,
Mr. Wheeler,
Mr. Rae,
Mr. Nicholson,
Mr. McCulloch,
Mr. O'Brien,
Mr. Snodgrass,
Mr. Hodgson,
Mr. Greeves,
The Commissioner of Public Works,
Mr. Horne,
The Treasurer,
Mr. Knight,
The Chief Secretary,
The Attorney General,
Mr. Smith,
Mr. Henty,
Mr. King,
Mr. Griffith,
Mr. Murphy,
Mr. Highett,
Mr. A'Beckett,
Mr. Kennedy,
Mr. Wilkinson,
The Commissioner of Trade and
Customs, (Teller.)

Noes, 6.

Mr. Harrison,
Mr. Lalor,
Mr. Myles,
Mr. Grant,
Dr. Owens,
Mr. Wills, (Teller.)

5. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until after the consideration of the third Order for to-day, viz. :—
"Municipal Institutions Act Amendment Bill—To be considered in Committee."
"Administration of Justice Act Amendment Bill—To be further re-considered in Committee."
6. ESTIMATES FOR 1856.—The Order of the Day for the further consideration of the Estimates for 1856 in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again Tuesday, 4th March next.

7. **COLONIAL BANK OF AUSTRALASIA.**—Mr. Miller, Chairman of the Select Committee of this Council to which this subject was referred, brought up the Report from the Committee, and moved that it be received.
Question—put and passed.—Report ordered to lie on the Table.
8. **STEAM POSTAL COMMUNICATION WITH THE UNITED KINGDOM.**—Mr. Greeves moved, That the Report from the Select Committee upon this subject be now adopted by the Council.
Question—put and passed.
On the motion of Mr. Greeves, the Council ordered that an Address be presented to His Excellency the Officer administering the Government, transmitting therewith to His Excellency a copy of the above Report, and requesting His Excellency will take the necessary steps for carrying out the recommendations contained therein.
9. **MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.**—The Order of the Day for the consideration of this Bill in Committee of the whole Council having been read—On the motion of the Surveyor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman reported progress, and obtained leave to sit again to-morrow.
10. **ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL.**—The Order of the Day for the further re-consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further re-consideration thereof.
The Chairman having reported the Bill with amendments—The Council ordered the same to be taken into consideration Wednesday, 5th March next.—Bill as amended to be printed.
11. **MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL.**—Mr. Miller moved, pursuant to notice, That this Bill be "now" read a second "time."
Mr. Smith moved as an amendment, That the word "now" be omitted, and that the words "Tuesday, 4th March next," be added after the word "time."
Debate ensued.
Question—That the word proposed to be omitted stand part of the question—put and passed.
Question—That this Bill be now read a second time—put and passed.—Bill read a second time.
On the motion of Mr. Miller, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow.
12. **POSTPONEMENT OF NOTICES OF MOTION.**—The following motions, standing on the Notice Paper for to-day, were postponed :—
No. 2. By Mr. Chapman, and
No. 3. By Mr. Fawkner, until to-morrow.
13. **THISTLE BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again Tuesday, 4th March next.
Council adjourned at seventeen minutes to eight o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 29TH FEBRUARY, 1856.

ORDER OF THE DAY (*To take precedence*):—

1. **GOLD MINING ON PRIVATE PROPERTY**—Adjourned debate.

NOTICES OF MOTION :—

1. **DR. OWENS:** To move, on the consideration of the Report on Mining on Private Property the following resolutions :—
- (1.) That the urgent circumstances connected with mining on private lands render it necessary on the part of this Council to amend the laws relating to alienated auriferous lands, and to assure the public confidence of the security of the rights of private property; but as it is impossible to restrict the legitimate right of mining for gold, it is now necessary that all auriferous lands be surrendered, when required for the general good of the country, under proper and general regulations.
 - (2.) That inasmuch as there does not exist any means of determining the limits of auriferous lands, and as gold is very generally distributed throughout this Colony, it is desirable that the owners of auriferous lands be empowered to sanction licensed miners, on terms mutually agreed upon, mining for gold on their own property, under the regulations of the district.

- (3.) That the interests of the miners require that in case the proprietor of auriferous lands refuse consent, or otherwise obstruct the working of such lands, the miner shall have the right of petition to the Local Court of the district, demanding that such lands be thrown open for public mining purposes.
- (4.) That the Local Court, on petition, shall determine as to the advisability of throwing open such lands, and shall report on the same to the Government.
- (5.) That in case such lands shall be thrown open, the Government shall obtain a fair and just assessment of the value of the land, by a jury taken from the petty jury list, open to challenge, to be awarded as compensation to the proprietor, and such land being duly conveyed to the Crown, shall thereupon be proclaimed as "Reverted Crown Lands," open to the miners generally.
- (6.) That licensed miners shall mine for gold on all Reverted Crown Lands, but the Local Court shall be authorised to declare the amount of fee necessary to meet all charges on the Government (under ordinary circumstances not to exceed one pound per annum), on payment of which the Warden of the district shall issue a Special Miner's Right to work Reverted Crown Lands throughout the Colony.

Contingent—On the Report of the Select Committee on Gold Mining on Private Property being considered—

2. MR. SNODGRASS : To move—

- (1.) That in the opinion of this Council it is desirable that all lands in Victoria, if auriferous, whether public or private, be mined for gold.
- (2.) That for this purpose all owners of private lands be authorised to mine such private lands, and that an Act of this Legislature be passed to legalise their so doing.
- (3.) That for the future the gold (if any) be sold with the land, every precaution short of actual test being taken before survey or sale.
- (4.) That nothing contained in the above resolutions shall be construed to affect the rights of property legally acquired, or to compel any owner of land to submit to any encroachment without his sanction.

3. MR. BENSON : To move, That this House take into consideration the Report of the Select Committee on the Powers of the Local Courts, and adopt the same.

4. MR. RAE : To move, That the Petition of James Murray, presented on the 8th January, be printed.

5. MR. WILLS : To move, For leave to bring in a Bill to provide for the registration of imported live stock from the adjoining Colonies.

6. MR. LALOR : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid on the Table copies of all correspondence between the Government and Mr. Wigley, solicitor, with regard to the sale of certain lands at Muckleford.

7. MR. CHAPMAN : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will please to cause to be laid upon the Table of the House any report which may have been made, in accordance with the Address of this House, on the 3rd May, 1855, of any survey which may have been made of the best anchorage at or near Snapper Point, together with any estimate which may have been made of the probable cost of constructing a Wharf, to which vessels might approach, not exceeding fifty tons burthen.

8. MR. FAWKNER : To move, That the Petition presented by him from the inhabitants of East Collingwood, on the 26th instant, be referred to the Committee now sitting on the Estimates for the year 1856.

ORDERS OF THE DAY :—

2. ST. KILDA SEA BATHING COMPANY BILL—To be further considered in Committee.
3. INN OF COURT BILL—Second reading.
4. TRUSTEES BILL—Second reading.
5. WARRNAMBOOL AND BELFAST MECHANICS' INSTITUTIONS—To be further considered in Committee.
6. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL—To be further considered in Committee.
7. MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL.—To be further considered in Committee.

TUESDAY, 4TH MARCH.

ORDERS OF THE DAY :—

1. COMMON LAW PRACTICE BILL—Third reading.
2. VICTORIA ELECTORAL BILL—Adoption of Report.
3. ELECTIONS REGULATION BILL—Adoption of Report.
4. ESTIMATES FOR 1856—To be further considered in Committee.
5. THISTLE BILL—To be further considered in Committee.

WEDNESDAY, 5TH MARCH.

Government Business :—

ORDER OF THE DAY :—

1. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—Adoption of Report.
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MEETINGS
OF
SELECT COMMITTEES.

Friday, 29th February.

BALLAARAT OUTBREAK PETITION—at 11 o'clock.

ROBERTSON'S CORRESPONDENCE—at 1 o'clock.

Wednesday, 5th March.

RAILWAYS—at 11 o'clock.

Thursday, 6th March.

GOLD—at 10 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 49.

FRIDAY, 29TH FEBRUARY, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ADDRESS.—The Speaker announced to the Council that he had, pursuant to the resolution of this Council, presented to His Excellency the Officer administering the Government the undermentioned Address :—
Steam Postal Communication.—Adopted on the 28th February, 1856, on the motion of Mr. Greeves ;
and that His Excellency had, in reply to such Address, been pleased to state that he would take the necessary steps for carrying out the recommendation of the Select Committee on Steam Postal Communication.
3. PETITIONS.—Mr. Humfray presented a Petition from Jacob Braché, of Melbourne, in the said Colony, civil engineer, trusting the Council would see the importance of immediate steps being taken in the matter referred to in the Petition.
Petition received.
Mr. Pyke presented a Petition from certain persons styling themselves the Committee of Diggers at Castlemaine, respecting digging on the Government Reserve at Castlemaine, and the removal of the Senior Warden, and moved that it be received.
Debate ensued.
Question—put and negatived.
Mr. Grant presented a Petition from certain inhabitants of the township and neighbourhood of Heathcote, praying that an alteration might be made in the postal arrangements, by which a daily mail might be despatched to and from that place.
Petition received.
4. MR. W. ROBERTSON'S CORRESPONDENCE.—Mr. Fellows, Chairman of the Select Committee of this Council to which the consideration of this subject was referred, brought up the Report from the Committee, and moved that it be received.
Question—put and passed.—Report and proceedings of Committee ordered to be printed.
5. MESSAGE FROM HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT.—The following Message from His Excellency the Officer administering the Government received and read :—

STEAM POSTAL COMMUNICATION WITH THE UNITED KINGDOM.

EDWARD MACARTHUR,

*Major-General,**The Officer administering the Government.**Message No. 10.*

The Officer administering the Government, with a view of carrying out the recommendation contained in the fifth paragraph of the Report from the Select Committee on Steam Postal Communication presented to him this day in an Address from the Legislative Council, recommends the appropriation of a sum of £25,000 (in addition to the £50,000 already provided by the Local Act, 18 Vic., No. 31), for the purpose of meeting the entire moiety of the expense of the line from England to Melbourne, in the event of the Government of Victoria being required to provide the whole amount of such moiety.

*Government Offices,**Melbourne, 29th February, 1856.*

Ordered to be printed.

On the motion of the Treasurer the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of the above Message.

The Chairman having reported, That the Committee considered it expedient that a sum of £25,000 be appropriated (in addition to the £50,000 already provided by the Local Act, 18 Vic., No. 31), for the purpose of meeting the entire moiety of the expense of the line from England to Melbourne, in the event of the Government of Victoria being required to provide the whole amount of such moiety, and in accordance with the Report of the Select Committee upon Postal Communication of the 28th February, 1856—the Council adopted such Report.

On the motion of the Treasurer, leave was given him to bring in a Bill to carry out the object of the above resolution.

6. GOLD MINING ON PRIVATE PROPERTY.—The debate resumed upon Mr. Pyke's motion—

- (1.) That this Council is of opinion "that" (subject to the exceptions and reservations recommended in the 5th clause of the Report), it is desirable for the public good that all lands found to be auriferous should, under suitable regulations, be mined for gold.
- (2.) That regulations restricting the working of any auriferous lands to bodies of miners associated on the Cost Book system, and rendering it compulsory on the owners of such lands to accept a per centage of the gold raised thereon as compensation, are inapplicable and unsatisfactory, unequal in their operation, and calculated to cause much litigation; and this Council is of opinion that all purchased lands which it may hereafter be proposed to open for mining purposes, should be valued by Arbitrators (to be appointed as recommended in clause 6 of the Report); that the Government should resume possession of such lands, and compensate the owners; and that all persons desirous of mining thereon should be charged a sum proportionate to the amount of compensation.
- (3.) That this Council refuses to sanction any measure having for its object the sale of the land with the gold, inasmuch as such a course would cause the alienation of an incalculable portion of the national wealth—a procedure unjust in principle and mischievous in tendency.

Dr. Owens moved, as an amendment, That all the words after the second word "that" in the first resolution be omitted, with a view to insert the words following, viz.:—
"The urgent circumstances connected with mining on private lands render it necessary on the part of this Council to amend the laws relating to alienated auriferous lands, and to assure the public confidence of the security of the rights of private property; but as it is impossible to restrict the legitimate right of mining for gold, it is now necessary that all auriferous lands be surrendered, when required for the general good of the country, under proper and general regulations."

Debate ensued.

Mr. Fawcner moved that the further debate on this subject be adjourned to Tuesday next, to take precedence of all other business on that day.

Question—put and passed.

7. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Benson postponed the motion standing in his name, No. 3, on the Notice Paper for to-day, until Friday, 7th March next.

8. JAMES MURRAY.—Mr. Rae moved, pursuant to notice, That the Petition of James Murray, presented on the 8th January, be printed.

Debate ensued.

Question—put and negatived.

9. REGISTRATION OF IMPORTED LIVE STOCK BILL.—Mr. Wills having, pursuant to notice, moved for and obtained leave to bring in a Bill for the registration of imported Live Stock, brought up a Bill, intituled, "*A Bill to provide for the registration of Imported Stock*," and moved that it be read a first time.

Question—put and passed.—Bill read a first time, ordered to be read a second time Tuesday, 4th March next, and to be printed.

10. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Lalor postponed the motion standing in his name, No. 5, on the Notice Paper of to-day, until Tuesday, 4th March next.

11. SNAPPER POINT.—Mr. Chapman moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will please to cause to be laid upon the Table of the House any report which may have been made, in accordance with the Address of this House, on the 3rd May, 1855, of any survey which may have been made of the best anchorage at or near Snapper Point, together with any estimate which may have been made of the probable cost of constructing a Wharf, to which vessels might approach, not exceeding fifty tons burthen.

Debate ensued.

Question—put and passed.

Notice having been taken that one-third of the members, exclusive of the Speaker, were not present, the Speaker counted the House, and it appearing that one-third of the members, exclusive of the Speaker, were not present, the Speaker adjourned the Council at twenty-three minutes past six o'clock until three o'clock on Tuesday, 4th March next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 4TH MARCH, 1856.

ORDER OF THE DAY (*To take precedence*):—

1. GOLD MINING ON PRIVATE PROPERTY—Adjourned Debate.

NOTICES OF MOTION :—

1. DR. OWENS : To move, on the consideration of the Report on Mining on Private Property the following resolutions :—
- (1.) That the urgent circumstances connected with mining on private lands render it necessary on the part of this Council to amend the laws relating to alienated auriferous lands, and to assure the public confidence of the security of the rights of private property; but as it is impossible to restrict the legitimate right of mining for gold, it is now necessary that all auriferous lands be surrendered, when required for the general good of the country, under proper and general regulations.
 - (2.) That inasmuch as there does not exist any means of determining the limits of auriferous lands, and as gold is very generally distributed throughout this Colony, it is desirable that the owners of auriferous lands be empowered to sanction licensed miners, on terms mutually agreed upon, mining for gold on their own property, under the regulations of the district.
 - (3.) That the interests of the miners require that in case the proprietor of auriferous lands refuse consent, or otherwise obstruct the working of such lands, the miner shall have the right of petition to the Local Court of the district, demanding that such lands be thrown open for public mining purposes.
 - (4.) That the Local Court, on petition, shall determine as to the advisability of throwing open such lands, and shall report on the same to the Government.
 - (5.) That in case such lands shall be thrown open, the Government shall obtain a fair and just assessment of the value of the land, by a jury taken from the petty jury list, open to challenge, to be awarded as compensation to the proprietor, and such land being duly conveyed to the Crown, shall thereupon be proclaimed as "Reverted Crown Lands," open to the miners generally.
 - (6.) That licensed miners shall mine for gold on all Reverted Crown Lands, but the Local Court shall be authorised to declare the amount of fee necessary to meet all charges on the Government (under ordinary circumstances not to exceed one pound per annum), on payment of which the Warden of the district shall issue a Special Miner's Right to work Reverted Crown Lands throughout the Colony.
2. MR. SMITH : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place on the Estimates for 1856 the sum of £3000 in aid of the Normal Institution in connexion with the National Board of Education.
3. MR. HUMFFRAY : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid on the Table of this House a Return of all Letters Patent, also Renewed Letters Patent, granted in this Colony from the 31st day of March, 1854, to this date.
4. MR. LALOR : To move, That a Select Committee be appointed to report on the Standing Orders of this House, with a view of defining what expressions may not be allowed in debate. Such Committee to consist of the Attorney General, the Chairman of Committees, Mr. Mollison, Mr. Campbell, Dr. Greeves, and Mr. Murphy.

ORDERS OF THE DAY :—

2. COMMON LAW PRACTICE BILL—Third reading.
3. VICTORIA ELECTORAL BILL—Adoption of Report.
4. ELECTIONS REGULATION BILL—Adoption of Report.
5. ESTIMATES FOR 1856—To be further considered in Committee.
6. THISTLE BILL—To be further considered in Committee.
7. REGISTRATION OF IMPORTED LIVE STOCK BILL—Second reading.

WEDNESDAY, 5TH MARCH.

Government Business :—

ORDER OF THE DAY :—

1. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—Adoption of Report.

General Business :—

NOTICE OF MOTION :—

1. MR. O'SHANASSY : To move, That the Colonial Bank of Australasia Incorporation Bill be now read a second time.

FRIDAY, 7TH MARCH.

NOTICE OF MOTION :—

1. MR. BENSON : To move, That this House take into consideration the Report of the Select Committee on the Powers of the Local Courts, and adopt the same.
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MEETINGS
OF
SELECT COMMITTEES.

Wednesday, 5th March.

RAILWAYS—at 11 o'clock.

BALLAARAT OUTBREAK PETITION—at 11 o'clock.

Thursday, 6th March.

GOLD—at 10 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 50.

TUESDAY, 4TH MARCH, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITION.—Mr. Fawknor presented a Petition from certain inhabitants of East Collingwood, praying the Council would discountenance any proposition to divide that Municipality into Wards.
Petition received.
3. PAPERS.—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Papers, viz. :—
 - Quartz Claim of Messrs. Syme and Co.—Return to Address, adopted on the 8th February, 1856, on the motion of Mr. Humffray.
Ordered to be printed.
 - Police—Monies for the Sustenance of Horses.—Return to Address, adopted on the 26th February, 1856, on the motion of Mr. Humffray.
Ordered to be printed.
 - Detective Police—Return shewing the Expenditure in Salaries and Contingencies of the Detective Police for the year 1855.
Ordered to be printed.
4. ADDRESSES.—The Speaker announced that he had, pursuant to the resolutions of the Council, presented to His Excellency the Officer administering the Government the undermentioned Addresses, viz. :—
 - Mr. B. S. Hassall.—Adopted on the 21st February, 1856, on the motion of Mr. Humffray ;
and that His Excellency had, in reply to such Address, been pleased to state that a copy of the Petition of Mr. B. S. Hassall, and of the evidence taken in reference thereto, he had directed to be laid upon the Table of the Council.
 - Bylands, &c.—Adopted on the 26th February, 1856, on the motion of Mr. Mollison ;
and that His Excellency had, in reply to such Address, been pleased to state that the return applied for he had caused to be supplied in accordance with the request of the Council.
 - Police—Monies for Sustenance of Horses.—Adopted on the 26th February, 1856, on the motion of Mr. Humffray ;
and that His Excellency had, in reply to such Address, been pleased to state that the return should be furnished to the Legislative Council with as little delay as possible.
 - Mails Coastwise.—Adopted on the 27th February, 1856, on the motion of Mr. Knight ;
and that His Excellency had, in reply to such Address, been pleased to state that the necessary instructions on this subject should be given without any delay.
5. ROYAL ASSENT.—The Speaker also announced to the Council that His Excellency the Officer administering the Government had been pleased to give the Royal Assent to the undermentioned Bills, viz. :—
 - " *The Victoria Fire and Marine Insurance Company Bill.*"
 - " *Studley Park Bridge Company Bill.*"
6. GOLD MINING ON PRIVATE PROPERTY.—The debate resumed upon Mr. Pyke's motion—
 - (1.) That this Council is of opinion "that" (subject to the exceptions and reservations recommended in the 5th clause of the Report), it is desirable for the public good that all lands found to be auriferous should, under suitable regulations, be mined for gold.

(2.) That regulations restricting the working of any auriferous lands to bodies of miners associated on the Cost Book system, and rendering it compulsory on the owners of such lands to accept a per centage of the gold raised thereon as compensation, are inapplicable and unsatisfactory, unequal in their operation, and calculated to cause much litigation; and this Council is of opinion that all purchased lands which it may hereafter be proposed to open for mining purposes, should be valued by Arbitrators (to be appointed as recommended in clause 6 of the Report); that the Government should resume possession of such lands, and compensate the owners; and that all persons desirous of mining thereon should be charged a sum proportionate to the amount of compensation.

(3.) That this Council refuses to sanction any measure having for its object the sale of the land with the gold, inasmuch as such a course would cause the alienation of an incalculable portion of the national wealth—a procedure unjust in principle and mischievous in tendency.

And upon Dr. Owens' amendment, That all the words after the second word "that" in the first resolution be omitted, with a view to insert the words following, viz. :—
"The urgent circumstances connected with mining on private lands render it necessary on the part of this Council to amend the laws relating to alienated auriferous lands, and to assure the public confidence of the security of the rights of private property; but as it is impossible to restrict the legitimate right of mining for gold, it is now necessary that all auriferous lands be surrendered, when required for the general good of the country, under proper and general regulations."

Mr. Cameron moved, That the further debate on this subject be adjourned until to-morrow, to take precedence of all other business on that day.

Question—put and passed.

7. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Smith postponed the motion standing in his name, No. 2 on the Notice Paper of to-day, until Thursday, 6th March instant.

8. LETTERS PATENT.—Mr. Humffray moved, pursuant to notice, that an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid on the Table of this House a Return of all Letters Patent, also Renewed Letters Patent, granted in this Colony from the 31st day of March, 1854, to this date.

Question—put and passed.

9. POST OFFICE LAW AMENDMENT BILL.—The Treasurer having, pursuant to notice, moved for and obtained leave to bring in a Bill for the amendment of the Law relating to the Post Office, brought up a Bill, intituled, "*A Bill to amend an Act intituled 'An Act 'to amend an Act intituled An Act to amend the Law relating to the Post Office,'*" and moved that it be read a first time.

Question—put and passed.—Bill read a first time—Ordered to be read a second time to-morrow, and to be printed.

10. PAPER.—The Treasurer, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz. :—
Bank Returns for the Quarter ending on the 31st December, 1855.

Ordered to be printed.

11. COMMON LAW PRACTICE BILL.—The Order of the Day for the third reading of this Bill having been read—On the motion of Mr. Fellows the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration Friday, 7th March instant.—Bill as amended to be printed.

12. PAPER.—The Commissioner of Public Works, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz. :—

Expenditure at Toorak.—Return to Address, adopted on 16th February, 1855, on the motion of Mr. Goodman.

Ordered to be printed.

13. VICTORIA ELECTORAL BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration Thursday, 6th March instant.—Bill as amended to be printed.

14. ELECTIONS REGULATION BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration Thursday, 6th March instant.—Bill as amended to be printed.

15. PAPER.—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz. :—
Letters Patent granted in the Colony of Victoria.—Return to Address, adopted this day, on the motion of Mr. Humffray.
Ordered to be printed.
16. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed as under :—
“*Estimates for 1856—To be further considered in Committee*”—until to-morrow.
“*Thistle Bill—To be further considered in Committee*”—until Friday, 7th March instant.
17. IMPORTED LIVE STOCK REGISTRATION BILL.—Mr. Wills moved, pursuant to notice, That this Bill be now read a second time.
Question—put and passed.—Bill read a second time.
On the motion of Mr. Wills the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again Tuesday, 11th March instant.
Council adjourned at twenty minutes past seven o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 5TH MARCH, 1856.

General Business :—

ORDER OF THE DAY (*To take precedence*) :—

1. GOLD MINING ON PRIVATE PROPERTY—Adjourned Debate.

Government Business :—

NOTICE OF MOTION :—

1. THE SURVEYOR GENERAL: To move, That the Speaker leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of the Municipal Institutions Act Amendment Bill.

ORDERS OF THE DAY :—

2. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—Adoption of Report.
3. POST OFFICE LAW AMENDMENT BILL—Second reading.
4. ESTIMATES FOR 1856—To be further considered in Committee.

General Business :—

NOTICES OF MOTION :—

1. MR. O'SHANASSY: To move, That the Colonial Bank of Australasia Incorporation Bill be now read a second time.
2. MR. FAWKNER: To move, That the Petition presented by him on the 4th instant from the inhabitants of East Collingwood be referred to the Committee of the whole on the Municipal Institutions Act Amendment Bill.
3. MR. FYFE: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Returns of the number of Lunatics at present confined within the gaols or other prisons of the Colony.
4. MR. HUMFFRAY: To move, That the Petition of Jacob Braché, presented by him to this Council on the 29th February last, be printed.

THURSDAY, 6TH MARCH.

Government Business :—

ORDERS OF THE DAY :—

1. VICTORIA ELECTORAL BILL—Adoption of Report.
2. ELECTIONS REGULATION BILL—Adoption of Report.

General Business :—

NOTICE OF MOTION :—

1. MR. SMITH: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place on the Estimates for 1856 the sum of £3000 in aid of the Normal Institution in connexion with the National Board of Education.

FRIDAY, 7TH MARCH.

NOTICES OF MOTION :—

1. MR. BENSON : To move, That this House take into consideration the Report of the Select Committee on the Powers of the Local Courts, and adopt the same.
2. DR. EMBLING : To move, That the Council resolve itself into a Committee of the whole for the purpose of considering the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed on the Estimates the sum of £500 for the formation and sustentation, during the current year, of a Royal Humane Society Station at Sandridge, analogous in extent and operation to a similarly named institution existing in the Hyde Park, London.

ORDERS OF THE DAY :—

1. COMMON LAW PRACTICE BILL—Adoption of Report.
2. THISTLE BILL—To be further considered in Committee.

TUESDAY, 11TH MARCH.

ORDER OF THE DAY :—

1. IMPORTED LIVE STOCK REGISTRATION BILL—To be further considered in Committee.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 5th March.

RAILWAYS—at 11 o'clock.

BALLAARAT OUTBREAK PETITION—at 11 o'clock.

Thursday, 6th March.

GOLD—at 10 o'clock.

Friday, 7th March.

THE ALPACA—at 11 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 51.

WEDNESDAY, 5TH MARCH, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITIONS.—Dr. Embling presented a Petition from certain inhabitants in the neighborhood of, and interested in the improvement of, the Upper Plenty Road, praying the Council to take the statements set forth in the Petition into consideration and accede to the prayer of the Petitioners.
Petition received.
Mr. Lalor presented a Petition from C. F. Nicholls, styling himself Chairman of a Meeting of Miners of the Hard Hills and neighborhood, praying the Council to pass some law to enable miners to enter on purchased lands and mine therein for gold.
Petition received.
3. PAPERS.—The undermentioned Papers were, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council :—
By the Surveyor General.
Geological Surveyor.—Report of the Geological Surveyor on the geological structure of the Colony of Victoria, the basin of the River Yarra, and part of the northern, north-eastern, and eastern drainage of Port Phillip Bay, with plans and sections.
Report ordered to be printed, and plans and sections ordered to be lithographed.
By the Treasurer.
Union Bank, Geelong.—Return to Address, adopted on the 1st February, 1856, on the motion of Mr. Wills.
Ordered to be printed.
4. GOLD MINING ON PRIVATE PROPERTY.—The debate resumed upon Mr. Pyke's motion—
 - (1.) That this Council is of opinion "that" (subject to the exceptions and reservations recommended in the 5th clause of the Report), it is desirable for the public good that all lands found to be auriferous should, under suitable regulations, be mined for gold.
 - (2.) That regulations restricting the working of any auriferous lands to bodies of miners associated on the Cost Book system, and rendering it compulsory on the owners of such lands to accept a per centage of the gold raised thereon as compensation, are inapplicable and unsatisfactory, unequal in their operation, and calculated to cause much litigation; and this Council is of opinion that all purchased lands which it may hereafter be proposed to open for mining purposes, should be valued by Arbitrators (to be appointed as recommended in clause 6 of the Report); that the Government should resume possession of such lands, and compensate the owners; and that all persons desirous of mining thereon should be charged a sum proportionate to the amount of compensation.
 - (3.) That this Council refuses to sanction any measure having for its object the sale of the land with the gold, inasmuch as such a course would cause the alienation of an incalculable portion of the national wealth—a procedure unjust in principle and mischievous in tendency. And upon Dr. Owens' amendment, That all the words after the second word "that" in the first resolution be omitted, with a view to insert the words following, viz. :—
"The urgent circumstances connected with mining on private lands render it necessary on the part of this Council to amend the laws relating to alienated auriferous lands, and to assure the public confidence of the security of the rights of private property; but as it is impossible to restrict the legitimate right of mining for gold, it is now necessary that all auriferous lands be surrendered, when required for the general good of the country, under proper and general regulations."
 Debate continued.
Mr. Grant moved that the further debate on this subject be adjourned until to-morrow, to take precedence of all other business on that day.
Question—That the further debate on this subject be adjourned until to-morrow, to take precedence of all other business on that day—put.

Council divided.

Ayes, 36.
 The Chief Secretary,
 The Attorney General,
 The Treasurer,
 The Commissioner of Public Works,
 Mr. Grant,
 Mr. O'Brien,
 The Solicitor General,
 Dr. Embling,
 Mr. Longden,
 Mr. Russell,
 Mr. McCulloch,
 Mr. Bradshaw,
 Mr. O'Shanassy,
 Mr. Wheeler,
 Mr. Fellows,
 Mr. Benson,
 Dr. Owens,
 The Commissioner of Trade and
 Customs,
 Mr. Wills,
 Mr. Myles,
 Mr. Kennedy,
 Mr. Wilkinson,
 Mr. Fyfe,
 Mr. Strachan,
 The Surveyor General,
 Mr. Humffray,
 Mr. Cameron,
 Mr. Hodgson,
 Mr. Highett,
 Mr. Hervey,
 Mr. Murphy,
 Mr. Griffith,
 Mr. A'Beckett,
 Mr. Campbell,
 Mr. Goodman,
 Mr. Pyke, (*Teller.*)

Noes, 7.
 The Acting Chief Commissioner of
 Police
 Mr. Taylor,
 Mr. Lalor,
 Mr. Horne,
 Mr. Greeves,
 Mr. Chapman,
 Mr. Snodgrass, (*Teller.*)

5. MUNICIPAL INSTITUTION ACT AMENDMENT BILL.—The Surveyor General moved, pursuant to notice, That the Speaker leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of the Municipal Institutions Act Amendment Bill.
 Question—put and passed.
 Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
 The Chairman reported progress, and obtained leave to sit again to-morrow.
6. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
 The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration Friday, 7th March instant.—Bill as amended to be printed.
7. POST OFFICE LAW AMENDMENT BILL.—The Treasurer moved, That this Bill be now read a second time.
 Question—put and passed.—Bill read a second time.
 On the motion of the Treasurer the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration to-morrow—Bill as amended to be printed.
8. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until to-morrow :—
“ Estimates for 1856—To be further considered in Committee.”
9. COLONIAL BANK OF AUSTRALASIA INCORPORATION BILL.—Mr. O'Shanassy moved pursuant to notice, That this Bill be now read a second time.
 Question—put and passed.—Bill read a second time.
 On the motion of Mr. O'Shanassy the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The Chairman reported progress and obtained leave to sit again Friday, 7th March instant.

10. LUNATICS IN GAOLS.—Mr. Fyfe moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Returns of the number of Lunatics at present confined within the gaols or other prisons of the Colony.
Question—put and passed.

11. POSTPONEMENT OF NOTICES OF MOTION.—Mr. Fawkner and Mr. Humffray postponed the Motions standing in their names respectively, Nos. 2 and 4, on the Notice Paper of to-day until to-morrow.

Council adjourned at seven o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 6TH MARCH, 1856.

General Business :—

ORDER OF THE DAY (*To take precedence*) :—

1. GOLD MINING ON PRIVATE PROPERTY—Adjourned Debate.

Government Business :—

NOTICE OF MOTION :—

1. THE TREASURER : To move, That the Council resolve itself into a Committee of the whole for the purpose of taking into consideration the Supplementary Estimates for the year 1855.

ORDERS OF THE DAY :—

1. VICTORIA ELECTORAL BILL—Adoption of Report.
2. ELECTIONS REGULATION BILL—Adoption of Report.
3. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL—To be further considered in Committee.
4. POST OFFICE LAW AMENDMENT BILL—Adoption of Report.
5. ESTIMATES FOR 1856—To be further considered in Committee.

General Business :—

NOTICES OF MOTION :—

1. MR. SMITH : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place on the Estimates for 1856 the sum of £3000 in aid of the Normal Institution in connexion with the National Board of Education.
2. MR. FAWKNER : To move, That the Petition presented by him on the 4th instant from the inhabitants of East Collingwood be referred to the Committee of the whole on the Municipal Institutions Act Amendment Bill.
3. MR. HUMFFRAY : To move, That the Petition of Jacob Braché, presented by him to this Council on the 29th February last, be printed.

FRIDAY, 7TH MARCH.

NOTICES OF MOTION :—

1. MR. BENSON : To move, That this House take into consideration the Report of the Select Committee on the Powers of the Local Courts, and adopt the same.
2. DR. EMBLING : To move, That the Council resolve itself into a Committee of the whole for the purpose of considering the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed on the Estimates the sum of £500 for the formation and sustentation, during the current year, of a Royal Humane Society Station at Sandridge, analogous in character and operation to a similarly named institution existing in the Hyde Park, London.
3. MR. GREEVES : To move, That the Speaker leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of the St. Kilda Sea Bathing Company's Bill.

ORDERS OF THE DAY :—

1. COMMON LAW PRACTICE BILL—Adoption of Report.
2. THISTLE BILL—To be further considered in Committee.
3. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—Adoption of Report.
4. COLONIAL BANK OF AUSTRALASIA INCORPORATION BILL—To be further considered in Committee.

TUESDAY, 11TH MARCH.

NOTICE OF MOTION :—

1. Mr. MILLER: To move, That the Speaker leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of the Melbourne and Hobson's Bay Railway Extension Bill.

ORDER OF THE DAY :—

1. IMPORTED LIVE STOCK REGISTRATION BILL—To be further considered in Committee.

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 6th March.

GOLD—at 10 o'clock.

Friday, 7th March.

RAILWAYS—at half-past 9 o'clock.

THE ALPACA—at 11 o'clock.

BALLAARAT OUTBREAK PETITION—at half-past 12 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 52.

THURSDAY, 6TH MARCH, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. GOLD MINING ON PRIVATE PROPERTY.—The debate resumed upon Mr. Pyke's motion—
- (1.) That this Council is of opinion "that" (subject to the exceptions and reservations recommended in the 5th clause of the Report), it is desirable for the public good that all lands found to be auriferous should, under suitable regulations, be mined for gold.
- (2.) That regulations restricting the working of any auriferous lands to bodies of miners associated on the Cost Book system, and rendering it compulsory on the owners of such lands to accept a per centage of the gold raised thereon as compensation, are inapplicable and unsatisfactory, unequal in their operation, and calculated to cause much litigation; and this Council is of opinion that all purchased lands which it may hereafter be proposed to open for mining purposes, should be valued by Arbitrators (to be appointed as recommended in clause 6 of the Report); that the Government should resume possession of such lands, and compensate the owners; and that all persons desirous of mining thereon should be charged a sum proportionate to the amount of compensation.
- (3.) That this Council refuses to sanction any measure having for its object the sale of the land with the gold, inasmuch as such a course would cause the alienation of an incalculable portion of the national wealth—a procedure unjust in principle and mischievous in tendency.
- And upon Dr. Owens' amendment, That all the words after the second word "that" in the first resolution be omitted, with a view to insert the words following, viz.:—
"The urgent circumstances connected with mining on private lands render it necessary on the part of this Council to amend the laws relating to alienated auriferous lands, and to assure the public confidence of the security of the rights of private property; but as it is impossible to restrict the legitimate right of mining for gold, it is now necessary that all auriferous lands be surrendered, when required for the general good of the country, under proper and general regulations."

Debate continued.

The Council ordered that the above paragraphs be put seriatim.

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

Council divided.

Ayes, 17.

Mr. Myles,
Mr. Grant,
Mr. Longden,
Mr. Pyke,
Mr. Cameron,
Dr. Embling,
Mr. Fawcner,
Mr. O'Shanassy,
Mr. Benson,
Mr. Strachan,
Mr. Lalor,
Mr. Wills,
Mr. Nicholson,
Dr. Owens,
Mr. Rae,
Mr. Hervey,
Mr. Humfray, (*Teller.*)

Noes, 28.

The Commissioner of Public Works,
Mr. Horne,
The Attorney General,
Mr. Campbell,
The Chief Secretary,
Mr. Griffith,
Mr. Murphy,
Mr. Mollison,
Mr. Wilkinson.
Mr. Taylor,
Mr. Goodman,
Mr. Bradshaw,
Mr. McCulloch,
Mr. Beaver,
The Solicitor General,
Mr. Russell,
Mr. O'Brien,
Mr. Fellows,
Mr. Fyfe,
The Treasurer,
The Surveyor General,
The Commissioner of Trade and
Customs,
Mr. Snodgrass.
Mr. Chapman,
Mr. Hodgson,
Mr. Greeves,
Mr. Smith,
Mr. A'Beckett, (*Teller.*)

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

Council divided.

Ayes, 7.

Mr. Pyke,
Mr. Humffray,
Mr. Grant,
Dr. Owens,
Mr. Benson,
Mr. Wills,
Mr. Myles, (*Teller.*)

Noes, 38.

The Commissioner of Public Works,
Mr. Griffith,
Mr. Murphy,
The Chief Secretary,
The Attorney General,
Mr. Hervey,
Mr. Mollison,
Mr. Taylor,
The Surveyor General,
Mr. Wilkinson,
Mr. Bradshaw,
The Solicitor General,
Mr. Goodman,
Mr. Beaver,
Mr. McCulloch,
Mr. Rae,
Dr. Embling,
The Commissioner of Trade and
Customs,
Mr. Lalor,
Mr. Russell,
Mr. Strachan,
The Treasurer,
Mr. Longden,
Mr. O'Brien,
Mr. Cameron,
Mr. Fellows,
Mr. Fyfe,
Mr. Nicholson,
Mr. Fawkner,
Mr. O'Shanassy,
Mr. Snodgrass,
Mr. Chapman,
Mr. Hodgson,
Mr. Greeves,
Mr. Smith,
Mr. Campbell,
Mr. Home,
Mr. A'Beckett, (*Teller.*)

The Surveyor General then moved, as another amendment, That the following words be inserted in the place of the words omitted, viz. :—

- (1.) All gold in the soil is the property of the State, and can be only lawfully acquired by private individuals by virtue of Legislative enactment.
- (2.) All gold in lands not alienated by the State can only be lawfully mined for by permission of the State.
- (3.) The consideration now accepted by the State for the acquisition of gold in the soil, is, the duty on gold payable upon exportation.
- (4.) The consideration now accepted by the State for permission to mine for gold in public lands, is, the fee upon the Miner's Right.
- (5.) The owner of lands purchased from the State should be permitted to mine therein for gold, or to grant the privilege of mining therein for gold to such persons and on such conditions as he may think fit.
- (6.) Gold so acquired is subject to the export duty, or to any consideration for the acquisition of gold which the State may henceforth substitute therefor.

Mr. O'Brien then proposed, as a further amendment, That the following words be added at the end of paragraph 5 of the last proposed amendment, viz. : "provided that the owner of such lands pay to the state for a Miner's Right for every man that works on it."

Mr. Snodgrass was proceeding to move the insertion of certain words in the 5th paragraph of the above last proposed amendment, when objection was taken to his so doing, as being contrary to an understanding arrived at during the progress of the debate upon this question.

Question—That Mr. Snodgrass be allowed to move his proposed amendment—put.

Council divided.

Ayes, 20.

Mr. McCulloch,
Mr. Bradshaw,
Mr. Lalor,
Mr. Russell,
The Solicitor General,
Mr. Myles,
Mr. Murphy,
The Treasurer,
Mr. Snodgrass,
The Surveyor General,
The Attorney General,
The Chief Secretary,
Mr. A'Beckett,
Mr. Taylor,
Mr. Fellows,
Mr. Campbell,
Mr. Hervey,
The Commissioner of Public Works,
Mr. Wilkinson,
The Commissioner of Trade and
Customs, (*Teller.*)

Noes, 25.

Mr. Horne,
Mr. Longden,
Mr. Griffith,
Mr. Goodman,
Mr. Beaver,
Mr. Rae,
Dr. Owens,
Mr. Grant,
Mr. Wills,
Mr. Benson,
Mr. Humffray,
Mr. Strachan,
Mr. Fyfe,
Dr. Embling,
Mr. Nicholson,
Mr. O'Brien,
Mr. Fawkner,
Mr. Cameron,
Mr. O'Shanassy,
Mr. Chapman,
Mr. Pyke,
Mr. Hodgson,
Mr. Greeves,
Mr. Smith,
Mr. Mollison, (*Teller.*)

Question—That the words proposed to be added by Mr. O'Brien to the 5th paragraph of the above last proposed amendment be so added—put and negatived.

Mr. O'Shanassy then proposed, as a further amendment, That the following words, being paragraphs 5 and 6 of the last proposed amendment, viz. :—

(5.) The owner of lands purchased from the State should be permitted to mine therein for gold, or to grant the privilege of mining therein for gold to such persons and on such conditions as he may think fit.

(6.) Gold so acquired is subject to the export duty, or to any consideration for the acquisition of gold which the State may henceforth substitute therefor ;

be omitted, with a view to insert in the place thereof the following words, viz. :—

(1.) That this Council is of opinion that to transfer the gold, now the property of the public, to the present owners of private lands, without any equivalent, or to confer upon such owners the exclusive right to mine for such gold, would be opposed to sound policy, injurious to the general welfare, and may be regarded as a violation of a Public Trust.

(2.) That this Council is of opinion that in future sales of Public Lands, the exclusive right to the gold which it may contain should not be sold to the purchaser.

Question—That the words proposed to be omitted stand part of the above last proposed amendment—put

Council divided.

Ayes, 21.

The Chief Secretary,
The Attorney General,
Mr. A'Beckett,
Mr. Snodgrass,
The Treasurer,
The Commissioner of Trade and
Customs,
The Solicitor General,
Mr. Murphy,
Mr. Russell,
Mr. Fellows,
Mr. Bradshaw,
Mr. McCulloch,
Mr. Wilkinson,
Mr. Taylor,
Mr. Campbell,
The Commissioner of Public Works,
Mr. Smith,
Mr. Mollison,
Mr. Hervey,
Mr. Griffith,
The Surveyor General, (*Teller.*)

Noes, 24.

Mr. Horne,
Mr. Longden,
Mr. Greeves,
Mr. Pyke,
Mr. Chapman,
Mr. O'Shanassy,
Mr. Cameron,
Mr. Fawkner,
Dr. Embling,
Mr. O'Brien,
Mr. Nicholson,
Mr. Fyfe,
Mr. Humffray,
Mr. Goodman,
Mr. Benson,
Mr. Wills,
Mr. Grant,
Dr. Owens,
Mr. Myles,
Mr. Lalor,
Mr. Beaver,
Mr. Rae,
Mr. Strachan,
Mr. Hodgson, (*Teller.*)

Question—That the words proposed to be inserted in place of the words omitted from the amendment proposed by the Surveyor General—put.
Council divided.

Ayes, 19.

Mr. Longden,
Mr. Cameron,
Mr. Hodgson,
Mr. Chapman,
Mr. Grant,
Mr. Humffray,
Mr. Myles,
Mr. Strachan,
Mr. O'Shanassy.
Mr. Fawkner,
Mr. Wills,
Dr. Owens,
Mr. Benson,
Mr. Fyfe,
Mr. Lalor,
Mr. Rae,
Mr. Beaver,
Dr. Embling,
Mr. Pyke, (*Teller.*)

Noes, 26.

The Commissioner of Public Works,
Mr. Campbell,
Mr. Taylor,
The Chief Secretary,
Mr. Smith,
Mr. Hervey,
Mr. Griffith,
Mr. A'Beckett,
Mr. Goodman,
Mr. Murphy,
Mr. Wilkinson,
The Treasurer,
The Commissioner of Trade and
Customs,
Mr. Bradshaw,
Mr. Fellows,
Mr. McCulloch,
Mr. Russell,
The Solicitor General,
Mr. Nicholson,
Mr. O'Brien,
The Surveyor General,
The Attorney General,
Mr. Snodgrass,
Mr. Greeves,
Mr. Horne,
Mr. Mollison, (*Teller.*)

Question—That the following words proposed to be inserted in the place of the words omitted from the original question, viz:—

- (1.) All gold in the soil is the property of the State, and can only be lawfully acquired by private individuals by virtue of Legislative enactment.
- (2.) All gold in lands not alienated by the State can only be lawfully mined for by permission of the State.
- (3.) The consideration now accepted by the State for the acquisition of gold in the soil, is, the duty on gold payable upon exportation.
- (4.) The consideration now accepted by the State for permission to mine for gold in public lands, is, the fee upon the Miner's Right;
be so inserted—put and passed.

Question—That this Council is of opinion, That—

- (1.) All gold in the soil is the property of the State, and can only be lawfully acquired by private individuals by virtue of Legislative enactment.
- (2.) All gold in lands not alienated by the State can only be lawfully mined for by permission of the State.
- (3.) The consideration now accepted by the State for the acquisition of gold in the soil, is, the duty on gold payable upon exportation.
- (4.) The consideration now accepted by the State for permission to mine for gold in public lands, is, the fee upon the Miner's Right—put and passed.

Mr. Pyke then, with leave of the Council, withdrew the second paragraph in the proposed question.

The question having been proposed that the following words, being paragraph 3 of the proposed question, stand part of the above question, viz:—

- (3.) That this Council refuses to sanction any measure having for its object the sale of the gold with the land, inasmuch as such a course would cause the alienation of an incalculable portion of the national wealth—a procedure unjust in principle and mischievous in tendency;

Mr. Longden moved, as an amendment, That the following words be added at the end of the above paragraph, viz:—

- (1.) When private land shows strong indications of being auriferous, competent authority should, on the application of a certain number of miners, cause the land, or allow it, to be satisfactorily tested.
- (2.) A material guarantee should be exacted from parties making this application, for the payment of cost of such test and compensation for damage to the owner,—such compensation and damage to be assessed by arbitrators.

- (3.) On the land being declared to be auriferous, it should be competent to the owner to make such arrangements as may be mutually agreed upon for the working of his land,—a fixed time being allowed him for this purpose.
- (4.) In the event of the owner being unable or unwilling to come to terms, the Government should, at the expiration of this time, throw the land open, giving to the dispossessed owner double the amount of the improvements in cash, and double the value of his land in land orders; the site of land so given being of course open to the choice of the dispossessed owner.
- (5.) The land in no case to be given up for mining purposes until the entire amount to be paid to the owner for improvements shall have been tendered by the parties desirous of working private lands.
- (6.) The reservations of property laid down in paragraph 5 of original report to be strictly attended to,—small allotments being defined as allotments of five acres and under; such allotments in no case to be worked without free consent of owner.

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

Question—That this Council refuses to sanction any measure having for its object the sale of the gold with the land, inasmuch as such a course would cause the alienation of an incalculable portion of the national wealth—a procedure unjust in principle and mischievous in tendency—put and passed.

Question proposed—That this Council is of opinion, That—

- (1.) All gold in the soil is the property of the State, and can only be lawfully acquired by private individuals by virtue of Legislative enactment.
- (2.) All gold in lands not alienated by the State can only be lawfully mined for by permission of the State.
- (3.) The consideration now accepted by the State for the acquisition of gold in the soil, is, the duty on gold payable upon exportation.
- (4.) The consideration now accepted by the State for permission to mine for gold in public lands, is, the fee upon the Miner's Right.
- (5.) That this Council refuses to sanction any measure having for its object the sale of the gold with the land, inasmuch as such a course would cause the alienation of an incalculable portion of the national wealth—a procedure unjust in principle and mischievous in tendency.

Mr. Greeves moved the previous question.

Question—That this question be now put—put.

Council divided.

Ayes, 22.

Mr. A'Beckett,
Mr. Hodgson,
Mr. Grant,
Mr. Cameron,
Mr. O'Shanassy,
Mr. Humffray,
Mr. Chapman,
Dr. Embling,
Mr. Fawkner,
Mr. Benson,
Dr. Owens,
Mr. Lalor,
Mr. Wills,
Mr. Nicholson,
Mr. O'Brien,
Mr. Fyfe,
Mr. Rae,
Mr. Beaver,
Mr. Strachan,
Mr. Myles,
Mr. Longden,
Mr. Pyke, (*Teller.*)

Noes, 23.

The Commissioner of Public Works,
Mr. Griffith,
Mr. Campbell,
Mr. Taylor,
Mr. Hervey,
Mr. Goodman,
Mr. Wilkinson,
Mr. Murphy,
Mr. McCulloch,
Mr. Fellows,
Mr. Bradshaw,
Mr. Russell,
The Treasurer,
The Solicitor General,
The Surveyor General,
The Attorney General,
The Commissioner of Trade and
Customs,
The Chief Secretary,
Mr. Snodgrass,
Mr. Greeves,
Mr. Horne,
Mr. Smith,
Mr. Mollison, (*Teller.*)

3. SUPPLEMENTARY ESTIMATES FOR 1855.—The Treasurer moved, pursuant to notice, That the Council resolve itself into a Committee of the whole for the purpose of taking into consideration the Supplementary Estimates for the year 1855.

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.

The Chairman reported progress, and obtained leave to sit again to-morrow.

4. **VICTORIA ELECTORAL BILL.**—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read—On the motion of Mr. Murphy the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration Tuesday, 11th March instant.—Bill as amended to be printed.
5. **ELECTIONS REGULATION BILL.**—On the motion of the Attorney General the Council adopted the Report from the Committee of the whole upon this Bill, and ordered the Bill to be read a third time Wednesday, 12th March instant.
6. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following order of the Day be postponed until Tuesday, the 11th March instant :—
“*Municipal Institutions Act Amendment Bill—To be further considered in Committee.*”
7. **POST OFFICE LAW AMENDMENT BILL.**—On the motion of Treasurer the Council adopted the Report from the Committee of the whole upon this Bill.
The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Treasurer, read a third time and *passed*.
The Treasurer then moved that the following be the title of the Bill—
“*An Act to amend an Act intituled ‘An Act to amend an Act intituled An Act to amend the Law relating to the Post Office.’*”
Question—put and passed.
8. **PAPERS.**—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Papers, viz. :—
National Education.—Third Report from the Board of Commissioners for the year 1854 and 1855.
Ordered to be printed.
Lunatics in Gaols.—Return to Address, adopted on the 5th March instant, on the motion of Mr. Fyfe.
Ordered to be printed.
9. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until to-morrow :—
“*Estimates for 1856—To be further considered in Committee.*”
10. **POSTPONEMENT OF NOTICES OF MOTION.**—Mr. Smith and Mr. Fawkner postponed the Motions standing in their names respectively, Nos. 1 and 2 on the Notice Paper of to-day, until to-morrow.
11. **JACOB BRACHÉ.**—Mr. Humffray moved, pursuant to notice, That the petition of Jacob Braché, presented by him to this Council on the 29th February last, be printed.
Question—put and passed.
- Council adjourned at twenty-five minutes after eight o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 7TH MARCH 1856.

NOTICES OF MOTION :—

1. **MR. BENSON :** To move, That this House take into consideration the Report of the Select Committee on the Powers of the Local Courts, and adopt the same.
2. **DR. EMBLING :** To move, That the Council resolve itself into a Committee of the whole for the purpose of considering the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed on the Estimates the sum of £500 for the formation and sustentation, during the current year, of a Royal Humane Society Station at Sandridge, analogous in character and operation to a similarly named institution existing in the Hyde Park, London.
3. **MR. GREEVES :** To move, That the Speaker leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of the St. Kilda Sea Bathing Company's Bill.
4. **MR. SMITH :** To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place on the Estimates for 1856 the sum of £3000 in aid of the Normal Institution in connexion with the National Board of Education.
5. **MR. FAWKNER :** To move, That the Petition presented by him on the 4th instant from the inhabitants of East Collingwood be referred to the Committee of the whole on the Municipal Institutions Act Amendment Bill.

ORDERS OF THE DAY:—

1. COMMON LAW PRACTICE BILL—Adoption of Report.
2. THISTLE BILL—To be further considered in Committee.
3. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—Adoption of Report.
4. COLONIAL BANK OF AUSTRALASIA INCORPORATION BILL—To be further considered in Committee.
5. ESTIMATES FOR 1856
- 6 SUPPLEMENTARY ESTIMATES FOR 1855 } To be further considered in Committee.

TUESDAY, 11TH MARCH.

NOTICE OF MOTION:—

1. MR. MILLER: To move, That the Speaker leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of the Melbourne and Hobson's Bay Railway Extension Bill.

ORDERS OF THE DAY:—

1. IMPORTED LIVE STOCK REGISTRATION BILL—To be further considered in Committee.
2. VICTORIA ELECTORAL BILL—Adoption of Report.
3. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL—To be further considered in Committee.

WEDNESDAY, 12TH MARCH.

Government Business:—

ORDER OF THE DAY:—

1. ELECTIONS REGULATION BILL—Third reading.
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MEETINGS

OF

SELECT COMMITTEES.

Friday, 7th March.

RAILWAYS—at half-past 9 o'clock.

BALLAARAT OUTBREAK PETITION—at half-past 12 o'clock.

THE ALPACA—at 1 o'clock.

Tuesday, 11th March.

GOLD—at 10 o'clock.

LIBRARY—at 12 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 53.

FRIDAY, 7TH MARCH, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ALPACA.—Dr. Embling, Chairman of the Select Committee of this Council to which this subject was referred, brought up the Report from the Committee, and moved that it be received.
Question—put and passed.—Ordered to be printed, together with the Proceedings of Committee and Evidence.
3. POSTPONEMENT OF NOTICES OF MOTION.—On the motion of the Attorney General, the Council ordered that the consideration of the several Notices of Motion on the Paper for to-day be postponed until after the consideration of the 1st and 3rd Orders for to-day.
4. COMMON LAW PRACTICE BILL.—Upon the motion of the Attorney General, the Council adopted the Report from the Committee of the whole upon this Bill, and ordered the Bill to be read a third time, Tuesday, 11th March instant.
5. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole upon this Bill having been read—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.

The Chairman having reported the Bill with a further amendment, the Council adopted the same, and ordered the Bill to be read a third time Wednesday, 12th March instant.

6. LOCAL COURTS.—Mr. Benson moved, pursuant to notice, That this House “take” into consideration the Report of the Select Committee on the Powers of the Local Courts, “and adopt the same.”

Debate ensued.

Mr. Fawkner moved, That the Speaker do now leave the Chair and the Council resolve itself into a Committee of the whole for the consideration of the Report from the Select Committee on the Powers of the Local Courts.

Question—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the consideration of the Report from the Select Committee on the Powers of the Local Courts—put.

Council divided.

Ayes, 13.

Mr. O'Shanassy,
Dr. Embling,
Mr. Fyfe,
Mr. O'Brien,
Mr. Pyke,
Mr. Myles,
Mr. Chapman,
Mr. Fawkner,
Mr. Benson,
Dr. Owens,
Mr. Humffray,
Mr. Hodgson,
Mr. Greeves, (*Teller.*)

Noes, 17.

Mr. Miller,
Mr. Murphy,
Mr. Griffith,
Mr. Burnley,
The Surveyor General,
Mr. Campbell,
Mr. Highett,
The Commissioner of Trade and
Customs,
The Solicitor General,
Mr. Kennedy,
The Treasurer,
Mr. Cameron,
Mr. Longden,
The Attorney General,
The Chief Secretary,
Mr. Smith,
Mr. Mollison, (*Teller.*)

Debate continued.

The Surveyor General moved, as an amendment, That the word "take" be omitted from the first line of the above question, and the words "having taken" be inserted in its place; and that the words, "and adopt the same," be omitted from the 2nd and 3rd lines of the above question, in order to insert in the place thereof the following words, viz.: "is of opinion that the Gold Fields' Management Act be amended, and that provision be made for the separation of the legislative, judicial, and executive functions of local authorities, and that a Bill for such purpose be forthwith introduced."

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

Question—That the words "having taken," proposed to be inserted in the place of the word omitted be so inserted—put and passed.

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

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

Question—That this House having taken into consideration the Report of the Select Committee on the powers of the Local Courts, is of opinion that the Gold Fields Management Act be amended, and that provision be made for the separation of the legislative, judicial, and executive functions of local authorities, and that a Bill for such purpose be forthwith introduced—put and passed.

7. **HUMANE SOCIETY.**—Dr. Embling moved, pursuant to notice, That the Council resolve itself into a Committee of the whole for the purpose of considering the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed on the Estimates the sum of £500 for the formation and sustentation, during the current year, of a Royal Humane Society Station at Sandridge, analogous in character and operation to a similarly named institution existing in the Hyde Park, London.

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of whole accordingly.

The Speaker resumed the Chair.

8. **ST. KILDA SEA BATHING COMPANY'S BILL.**—Mr. Greeves moved, pursuant to notice, That the Speaker leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of the St. Kilda Sea Bathing Company's Bill.

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

The Chairman reported progress and obtained leave to sit again on Tuesday, 11th March instant.

9. **POSTPONEMENT OF NOTICE OF MOTION.**—Mr. Smith postponed the motion standing in his name, No. 4, on the Notice Paper of to-day, until Tuesday, 11th March instant, and ordered to take precedence of all other Notices of Motion on that day.

10. **MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.**—The Commissioner of Trade and Customs, on behalf of Mr. Fawkner, moved pursuant to notice given by Mr. Fawkner, That the Petition presented by him on the 4th instant from the inhabitants of East Collingwood be referred to the Committee of the whole on the Municipal Institutions Act Amendment Bill.

Question—put and passed.

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

"*Thistle Bill—To be further considered in Committee*"—until Tuesday, 11th March instant.

"*Colonial Bank of Australasia Incorporation Bill—To be further considered in Committee*"—until Tuesday, 11th March instant, to take precedence of all other Orders for that day.

"*Estimates for 1856, Supplementary Estimates for 1855—To be further considered in Committee*"—until Wednesday, 12th March instant.

Council adjourned at fourteen minutes after six o'clock until three o'clock on Tuesday, 11th March instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 11TH MARCH, 1856.

NOTICE OF MOTION (*To take precedence*):—

1. MR. SMITH : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place on the Estimates for 1856 the sum of £3000 in aid of the Normal Institution in connexion with the National Board of Education.
1. MR. SNODGRASS : To ask the Surveyor General if there is a reserved line of road upon the north bank of the Yarra River leading upwards from the Prince's Bridge, and why the said road, if reserved, is not thrown open to the public.

NOTICES OF MOTION :—

2. MR. MILLER : To move, That the Speaker leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of the Melbourne and Hobson's Bay Railway Extension Bill.
3. MR. CAMPBELL : To move—
 - (1.) That this Council, while it acknowledges the great importance of gold being freely developed in this Colony, is not prepared to sanction any general system of entering private lands for the purpose of mining for gold with compulsory compensation.
 - (2.) That in the event of any real public necessity arising for requiring the owners of land in fee simple to give up such land for the benefit of the whole community, this House is of opinion that such cases should be provided for in the same way as in England, viz., by special enactments of the Legislature.
4. MR. HUMFFRAY : To move, That a Select Committee be appointed to enquire into the claims for compensation for losses alleged to have been sustained at the time of and in connection with the destruction of Bentley's Hotel.
That, *contingent* on this motion being assented to, the following gentlemen form the Committee:—The Chief Secretary, Mr. Greeves, Mr. Mollison, Mr. Benson, Mr. Lalor, Mr. Hodgson, and the mover.
5. MR. HUMFFRAY : To move, That a Select Committee be appointed to consider the Claim for compensation made by Mr. J. G. M. Wigley, solicitor, Ballarat, as set forth in the Petition presented on his behalf of this Council.
Contingent—That the following gentlemen form the Committee:—The Surveyor General, Mr. Pyke, Mr. Lalor, Mr. Grant, Mr. Greeves, and the Mover.

ORDERS OF THE DAY :—

1. COLONIAL BANK OF AUSTRALASIA INCORPORATION BILL—To be further considered in Committee.
2. IMPORTED LIVE STOCK REGISTRATION BILL—To be further considered in Committee.
3. VICTORIA ELECTORAL BILL—Adoption of Report.
4. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL—To be further considered in Committee.
5. COMMON LAW PRACTICE BILL—Third reading.
6. ST. KILDA SEA BATHING COMPANY BILL—To be further considered in Committee.
7. THISTLE BILL—To be further considered in Committee.

WEDNESDAY, 12TH MARCH.

Government Business :—

ORDERS OF THE DAY :—

1. ESTIMATES FOR 1856
2. SUPPLEMENTARY ESTIMATES FOR 1855 } To be further considered in Committee.
3. ELECTIONS REGULATION BILL—Third reading.
4. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—Third reading.

General Business :—

NOTICE OF MOTION :—

1. MR. O'BRIEN : To move, That an address be presented to His Excellency the Officer Administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a return of the Wine and Spirit Merchants, who have registered their names and places of business up to the 10th instant, for the year 1856.

MEETINGS
OF
SELECT COMMITTEES.

Tuesday, 11th March.

RAILWAYS—at half-past 9 o'clock.

GOLD—at 10 o'clock.

LIBRARY—at 12 o'clock.

Wednesday, 12th March.

BALLAARAT OUTBREAK PETITION—at 12 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 54.

TUESDAY, 11TH MARCH, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ROYAL ASSENT.—The Speaker announced to the Council that His Excellency the Officer administering the Government had been pleased to give the Royal Assent to
“*The Post Office Act Amendment Bill.*”
3. NORMAL SCHOOLS.—Mr. Smith moved, pursuant to *amended* notice, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place on the Estimates for 1856 the sum of £3000 in aid of the Normal Institution in connexion with the National Board of Education.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported that the Committee considered it expedient that an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place on the Estimates for 1856 the sum of £3000 in aid of the Normal Institution in connexion with the National Board of Education—the Council adopted such Report, and ordered the Address to be presented accordingly.
4. MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL.—Mr. Miller moved, pursuant to notice, That the Speaker leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of the Melbourne and Hobson's Bay Railway Extension Bill.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman reported progress, and obtained leave to sit again to-morrow.
5. BALLAARAT COMPENSATION — BENTLEY'S HOTEL.—Mr. Humffray moved, pursuant to *amended* notice, That a Select Committee be appointed to enquire into the claims for compensation for losses alleged to have been sustained at the time of and in connexion with the destruction of Bentley's Hotel, with power to take evidence and examine all books and papers relating thereto now in the hands of the Government.
Debate ensued.
Question—put and passed.
Mr. Humffray moved, pursuant to *contingent* notice, That the following gentlemen form the Committee :—The Chief Secretary, Mr. Greeves, Mr. Mollison, Mr. Benson, Mr. Lalor, Mr. Hodgson, and the Mover.
The Chief Secretary required that the Committee be appointed by ballot.
Question—That the Committee consist of nine members—put and passed.
The Council then proceeded to the ballot, and the following members being reported to have the greatest number of votes, were declared by the Speaker to be the members of the Committee, viz. :—The Chief Secretary, Mr. Mollison, the Attorney General, Mr. Hodgson, Mr. Lalor, Mr. Benson, Mr. Greeves, Mr. Grant, and the Mover.
6. MR. J. G. M. WIGLEY.—Mr. Humffray moved, pursuant to notice, That a Select Committee be appointed to consider the Claim for compensation made by J. G. M. Wigley, solicitor, Ballaarat, as set forth in the Petition presented on his behalf to this Council.
On the motion of the Surveyor General, the Petition was read by the Clerk.
Question—That a Select Committee be appointed to consider the Claim for compensation made by Mr. J. G. M. Wigley, solicitor, Ballaarat, as set forth in the Petition presented on his behalf to this Council—put and negatived.
7. COLONIAL BANK OF AUSTRALASIA INCORPORATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill without amendment, the Council adopted the Bill as reported, and ordered the Bill to be read a third time Thursday, 13th March instant.

8. **PETITION.**—The Surveyor General presented a Memorial from Edward Hill, of Lesney-street, Richmond, miner, praying that the Council would take the case as set forth in the Petition into consideration, and legislate for the future so as to secure to the discoverer of new gold fields the reward of his enterprise.
Petition received, and ordered to be referred to the Select Committee now sitting on the subject of Gold.
9. **IMPORTED LIVE STOCK REGISTRATION BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration Thursday, 13th March instant.—Bill as amended to be printed.
10. **PAPERS.**—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz :—
Ballaarat, Beechworth, and Sandhurst—Additional Local Court Regulations.
Ordered to be printed.
11. **VICTORIA ELECTORAL BILL.**—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time Thursday, 13th March instant.
12. **MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration Friday, 14th March instant.—Bill as amended to be printed.
13. **COMMON LAW PRACTICE BILL.**—The Order of the Day for the third reading of this Bill having been read—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time Friday, 14th March instant.
14. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the consideration of the following Order of the Day be postponed until to-morrow :—
“ *St. Kilda Sea Bathing Company's Bill—To be further considered in Committee.*”
15. **THISTLE BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again Friday, 14th March instant.
Council adjourned at thirteen minutes past eight o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 12TH MARCH, 1856.

Government Business :—

NOTICE OF MOTION :—

1. **THE ATTORNEY GENERAL:** To move, For leave to bring in a Bill to amend the Law relating to the Gold Fields.

ORDERS OF THE DAY :—

1. ESTIMATES FOR 1856
2. SUPPLEMENTARY ESTIMATES FOR 1855 } To be further considered in Committee.
3. ELECTIONS REGULATION BILL—Third reading.
4. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—Third reading.

General Business :—

NOTICES OF MOTION :—

1. **MR. O'BRIEN:** To move, That an address be presented to His Excellency the Officer Administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a return of the Wine and Spirit Merchants, who have registered their names and places of business up to the 10th instant, for the year 1856.
2. **DR. EMBLING:** To move, That the report from the Select Committee of this Council on the subject of the importation of the Alpaca into Victoria be now adopted by the Council.

ORDERS OF THE DAY :—

1. **MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL.**—To be further considered in Committee.
2. **ST. KILDA SEA BATHING COMPANY BILL.**—To be further considered in Committee.

THURSDAY, 13TH MARCH.

Government Business :—

ORDER OF THE DAY:—

1. VICTORIA ELECTORAL BILL—Third reading.

General Business :—

1. MR. PYKE: To ask the Surveyor General :—
 - (1.) Whether a piece of land known as the Hay Paddock, in the possession of F. Taylor, Esq., of Strath Loddon, is the purchased property of that gentleman, and if not, by what right does he prevent gold mining operations therein.
 - (2.) Whether it is a fact that the said paddock, which is believed to be highly auriferous, has been or is about to be surveyed for sale.

ORDERS OF THE DAY:—

1. COLONIAL BANK OF AUSTRALASIA INCORPORATION BILL—Third reading.
2. IMPORTED LIVE STOCK REGISTRATION BILL—Adoption of Report.

FRIDAY, 14TH MARCH.

NOTICES OF MOTION:—

1. MR. HUMFFRAY: To move, For leave to bring in a Bill to amend and extend an Act, intituled, "*An Act to regulate Grants of Patents for Inventions in the Colony of Victoria.*"
2. MR. PYKE: To move, That, in the opinion of this Council, it is the duty of the Government at once to introduce a measure to adjust and define by law—
 - (1.) The right of the public to the gold in the soil.
 - (2.) The nature of the rights of intending purchasers of public lands, when such lands contain gold.
 - (3.) The mode of dealing with gold in lands already purchased.

ORDERS OF THE DAY:—

1. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL—Adoption of Report.
2. COMMON LAW PRACTICE BILL—Third reading.
3. THISTLE BILL—To be further considered in Committee.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 12th March.

RAILWAYS—10 o'clock.

BALLAARAT OUTBREAK PETITION—at 12 o'clock.

Friday, 14th March.

GOLD—at 10 o'clock.

BALLAARAT COMPENSATION—BENTLEY'S HOTEL—at 12 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 55.

WEDNESDAY, 12TH MARCH, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. BALLAARAT OUTBREAK PETITION.—Mr. Lalor, as Chairman of the Select Committee of the Council to which this subject was referred, brought up a first report from the Committee, and moved that it be received.
Question—put and passed.—Ordered to be printed, together with Evidence and Appendix.
3. GOLD FIELDS LAW AMENDMENT BILL.—The Attorney General having, pursuant to notice, moved for and obtained leave to bring in a Bill to amend the law relating to the Gold Fields, brought in a Bill, intituled, "*A Bill to amend the Laws relating to the Gold Fields,*" and moved that it be now read a first time.
Question—put and passed.—Bill read a first time, ordered to be read a second time Thursday, 13th March instant, and to be printed.
4. ESTIMATES FOR 1856.—SUPPLEMENTARY ESTIMATES FOR 1855.—The Order of the Day for the further consideration of the Estimates for 1856 and the Supplementary Estimates for 1855 in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress and obtained leave to sit again to-morrow.
5. ELECTIONS REGULATION BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Attorney General, read a third time and *passed*.
The Attorney General then moved that the following be the title of the Bill :—
"*An Act to provide for the better regulation of proceedings at Elections of Members of the Legislative Council and Legislative Assembly of Victoria respectively.*"
Question—put and passed.
6. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL.—The Order of the Day for the third reading of this Bill having been read—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration Thursday, 13th March instant.—Bill, as amended, to be printed.
7. PAPER.—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Paper, viz. :—
W. H. Wright, Esq.—Copy Letter from W. H. Wright, Esq., to the Honorable the Chief Secretary, bringing his case under the consideration of the Government.
Ordered to be printed.
8. WINE AND SPIRIT MERCHANTS.—Mr. O'Brien moved, pursuant to notice, That an address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a return of the Wine and Spirit Merchants who have registered their names and places of business up to the 10th instant, for the year 1856.
Debate ensued.
Notice having been taken that one-third of the Members exclusive of the Speaker were not present, the Speaker counted the House, and it appearing that one-third of the Members exclusive of the Speaker were not present, the Speaker adjourned the Council at twenty-nine minutes to nine o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 13TH MARCH, 1856.

Government Business :—

ORDERS OF THE DAY :—

1. VICTORIA ELECTORAL BILL—Third reading.
2. GOLD FIELDS LAW AMENDMENT BILL—Second reading.
3. ESTIMATES FOR 1856
4. SUPPLEMENTARY ESTIMATES FOR 1855 } To be further considered in Committee.
5. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL—Adoption of Report.

General Business :—

1. MR. PYKE: To ask the Surveyor General :—
 - (1.) Whether a piece of land known as the Hay Paddock, in the possession of F. Taylor, Esq., of Strath Loddon, is the purchased property of that gentleman, and if not, by what right does he prevent gold mining operations therein.
 - (2.) Whether it is a fact that the said paddock, which is believed to be highly auriferous, has been or is about to be surveyed for sale.

NOTICE OF MOTION :—

1. DR. EMBLING: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to take such steps as may be necessary to procure, with as little delay as possible, the introduction of the Alpaca into this Colony.

ORDERS OF THE DAY :—

1. COLONIAL BANK OF AUSTRALASIA INCORPORATION BILL—Third reading.
2. IMPORTED LIVE STOCK REGISTRATION BILL—Adoption of Report.

FRIDAY, 14TH MARCH.

1. MR. HUMFFRAY: To ask the Attorney General—
 - (1.) Whether the Government is aware of the fact that Henry Seekamp, Esq., editor and proprietor of the *Times and Southern Cross*, newspaper, Ballarat, was, a short time since, arrested at a late hour of the night, under a warrant signed by James Daly, Esq., J.P., charging him with having published a libel on the character of Madame Lola Montez.
 - (2.) If so, what special circumstance (if any) existed to justify such a departure from the spirit of English law and the ordinary mode of procedure by "summons" in all such cases.
2. MR. PYKE: To ask the Treasurer—
 - (1.) Why the expenses which the Returning Officer was instructed to incur at the late Castlemaine election have not yet been paid.
 - (2.) Whether it is the intention of the Government to defray those expenses; and if so, when.

NOTICES OF MOTION :—

1. MR. HUMFFRAY: To move, For leave to bring in a Bill to amend and extend an Act, intituled, "*An Act to regulate Grants of Patents for Inventions in the Colony of Victoria.*"
2. MR. PYKE: To move, That, in the opinion of this Council, it is the duty of the Government at once to introduce a measure to adjust and define by law—
 - (1.) The right of the public to the gold in the soil.
 - (2.) The nature of the rights of intending purchasers of public lands, when such lands contain gold.
 - (3.) The mode of dealing with gold in lands already purchased.
3. MR. CAMPBELL: To move, That an Address be presented to His Excellency the Officer administering the Government, requesting him to cause to be placed upon the Estimates the sum of £3000, for the purpose of providing for the payment of Pupil Teachers, and the institution of Scholarships in connection with Denominational Schools.
4. MR. GRANT: To move, That the Trustee Bill be now read a second time.

ORDERS OF THE DAY :—

1. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL—Adoption of Report.
2. COMMON LAW PRACTICE BILL—Third reading.
3. THISTLE BILL—To be further considered in Committee.

253

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 13th March.

RAILWAYS—at 10 o'clock.

Friday, 14th March.

GOLD—at 10 o'clock.

BALLAARAT OUTBREAK PETITION—at 11 o'clock.

BALLAARAT COMPENSATION—BENTLEY'S HOTEL—at 12 o'clock.

J. F. PALMER,

Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 56.

THURSDAY, 13TH MARCH, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. SUSPENSION OF STANDING ORDERS.—On the motion of Mr. O'Brien the Council ordered that Standing Order, No. 18, be suspended.
Mr. O'Brien then moved, That the several Notices of Motion and Orders of the Day that lapsed by the House being counted out yesterday, be restored to the Paper.
Question—put and passed.
3. PETITION.—Dr. Embling presented a Petition from Richard Robertshaw, of Flinders-lane, in the City of Melbourne, praying the Council to take his case, as set forth in the Petition, into consideration, and to cause an enquiry to be made, and to take such further and other proceedings as to the Council might seem meet, in order to afford him redress.
Petition received.
4. RAILWAYS.—The Chief Secretary, as Chairman of the Select Committee of the Council to which this subject was referred, brought up a Progress Report from the Committee, and moved that it be received.
Question—put and passed.—Ordered to be printed.
On the motion of the Chief Secretary the Report was read by the Clerk.
5. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until after the consideration of the fourth Order for to-day :—
“Victoria Electoral Bill—Third reading.”
“Gold Fields Law Amendment Bill—Second reading.”
6. ESTIMATES FOR 1856—SUPPLEMENTARY ESTIMATES FOR 1855.—The Order of the Day for the further consideration of the Estimates for 1856 and the Supplementary Estimates for 1855 in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again to-morrow.
7. PAPERS.—The Treasurer, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Papers, viz. :—
Further additional Estimates of Expenditure for 1856.
Ordered to be printed, and taken into consideration Friday, 14th March instant.
8. VICTORIA ELECTORAL BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—
The Attorney General moved that this Bill be now read a third time.
Debate ensued.
Question—put and passed.—Bill read a third time.
Question—That this Bill do now pass—put and passed.
The Attorney General moved that the following be the title of the Bill :—
“An Act to provide for the Election of Members to serve in the Legislative Council and Legislative Assembly of Victoria respectively.”
Question—put and passed.
9. GOLD FIELDS LAWS AMENDMENT BILL.—The Attorney General moved that this Bill be now read a second time.
Question—put and passed.—Bill read a second time, and ordered to be considered in Committee Friday, 14th March instant.

10. ADMINISTRATION OF JUSTICE ACT AMENDMENT BILL.—On the motion of the Attorney General the Council adopted the Report from the Committee of the whole upon this Bill. The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Attorney General, read a third time and *passed*.
The Attorney General then moved that the following be the title of the Bill :—
“*An Act to amend an Act intituled ‘An Act to make provision for the better Administration of Justice in the Colony of Victoria.’*”
Question—put and passed.
11. ALPACA.—Dr. Embling moved, pursuant to notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to take such steps as may be necessary to procure, with as little delay as “possible,” the introduction of the Alpaca into this Colony.
Mr. Wills moved, as an amendment, That all the words after the word “possible” be omitted, with a view to insert in their place the words “such information from Her Britannic Majesty’s Consuls in Peru and other sources in all that relates to the Alpaca as may be useful in any future consideration of the question as to the advantages, if any, which would be likely to accrue to the Colony from its introduction.”
Question—That the words proposed to be omitted stand part of the question—put and negatived.
Question—That the words proposed to be inserted in the place of the words omitted be so inserted—put and negatived.
Dr. Embling, with leave of the Council, withdrew the remaining portion of the question.
12. COLONIAL BANK OF AUSTRALASIA INCORPORATION BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of Mr. O’Shanassy, read a third time and *passed*.
Mr. O’Shanassy then moved that the following be the Title of the Bill :—
“*An Act to incorporate the Proprietors of a certain Banking Company to be called the Colonial Bank of Australasia, and for other purposes.*”
Question—put and passed.
13. IMPORTED LIVE STOCK REGISTRATION BILL.—On the motion of Mr. Wills, the Council adopted the Report from the Committee of the whole upon this Bill, and ordered the Bill to be read a third time to-morrow.
14. POSTPONEMENT OF NOTICE OF MOTION.—Mr. O’Brien postponed the consideration of the motion standing in his name until to-morrow.
15. MELBOURNE AND HOBSON’S BAY RAILWAY EXTENSION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again to-morrow.
16. ST. KILDA SEA BATHING COMPANY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again to-morrow.
- Council adjourned at seven o’clock until three o’clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 14TH MARCH, 1856.

1. MR. HUMFFRAY: To ask the Attorney General—
(1.) Whether the Government is aware of the fact that Henry Seekamp, Esq., editor and proprietor of the *Times and Southern Cross* newspaper, Ballarat, was, a short time since, arrested at a late hour of the night, under a warrant signed by James Daly, Esq., J.P., charging him with having published a libel on the character of Madame Lola Montez.
(2.) If so, what special circumstance (if any) existed to justify such a departure from the spirit of English law and the ordinary mode of procedure by “summons” in all such cases.
2. MR. PYKE: To ask the Treasurer—
(1.) Why the expenses which the Returning Officer was instructed to incur at the late Castlemaine election have not yet been paid.
(2.) Whether it is the intention of the Government to defray those expenses; and if so, when.

NOTICES OF MOTION :—

1. MR. HUMFFRAY: To move, For leave to bring in a Bill to amend and extend an Act, intituled, “*An Act to regulate Grants of Patents for Inventions in the Colony of Victoria.*”

2. MR. PYKE: To move, That, in the opinion of this Council, it is the duty of the Government at once to introduce a measure to adjust and define by law—
 - (1.) The right of the public to the gold in the soil.
 - (2.) The nature of the rights of intending purchasers of public lands, when such lands contain gold.
 - (3.) The mode of dealing with gold in lands already purchased.
3. MR. CAMPBELL: To move, That an Address be presented to His Excellency the Officer administering the Government, requesting him to cause to be placed upon the Estimates the sum of £3000, for the purpose of providing for the payment of Pupil Teachers, and the institution of Scholarships in connection with Denominational Schools.
4. MR. GRANT: To move, That the Trustee Bill be now read a second time.
5. DR. EMBLING: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place the sum of £500 on the Supplementary Estimates in aid of a Mechanics' Institution for East Collingwood.
6. MR. LALOR: To move, That an Address be presented to His Excellency the Officer administering the Government, praying His Excellency to cause to be placed on the Estimates the sum of £500 in aid of a Mechanics' Institution at Ballarat.
7. MR. HERVEY: To move, That, on the consideration of the Estimates, when the totals for the different services come under consideration, the vote for primary Education be distributed in accordance with the vote of last session.
8. THE CHIEF SECRETARY: To move, That the House do, at its rising this day, adjourn till eleven o'clock on Saturday; and on its rising on Saturday that it adjourn till Monday at three o'clock.
9. THE TREASURER: To move, For leave to introduce a Bill for applying certain Sums arising from the Revenue receivable in the Colony of Victoria to the service thereof for the year 1856, and for further appropriating the said Revenue.
10. MR. STRACHAN: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place on the Additional Estimates the sum of £250 additional salary to five Station Masters for the Electric Telegraph.
11. THE SURVEYOR GENERAL: To move, That the Melbourne, Mount Alexander, and Murray River Railway Purchase Bill be now read a second time.
12. MR. O'BRIEN: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a return of the Wine and Spirit Merchants who have registered their names and places of business up to the 10th instant, for the year 1856.

ORDERS OF THE DAY :—

1. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL—Adoption of Report.
2. COMMON LAW PRACTICE BILL—Third reading.
3. THISTLE BILL—To be further considered in Committee.
4. ESTIMATES FOR 1856
SUPPLEMENTARY ESTIMATES FOR 1855 } To be further considered in Committee.
5. GOLD FIELDS LAWS AMENDMENT BILL—To be considered in Committee.
6. IMPORTED LIVE STOCK REGISTRATION BILL—Third reading.
7. MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL.—To be further considered in Committee.
8. ST. KILDA SEA BATHING COMPANY BILL—To be further considered in Committee.

TUESDAY, 18TH MARCH.

NOTICE OF MOTION :—

1. MR. LALOR: To move, That this House resolve itself into a Committee of the whole to take into consideration the Progress Report from the Committee on the Ballarat Outbreak Petition, with a view of considering the propriety of presenting an Address to His Excellency the Officer administering the Government, praying His Excellency to cause to be placed on the Estimates a sufficient sum to compensate the sufferers.

WEDNESDAY, 19TH MARCH.

General Business :—

NOTICE OF MOTION :—

1. MR. HODGSON: To ask the President of the Central Road Board, if the Board will be induced to appropriate a sum of £3000 towards the erection of a Bridge at Gardiner's Creek, and for rendering the approaches thereto passable, upon condition of a sum of about £1000 being raised by local subscriptions.

MEETINGS
OF
SELECT COMMITTEES.

Friday, 14th March.

RAILWAYS—at 10 o'clock.

GOLD—at 10 o'clock.

BALLAARAT OUTBREAK PETITION—at 11 o'clock.

BALLAARAT COMPENSATION—BENTLEY'S HOTEL—at 12 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 57.

FRIDAY, 14TH MARCH, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. POSTPONEMENT OF NOTICES OF MOTION.—The consideration of the following motions were postponed as under:—
 - No. 1. By Mr. Humffray, and
 - No. 2. By Mr. Pyke, until Tuesday, 18th March instant.
 - No. 3. By Mr. Campbell, until Monday, 17th March instant.
 - No. 4. By Mr. Grant, until after the consideration of the other motions for to-day.
 - No. 5. By Dr. Embling, until after the consideration of the other Orders for to-day.
3. MECHANICS' INSTITUTE, BALLAARAT.—Mr. Lalor moved, pursuant to *amended* notice, That the Speaker leave the Chair and the Council resolve itself into a Committee of the whole for the purpose of considering the propriety of presenting an Address to His Excellency the Officer administering the Government, praying His Excellency to cause to be placed on the Estimates the sum of £500 in aid of a Mechanics' Institution at Ballaarat.

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

The Chairman having reported that the Committee considered it expedient that an Address be presented to His Excellency the Officer administering the Government, praying His Excellency to cause to be placed on the Estimates the sum of £500 in aid of a Mechanics' Institution at Ballaarat,—the Council adopted such Report, and ordered the Address to be presented accordingly.
4. ADJOURNMENT OF THE COUNCIL.—The Attorney General moved, pursuant to notice given by the Chief Secretary, That the House do, at its rising this day, adjourn till eleven o'clock on Saturday; and on its rising on Saturday that it adjourn till Monday, at three o'clock.

Question—put and passed.
5. APPROPRIATION BILL.—The Treasurer having, pursuant to notice, moved for and obtained leave to bring in a Bill to appropriate the Revenues of Victoria, brought in a Bill, intituled, "*A Bill for applying certain Sums arising from the Revenues receivable in the Colony of Victoria to the service thereof for the year 1856, and for further appropriating the said Revenue,*" and moved that it be now read a first time.

Question—put and passed.—Bill read a first time, ordered to be read a second time Tuesday, 18th March instant, and to be printed.
6. BALLAARAT OUTBREAK PETITION.—Mr. Lalor, as Chairman of the Select Committee of the Council, to which this subject was referred, brought up a second Report, and moved that it be received.

Question—put and passed.—Ordered to be printed.
7. MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY PURCHASE BILL.—The Surveyor General moved pursuant to notice, that this Bill be now read a second time.

Question—put and passed.—Bill read a second time.

On the motion of the Surveyor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The Chairman reported progress, and obtained leave to sit again to-morrow.
8. WINE AND SPIRIT MERCHANTS.—Mr. O'Brien moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a return shewing the names and places of business of the Spirit Merchants who have registered, up to the 10th instant, for the year 1856.

Debate ensued.

Question put.

Council divided.

Ayes, 6.

Mr. Grant,
Mr. Lalor,
Mr. Humffray,
Mr. Snodgrass.
Mr. Cameron,
Mr. O'Brien, (*Teller.*)

Noes, 24.

The Commissioner of Public Works,
Mr. Henty,
Mr. Horne,
Mr. Mollison,
Mr. Wills,
The Surveyor General,
Mr. Greeves,
Mr. Miller,
Mr. Hodgson,
Mr. Fawkner,
Mr. Strachan,
Mr. Sargood,
Mr. Pyke,
Mr. Kennedy,
The Treasurer,
Mr. Benson,
The Commissioner of Trade and
Customs,
Mr. Taylor,
The Attorney General,
Mr. Beaver,
The Solicitor General,
Mr. Rae,
Mr. Ross,
Mr. Campbell, (*Teller.*)

9. TRUSTEE BILL.—Mr. Grant moved, pursuant to notice, That this Bill be now read a second time.

Mr. Mollison, moved as an amendment, That the word "now" be omitted, and that the words "this day six months" be added after the word time.

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

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

On the motion of Mr. Grant, the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The Chairman reported progress and obtained leave to sit again to-morrow.

10. BALLAARAT COMPENSATION—BENTLEY'S HOTEL.—Mr. Humffray, Chairman of the Select Committee of this Council to which this subject was referred, brought up the Report from the Committee, and moved that it be received.

Question.—put and passed.—Ordered to be printed.

11. ORDERS OF THE DAY.—The Surveyor General moved that the following Orders of the Day be postponed until after the consideration of the seventh Order of the Day, viz. :—

"Municipal Institutions Act Amendment Bill—Adoption of Report,"

"Common Law Practice Bill—Third reading,"

"Thistle Bill—To be further considered in Committee,"

"Estimates for 1856

"Supplementary Estimates for 1855 } To be further considered in Committee,"

"Gold Fields Laws Amendment Bill—To be considered in Committee,"

"Imported Live Stock Registration Bill—Third reading,"

Question put.

Council divided.

Ayes, 16.

Mr. Greeves,
Mr. Henty,
The Commissioner of Public Works,
The Commissioner of Trade and
Customs,
The Attorney General,
The Treasurer,
The Solicitor General,
Mr. Hodgson,
Mr. Miller,
Mr. Sargood,
Mr. Grant,
Mr. Campbell,
Mr. O'Brien,
Mr. Ross,
Mr. Beaver,
The Surveyor General (*Teller.*)

Noes, 10.

Mr. Taylor,
Mr. Kennedy,
Mr. Wills,
Mr. Horne,
Mr. Mollison,
Mr. Lalor,
Mr. Humffray,
Mr. Benson,
Mr. Cameron,
Mr. Snodgrass (*Teller.*)

12. MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration to-morrow.—Bill as amended to be printed.
13. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read—On the motion of the Surveyor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the reconsideration thereof.
The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration to-morrow.—Bill as amended to be printed.
14. POSTPONEMENT OF ORDER OF THE DAY.—The Council ordered that the consideration of the following Order of the Day be postponed until Tuesday, 18th March instant :—
“ *Common Law Practice Bill—Third reading.*”
15. THISTLE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration Monday, 17th March instant.—Bill as amended to be printed.
16. ESTIMATES FOR 1856—SUPPLEMENTARY ESTIMATES FOR 1855.—The Order of the Day for the further consideration of the Estimates for 1856 and the Supplementary Estimates for 1855 in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again to-morrow.
17. GOLD FIELDS LAWS AMENDMENT BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council upon having been read—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman reported progress and obtained leave to sit again to-morrow.
18. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed until to-morrow :—
“ *Imported Live Stock Registration Bill—Third reading.*”
“ *St. Kilda Sea Bathing Company Bill—To be further considered in Committee.*”
19. POSTPONEMENT OF NOTICE OF MOTION.—Dr. Embling postponed the motion standing in his name, on the Notice Paper of to-day, until Monday, 17th March instant.
Council adjourned at five minutes to eight o'clock, until eleven o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

SATURDAY, 15TH MARCH, 1856.

ORDERS OF THE DAY :—

1. MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY PURCHASE BILL.—
Second reading.
2. TRUSTEE BILL.—To be further considered in Committee.
3. MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL.—Adoption of Report.
4. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.—Adoption of Report.
5. ESTIMATES FOR 1856
SUPPLEMENTARY ESTIMATES FOR 1855 } To be further considered in Committee.
6. GOLD FIELDS LAWS AMENDMENT BILL.—To be further considered in Committee.
7. IMPORTED LIVE STOCK REGISTRATION BILL.—Third reading.
8. ST. KILDA SEA BATHING COMPANY BILL.—To be further considered in Committee.

MONDAY, 17TH MARCH.

NOTICES OF MOTION :—

1. MR. CAMPBELL: To move, That an Address be presented to His Excellency the Officer administering the Government, requesting him to cause to be placed upon the Estimates the sum of £3000, for the purpose of providing for the payment of Pupil Teachers, and the institution of Scholarships in connection with Denominational Schools.
2. DR. EMBLING: To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place the sum of £500 on the Supplementary Estimates in aid of a Mechanics' Institution for East Collingwood.

ORDER OF THE DAY :—

1. THISTLE BILL.—Adoption of Report.

TUESDAY, 18TH MARCH.

1. MR. CAMERON: To ask the Chief Secretary—
- (1.) Whether the Government is aware that the Postmaster at Beechworth has lately fixed that the public delivery of letters at that post office on Sunday shall be between the hours of nine and ten o'clock, A.M., instead of between three and four o'clock, P.M. (as formerly) this alteration being most inconvenient for the public.
 - (2.) Whether the Government will instruct the Postmaster to continue the public delivery as formerly, viz., between three and four o'clock, P.M.

NOTICES OF MOTION :—

1. MR. LALOR: To move, That this House resolve itself into a Committee of the whole to take into consideration the Progress Report from the Committee on the Ballarat Outbreak Petition, with a view of considering the propriety of presenting an Address to His Excellency the Officer administering the Government, praying His Excellency to cause to be placed on the Estimates a sufficient sum to compensate the sufferers.
2. MR. CAMERON: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed on the Estimates for the current year the sum of £2,000 in aid of the private subscription for building and maintaining a central public hospital at Beechworth.
3. MR. HUMFFRAY: To move, For leave to bring in a Bill to amend and extend an Act, intituled, "*An Act to regulate Grants of Patents for Inventions in the Colony of Victoria.*"
4. MR. PYKE: To move, That, in the opinion of this Council, it is the duty of the Government at once to introduce a measure to adjust and define by law—
 - (1.) The right of the public to the gold in the soil.
 - (2.) The nature of the rights of intending purchasers of public lands, when such lands contain gold.
 - (3.) The mode of dealing with gold in lands already purchased.

ORDERS OF THE DAY :—

1. APPROPRIATION BILL.—Second reading.
2. COMMON LAW PRACTICE BILL.—Third reading.

WEDNESDAY, 19TH MARCH.

General Business :—

NOTICE OF MOTION :—

1. MR. HODGSON: To ask the President of the Central Road Board, if the Board will be induced to appropriate a sum of £3000 towards the erection of a Bridge at Gardiner's Creek, and for rendering the approaches thereto passable, upon condition of a sum of about £1000 being raised by local subscriptions.

MEETINGS

OF

SELECT COMMITTEES.

Monday, 17th March.

GOLD—at 10 o'clock.

Tuesday, 18th March.

RAILWAYS—at 10 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 58.

SATURDAY, 15TH MARCH, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PAPERS.—The undermentioned Papers were, by command of His Excellency the Officer administering the Government, laid upon the Council Table, as under, viz. :—
 - By the Commissioner of Trade and Customs—
 - Military and Naval Stores.—Copy of Despatch from the Secretary of State, enclosing Copies of three Orders of the Lords of Her Majesty's Most Honorable Privy Council, prohibiting the export of certain articles used in the manufacture of military and naval stores from the United Kingdom to all Foreign Countries, but permitting it to continue to the British possessions abroad under certain conditions.
 - Ordered to be printed.
 - By the Chief Secretary—
 - Members of Council.—Return to Address adopted on the motion of Mr. O'Shanassy, 22nd January, 1856.
 - Ordered to be printed.
 - By the Surveyor General.
 - Meteorological Report.—Meteorological Report and Diagrams of Barometric Pressure, &c., for the eight months ending 31st January, 1856.
 - Ordered to be printed.
3. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered that the consideration of the following Orders of the Day be postponed as under :—
 - "Melbourne, Mount Alexander, and Murray River Railway Purchase Bill—To be further considered in Committee."
 - "Trustee Bill—To be further considered in Committee."
 - "Melbourne and Hobson's Bay Railway Extension Bill—Adoption of Report."
 - "Municipal Institutions Act Amendment Bill—Adoption of Report."
 - "Estimates for 1856
 - "Supplementary Estimates for 1855" } To be further considered in Committee."
 - "Gold Fields Laws Amendment Bill—To be further considered in Committee."
 - "Imported Live Stock Registration Bill—Third reading."
4. ST. KILDA SEA BATHING COMPANY BILL.—On the motion of Mr. Greeves, the Council ordered that the consideration of the following Order of the Day, viz. :—
 - "St. Kilda Sea Bathing Company Bill—To be further considered in Committee,"
 be postponed until Monday, 17th March instant—to take precedence of other Orders of the Day.
5. MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY PURCHASE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
 - The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration Monday, 17th March instant.—Bill as amended to be printed.
6. TRUSTEES BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
 - The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration Monday, 17th March instant.—Bill as amended to be printed.
7. MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL.—On the motion of Mr. Miller the Council adopted the Report from the Committee of the whole upon this Bill, and ordered the Bill to be read a third time Monday, 17th March instant.
8. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole upon this Bill having been read—On the motion of the Surveyor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
 - The Chairman reported progress, and obtained leave to sit again after the consideration of the other Orders for to-day.

9. **ESTIMATES FOR 1856—SUPPLEMENTARY ESTIMATES FOR 1855.**—The Order of the Day for the further consideration of the Estimates for 1856 and the Supplementary Estimates for 1855 in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again Monday, 17th March instant.

10. **GOLD FIELDS LAWS AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again this day six months.

11. **IMPORTED LIVE STOCK REGISTRATION BILL.**—The Order of the Day for the third reading of this Bill having been read—On the motion of Mr. Wills the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.

The Chairman reported progress, and obtained leave to sit again Monday, 17th March instant.

12. **MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.**—The Order of the Day for the further re-consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further re-consideration thereof.

The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time Monday, 17th March instant.

Council adjourned at nineteen minutes to four o'clock until three o'clock on Monday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

MONDAY, 17TH MARCH, 1856.

NOTICES OF MOTION :—

1. **MR. CAMPBELL:** To move, That an Address be presented to His Excellency the Officer administering the Government, requesting him to cause to be placed upon the Estimates the sum of £3000, for the purpose of providing for the payment of Pupil Teachers, and the institution of Scholarships in connection with Denominational Schools.
2. **DR. EMBLING:** To move, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place the sum of £500 on the Supplementary Estimates in aid of a Mechanics' Institution for East Collingwood.
3. **MR. LONGDEN:** To move, That the Correspondence moved for by him on the 25th January, 1856, relative to the Grant by Government of a Site for a School at Avoca, be printed.
4. **DR. EMBLING:** To move, That the Petition from Richard Robertshaw, presented by him on Thursday, the 13th instant, be printed.
5. **MR. GRANT:** To move, For leave to bring in a Bill to amend the Law regulating the descent of Real Estate.

ORDERS OF THE DAY :—

1. **ST. KILDA SEA BATHING COMPANY BILL**—To be further considered in Committee.—(*To take precedence.*)
2. **THISTLE BILL**—Adoption of Report.
3. **MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY PURCHASE BILL**—Adoption of Report.
4. **TRUSTEES BILL**—Adoption of Report.
5. **MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL**—Third reading.
6. **ESTIMATES FOR 1856**
SUPPLEMENTARY ESTIMATES FOR 1855 } To be further considered in Committee.
7. **IMPORTED LIVE STOCK REGISTRATION BILL**—To be further re-considered in Committee.
8. **MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL**—Third reading.

TUESDAY, 18TH MARCH.

1. **MR. CAMERON:** To ask the Chief Secretary—
 - (1.) Whether the Government is aware that the Postmaster at Beechworth has lately fixed that the public delivery of letters at that post office on Sunday shall be between the hours of nine and ten o'clock A.M., instead of between three and four o'clock P.M. (as formerly) this alteration being most inconvenient for the public.
 - (2.) Whether the Government will instruct the Postmaster to continue the public delivery as formerly, viz., between three and four o'clock P.M.

NOTICES OF MOTION :—

1. MR. LALOR: To move, That this House resolve itself into a Committee of the whole to take into consideration the Progress Report from the Committee on the Ballarat Outbreak Petition, with a view of considering the propriety of presenting an Address to His Excellency the Officer administering the Government, praying His Excellency to cause to be placed on the Estimates a sufficient sum to compensate the sufferers.
2. MR. CAMERON: To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed on the Estimates for the current year the sum of £2,000 in aid of the private subscription for building and maintaining a central public hospital at Beechworth.
3. MR. HUMFRAY: To move, For leave to bring in a Bill to amend and extend an Act, intituled, "*An Act to regulate Grants of Patents for Inventions in the Colony of Victoria.*"
4. MR. PYKE: To move, That, in the opinion of this Council, it is the duty of the Government at once to introduce a measure to adjust and define by law—
 - (1.) The right of the public to the gold in the soil.
 - (2.) The nature of the rights of intending purchasers of public lands, when such lands contain gold.
 - (3.) The mode of dealing with gold in lands already purchased.
5. MR. LALOR: To move, That this House resolve itself into a Committee of the whole to take into consideration the Second Report of the Select Committee on the Ballarat Outbreak Petition, with a view of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed on the Estimates a sufficient sum to compensate the sufferers.

ORDERS OF THE DAY :—

1. APPROPRIATION BILL.—Second reading.
2. COMMON LAW PRACTICE BILL—Third reading.

WEDNESDAY, 19TH MARCH.

General Business :—

NOTICE OF MOTION :—

1. MR. HODGSON: To ask the President of the Central Road Board, if the Board will be induced to appropriate a sum of £3000 towards the erection of a Bridge at Gardiner's Creek, and for rendering the approaches thereto passable, upon condition of a sum of about £1000 being raised by local subscriptions.

MEETINGS

OR

SELECT COMMITTEES.

Monday, 17th March.

GOLD—at 10 o'clock.

Tuesday, 18th March.

RAILWAYS—at 10 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 59.

MONDAY, 17TH MARCH, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PUPIL TEACHERS—DENOMINATIONAL SCHOOLS.—Mr. Campbell moved, pursuant to *amended* notice, That the Speaker leave the Chair, and the Council resolve itself into a Committee of the whole for the purpose of considering the propriety of presenting an Address to His Excellency the Officer administering the Government, requesting him to cause to be placed upon the Estimates the sum of £3000, for the purpose of providing for the payment of Pupil Teachers, and the institution of Scholarships in connection with Denominational Schools.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Speaker resumed the Chair.
3. MECHANICS' INSTITUTION, EAST COLLINGWOOD.—Dr. Embling moved, pursuant to notice, That this House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place the sum of £500 on the Supplementary Estimates in aid of a Mechanics' Institution for East Collingwood.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported that the Committee considered it expedient that an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place the sum of £500 on the Supplementary Estimates in aid of a Mechanics' Institution for East Collingwood,—the Council adopted such Report, and ordered the Address to be presented accordingly.
4. NATIONAL SCHOOL, AVOCA.—Mr. Longden moved pursuant to notice, That the Correspondence moved for by him on the 25th January, 1856, relative to the Grant by Government of a Site for a School at Avoca, be printed.
Question—put and passed.
5. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Grant postponed the Motion standing in his name, No. 5 on the Notice Paper of to-day, until to-morrow.
6. THE ST. KILDA SEA BATHING COMPANY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress and obtained leave to sit again this day six months.
7. THISTLE BILL.—On the motion of Mr. Taylor, the Council adopted the Report from the Committee of the whole upon this Bill.
The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of Mr. Taylor, read a third time and *passed*.
Mr. Taylor then moved that the following be the Title of the Bill:—
“An Act to make provision for the eradication of certain “Thistle Plants” and the “Bathurst Burr.””
Question—put and passed.
8. MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY PURCHASE BILL.—
On the motion of the Surveyor General the Council adopted the Report from the Committee of the whole upon this Bill, and ordered the Bill to be read a third time to-morrow.

9. **TRUSTEES BILL.**—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read—On the motion of Mr. Grant the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
The Chairman having reported the Bill without any further amendment, the Council ordered the Bill to be read a third time to-morrow.
10. **MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY PURCHASE BILL.**—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—The Surveyor General moved by leave of the Council that the Bill be now read a third time.
Question—put and passed.—Bill read a third time and *passed*.
The Surveyor General then moved that the following be the title of the Bill :—
“ *An Act to enable the Government of Victoria to purchase all the Property and other Interests possessed by the Melbourne, Mount Alexander and Murray River Railway Company.*”
Question—put and passed.
11. **MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL.**—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of Mr. Miller, read a third time and *passed*.
Mr. Miller then moved that the following be the Title of the Bill :—
“ *An Act to authorise the Melbourne and Hobson's Bay Railway Company to make a Branch Railway from their present Railway to St. Kilda, and to amend their Act of Incorporation, and to extend the powers therein contained, and for other purposes.*”
Question—put and passed.
12. **ESTIMATES FOR 1856—SUPPLEMENTARY ESTIMATES FOR 1855.**—The Order of the Day for the further consideration of the Estimates for 1856 and the Supplementary Estimates for 1855 in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported that the Committee had agreed to the Resolutions hereafter set forth upon the Supplementary Estimates for the year 1855, the Estimates, the additional Estimates, and the further additional Estimates for 1856.
1. *Estimates of Expenditure and Additions thereto for the Year 1856.*
- (1.) Resolved—That a sum not exceeding £600 be appropriated to defray the salaries of the Legislative Council for four months of the year 1856, exclusive of the amount appropriated by the Act 18 and 19 Vict., c. 55.
 - (2.) Resolved—That a sum not exceeding £5,200 be appropriated to defray the salaries and contingencies of the Department of the Legislative Assembly for the year 1856.
 - (3.) Resolved—That a sum not exceeding £1,000 be appropriated to defray the salaries and contingencies for the Library for both Houses of Legislature for the year 1856, exclusive of the amount appropriated by the Act 18 and 19 Vict., c. 55.
 - (4.) Resolved—That a sum not exceeding £10,570 be appropriated to defray the salaries and contingencies of the Chief Secretary's Department for the year 1856, exclusive of the sum appropriated for “The Chief Secretary” by the Act 18 and 19 Vict., c. 55.
 - (5.) Resolved—That a sum not exceeding £22,170 be appropriated to defray the salaries and contingencies of the Treasurer's Department for the year 1856, exclusive of the sum appropriated for “The Treasurer” by the Act 18 and 19 Vict., c. 55.
 - (6.) Resolved—That a sum not exceeding £8,950 be appropriated to defray the salaries and contingencies of the Auditor General's Department for the year 1856, exclusive of the sum appropriated for “The Auditor General” by the Act 18 and 19 Vict., c. 55.
 - (7.) Resolved—That a sum not exceeding £10,590 be appropriated to defray the salaries and contingencies of the Registrar General's Department for the year 1856.
 - (8.) Resolved—That a sum not exceeding £105,150 be appropriated to defray the salaries, allowances, and contingencies for the several Departments incident to the Administration of Justice for the year 1856, exclusive of the amounts appropriated for the Judges, the Attorney General, the Solicitor General, and the Master in Equity, by the Act 18 and 19 Vict., c. 55.; being £3,300 for the Department of their Honors the Judges; £3,025 for the Department of the Law Officers of the Crown; £2,650 for the Department of the Master in Equity; £1,060 for the Department of the Insolvent Court, Geelong; £3,040 for the Department of the Crown Solicitor; £3,390 for the Department of the Registrar of the Supreme Court; £10,550 for the Prothonotary's Department; £8,550 for the Sheriff's Department, Melbourne; £1,875 for the Department of the Deputy Sheriff, Geelong; £1,405 for the Department of the Deputy Sheriff, Castlemaine; £1,325 for the Department of the Deputy Sheriff, Ballarat; £2,580 for Deputy Sheriffs at various places; £5,880 for the Department of General Sessions and County Courts, Melbourne; £7,580 for the Department of General Sessions and County Courts in the Western District; £7,550 for the Department of General Sessions and County Courts in the Eastern District; £36,920 for Stipendiary Magistrates and Clerks of Petty Sessions; and £4,470 for Coroners.

- (9.) Resolved—That a sum not exceeding £65,014 8s. be appropriated to defray the salaries and contingencies of the Customs Department for the year 1856, exclusive of the sum appropriated for "The Commissioner of Trade and Customs," by the Act 18 and 19 Vict., c. 55; being £6,200 for the Commissioner's Office; £37,218 for the Customs Department, Melbourne; £10,920 for the Customs Department, Geelong; £2,243 12s. for the Customs Department, Portland; £2,118 12s. for the Customs Department, Port Fairy; £2,085 12s. for the Customs Department, Warrnambool; £1,718 12s. for the Customs Department, Port Albert; £650 for the Customs Departments at various Stations; and £1,860 for contingencies for Customs Departments.
- (10.) Resolved—That a sum not exceeding £149,145 be appropriated to defray the salaries, allowances, and contingencies of the Departments for the management and sale of the Public Lands for the year 1856, exclusive of the amount appropriated to "The Surveyor General" by the Act 18 and 19 Vict., c. 55; being £18,315 for the Surveyor General's Office; £90,000 for the Field Branch; £6,520 for the Commissioner of Public Lands Department; £4,100 for the Geological Survey Department; £750 for the Marine Survey Department; £1,000 for Sappers and Miners; and £23,460 for contingencies.
- (11.) Resolved—That a sum not exceeding £38,950 be appropriated to defray the salaries, allowances, and contingencies of the several Gold Fields' Departments for the year 1856; being £8,010 for the salaries and contingencies of the Ballarat District; £7,810 for the salaries and contingencies of the Castlemaine District; £6,410 for the salaries and contingencies of the Sandhurst District; £8,110 for the salaries and contingencies of the Avoca District; £5,610 for the salaries and contingencies of the Beechworth District; and £3,000 to meet expenses of new Gold Fields.
- (12.) Resolved—That a sum not exceeding £85,142 10s. 6d. be appropriated to defray the salaries, allowances, and contingencies of the Post Office Department for the year 1856; being £24,354 10s. 6d. for the Department of the Post Office, Melbourne; £335 for the Post Office Department, Williamstown; £3,108 for the Post Office Department, Geelong; £335 for the Post Office Department, Portland; £335 for the Post Office Department, Belfast; £335 for the Post Office Department, Warrnambool; £1,500 for the Post Office Department, Ballarat; £1,150 for the Post Office Department, Castlemaine; £1,150 for the Post Office Department, Sandhurst; £800 for the Post Office Department, Beechworth; £450 for the Post Office Department, Creswick's Creek; £3,290 for Country Post Offices; and £48,000 for the conveyance of the Mails, exclusive of the amount appropriated for that purpose by the Act 19 Vic., No. 10.
- (13.) Resolved—That a sum not exceeding £40,203 be appropriated to defray the salaries, allowances, and contingencies of the Department of Ports and Harbors for the year 1856; being £8,027 12s. for the Harbor Master's Department, Williamstown; £1,492 16s. for Harbor Master's Department, Melbourne; £2,071 16s. for the Harbor Master's Department, Geelong; £1,268 12s. for the Harbor Master's Department, Portland; £1,268 12s. for the Harbor Master's Department, Belfast; £1,561 8s. for the Harbor Master's Department, Port Albert; £8,122 16s. for Lighthouses and Light Vessels; £12,132 4s. for the Government Screw Steamer; £1,351 12s. for the *Empire* Buoy Boat; £2,177 8s. for the *Lelia* Surveying Vessel; and £728 4s. for Signal Stations.
- (14.) Resolved—That a sum not exceeding £299,800 18s. be appropriated to defray the salaries, allowances, and contingencies of the Police Establishments for the year 1856; being £4,950 for the Establishment of the Chief Commissioner; £10,000 for the expenses of the Detective Police, and £284,850 18s. for the General Police Force Establishment.
- (15.) Resolved—That a sum not exceeding £128,681 16s. 6d. be appropriated to defray the salaries, allowances, and contingencies of the Gaols and Penal Establishments for the year 1856; being £14,396 8s. for the Gaol Establishment, Melbourne; £5,661 6s. for the Gaol Establishment, Geelong; £1,722 16s. 6d. for the Gaol Establishment, Portland; £4,289 2s. for the Gaol Establishment, Castlemaine; £2,677 1s. for the Gaol Establishment, Sandhurst; £3,884 6s. for the Gaol Establishment, Beechworth; £2,677 1s. for the Gaol Establishment, Ballarat; and £3,000 for the Maintenance of Prisoners at Belfast, Warrnambool, Alberton, Kilmore, Fiery Creek, and Carisbrook; and £3,023 for the Establishment of the Inspector General of Penal Establishments; and £87,350 16s. for the Establishments of Stockades and Hulks.
- (16.) Resolved—That a sum not exceeding £147,519 18s. 7d. be appropriated to defray the charge for Military and Naval Establishments for the year 1856; being £3,487 19s. for the Colonial allowance of the Head Quarters Staff; £59,082 9s. 8d. for the pay and allowances of the 40th Regiment of the Line; £2,260 18s. for Regimental allowances; £44,700 for Regimental contingencies; £20,399 7s. for the pay and contingencies of the Military Mounted Force; £1,000 for the salaries and allowances of the Military Commissariat; £337 5s. for the salaries and allowances of the Barrack Master's Department; £5,918 14s. 11d. for the pay of the Officers and Men of one Sloop of War; £9,116 12s. for the Volunteer Artillery and Rifle Corps; £1,120 18s. for the Victoria Yeomanry Corps; and £95 15s. for the Clerk, and travelling expenses of the Inspecting Field Officer for Volunteer Corps.
- (17.) Resolved—That a sum not exceeding £800,360 be appropriated to defray the Charge for Public Works of the said Colony for the year 1856; being £8,595 to defray the salaries, allowances and contingencies of the Department of the Commissioner of Public

- Works, exclusive of the sum appropriated for "The Commissioner of Public Works" under the Act 18 and 19 Vic., c. 55; £173,000 for Public Works and Buildings in the Melbourne District as hereafter set forth, viz.:—£50,000 for the erection of a second House of erection of a County Court House; £4,000 for building a new Powder Magazine; Parliament and Library; £30,000 for the erection of new Public Offices; £10,000 towards the erection of new Barracks; £3,000 for building a Military Hospital; £5,000 for the £5,000 for building Court Houses and Locks-up in proclaimed Municipalities; £10,000 for enlarging the Custom House; £4,000 for additions to the Lunatic Asylum; £7,000 for erecting additional buildings at Penal Establishments; £4,000 for building Government Storehouses; £5,000 for extending the jetties at Sandridge and Williamstown; £20,000 towards building a new Lunatic Asylum; and £4,000 for enlarging Public Lands and Survey Office; and £12,000 for repairs and additions to Public Buildings and Offices in the Melbourne District generally; and £11,000 for Public Works and Buildings in the Geelong District as hereafter set forth, viz.:—£4,000 to complete the New Post Office; £1,000 towards erecting a new wing to the Gaol; £1,000 for additions and repairs to Public Buildings and Offices; and £5,000 to improve and extend the Wharves; and £12,000 for carrying on Public Works and Buildings in the Portland District; £10,000 for carrying on Public Works and Buildings in the Belfast District; £10,000 for carrying on Public Works and Buildings in the Warrnambool District; £1,000 for building a Custom House at Port Albert; £2,000 for building a Gaol at Kilmore; and £2,000 for the erection of a County Court House at Kilmore; £1,500 for a Court House and Lock-up at Kyneton; and £33,000 for Public Works and Buildings on the Gold Fields, as hereafter set forth, viz.:—£15,000 for the erection of Gaols at Castlemaine and Ballaarat; £1,000 for the erection of Powder Magazines at Sandhurst and Ballaarat; £2,000 for the erection of Buildings for the use of the Military Escort; £3,000 for the erection of a Court House at Ballaarat; £2,000 for building Stables for the Gold Escort; £10,000 for other Public Buildings on the Gold Fields; and £81,500 for Works and Public Buildings generally as hereafter set forth, viz.: £18,000 to extend the Electric Telegraph to Castlemaine, Sandhurst, and Ballaarat; £10,000 for the erection and repairs of Police Buildings; £4,000 for fencing and repairs to fencing; £4,000 for fencing Public Parks; £2,000 for repairs to Light Houses; £3,000 for repairs to Hulks; £12,000 for the employment of the Steam Dredges; £4,000 for Buoys, Beacons, and Moorings; £4,000 for repairs; £12,000 for other Public Works; £1,500 for a Lightship for the Swan Spit; and £7,000 for additional Lighthouses (Colony's share); and £30,000 for Rents and Furniture, being £20,000 for Rents of Buildings and Offices, and £10,000 for Furniture for Public Buildings and Offices; and £11,765 to defray the salaries, allowances, and contingencies of the establishment of the Central Road Board; and £413,000 for the construction and maintenance of Roads, Bridges, and other Works throughout the Colony (in addition to the receipts from tolls) as follows, being £110,000 for a road to Castlemaine and Bendigo, and branch roads on the Gold Fields; £65,000 for the Sydney Road; £15,000 for the Richmond Bridge; £8,000 for bridge over the Yarra, near Johnston-street, Collingwood; £30,000 for other Works in the Melbourne District; £38,000 for Geelong, including Bridges over the Barwon; £6,000 for the Barrabool Hills; £6,000 for Portarlington; £65,000 for Road to Ballaarat and Gold District; £9,000 for Main Western Roads; £9,724 for Belfast Road District, including arrears of 1853; £10,326 for the Warrnambool Road District, including arrears of 1853; £5,000 for bridge over the River Merri; £8,641 for the Portland Road District, including arrears of 1853; £8,000 for Gipps Land; and £19,309 for unforeseen expenses.
- (18.) Resolved—That a sum not exceeding £26,825 be appropriated to defray the salaries and contingencies of the Department of Stores and Transport for the year 1856, being £5,825 for the Colonial Storekeeper's Department, Melbourne; £1,000 for the Colonial Storekeeper's Department at Geelong and elsewhere; and £20,000 for Transport of Stores.
- (19.) Resolved—That a sum not exceeding £138,500 be appropriated to defray the charge for Education for the year 1856, being £110,000 for Primary Schools, to be divided between the Denominational and National School Boards in proportion to the average attendance of Scholars during the year 1855; £15,500 for the establishment and support of Grammar Schools, £10,000 to complete the north side of the University Building; and £3,000 for the Normal Institution in connexion with the National Board of Education.
- (20.) Resolved—That a sum not exceeding £25,703 be appropriated to defray the charge of the Medical Establishments for the year 1856, being £8,545 for the salaries, allowances, and contingencies of the Department of the Chief Medical Officer, and £17,158 for the salaries and contingencies of the Lunatic Asylum.
- (21.) Resolved—That a sum not exceeding £118,015 be appropriated to defray the salaries and contingencies of the Department of, and the charge for Immigration for the year 1856, being £3,800 for the Immigration Department, Melbourne, £1,565 for the Immigration Department, Williamstown; £1,205 for the Immigration Department, Geelong; £565 for the Immigration Department, Portland; £450 for the Immigration Department, Belfast; £8,930 for the contingencies of the Immigration Departments; £100,000 for the purposes of assisted Immigration, such last mentioned sum to be remitted to the Colonial Land and Emigration Commissioners during the year 1856, in addition to deposits under the Immigration Remittance Regulations; one-half of the number of statute adults despatched under this vote to Victoria to be single females, and one-third of the Emigrants despatched

to Victoria, to be sent to Melbourne, one-third to Geelong, one-sixth to Portland, one-sixth to Port Fairy, and 300 statute adults to be sent from emigrant ships in other ports to Port Albert; and £1,500 to be placed to the credit of the Immigrants Rate Fund at the rate of 5s. per head for assisted immigrants.

- (22.) Resolved—That a sum not exceeding £49,818 be appropriated to defray the charge for Miscellaneous Departments for the year 1856; being £3,410 for the salaries, allowances, and contingencies of the Public Library; £30,850 for the salaries, allowances, and contingencies of the Government Printer's Department; £7,178 for the salaries and contingencies of the Electric Telegraph Department; £2,850 for the salaries, allowances, and contingencies of the Establishment of the Botanic Gardens; £1,980 for the salaries and contingencies of the Government Shorthand Writer's Department; £400 for the Powder Magazine Establishment, Melbourne; £400 for the Powder Magazine Establishment, Geelong; £1,250 for the salary and contingencies of the Department of the Guardian of the Aborigines; £500 as aid to the Moravian Mission to the Aborigines; and £1,000 for the Museum of Natural History and Geology.
- (23.) Resolved—That a sum not exceeding £73,550 be appropriated to defray the charge for grants in aid of Useful Institutions and Municipalities for the year 1856; being £150 for the maintenance of the Mechanics' Institution, Melbourne; £5,000 for the Mechanics' Institution, Melbourne, in lieu of the vote for 1854; £1,300 for the Mechanics' Institution, Prahran, on condition of an equal amount being raised by private subscription; £1000 towards the Mechanics' Institution, Emerald Hill, on condition of an equal amount being raised by private subscription; £1,500 towards the Mechanics' Institution, Geelong, on condition of an equal amount being raised by private subscription; £500 towards the Mechanics' Institution, Sandhurst, on condition of an equal amount being raised by private subscription; £500 towards the Mechanics' Institution, Castlemaine, on condition of an equal amount being raised by private subscription; £150 for the maintenance of the Mechanics' Institution Kilmore; £500 for the Mechanics' Institution Warrnambool, on condition of an equal amount being raised by private subscription; £500 in aid of the Industrial Society, Melbourne; £500 in aid of the Port Phillip Farmers' Society, Melbourne; £200 in aid of the Humane Society, on condition that the Society be bound to submit the rules framed for their guidance, with a quarterly statement of their accounts, for the information of the Government; £250 grant in aid of the Philosophical Institute; £250 grant in aid of Geelong Agricultural Society; £250 grant in aid of Villiers and Heytesbury Association; £61,000 to defray the charge for grants in aid to Municipal Institutions, being £7,500 to the Municipal Council of Emerald Hill, subject to the conditions of the "*Municipalities' Act*;" £5,000 to the Municipal Council of East Collingwood, on the same conditions; £7,500 to the Municipal Council of Sandhurst, on the same conditions; £7,500 to the Municipal Council of Castlemaine, on the same conditions; £7,500 to the Municipal Council of Ballarat, on the same conditions; £5,000 to the Municipal Council of Prahran, on the same conditions; £5,000 to the Municipal Council of Richmond, on the same conditions; £4,000 to the Municipal Council of Portland, on the same conditions; £4,000 to the Municipal Council of Warrnambool, on the same conditions; £4,000 to the Municipal Council of Belfast, on the same conditions; and £4,000 to the Municipal Council of Williamstown, on the same conditions.
- (24.) Resolved—That a sum not exceeding £150,925 be appropriated to defray the charge for Miscellaneous Services for the year 1856; being £40,000 for preparing the Electoral Rolls and for expenses at Elections; £2,000 for formation of Cemeteries; £5,000 for Advertising in the Public Journals; £100 for Newspapers for record and for the Secretary of State; £500 for expenses of Colonial Agency in England; £200 for a Queen's Plate at the Melbourne Races; £10,000 for expenses of Pounds; £2,000 the cost of collecting the Census; £3,000 as Compensation to reduced Officers, on the terms of a similar Vote of last year; £400 towards meeting the expense of Servants at the Council Club; £20,000, the second Contribution of Victoria to the Patriotic Fund; £360 for release of surcharge against Sub-Inspector McCulloch on account of loss of gold in his custody; £600 as a gratuity to the Widow of Landing-waiter P. Kay, of Her Majesty's Customs; £400 as a gratuity to the Widow of Mr. Davies, a Clerk of the County Court; £2,000 grant to Trustees of the Children of S. Barrow, Esq., the late Immigration Agent, who was drowned in the execution of his duty; £3,000 towards the maintenance of Lighthouses in Bass' Straits (conjointly with other Governments); £500 to meet the expenses of prosecution for breaches of Revenue Laws; £105 allowance to non-official members of the Steam Navigation Board, at £2 2s. per attendance; £1,500 for Funeral expenses and Monument to the memory of the late Sir C. Hotham, K.C.B.; £250 grant to the Widow of the late Mr. Hooper, Clerk in the Supreme Court Registry; £1,800 compensation to Mr. Wright, on the abolition of the office of Chief Commissioner of the Gold Fields; £2,000 for destroying thistles; £1,500 commission on sales of land; £500 for Parliamentary Papers; £200 gratuity to George Doran, master of the steamer *Queen*, for rescuing the passengers from the *Schomberg*; £2,000 for maintenance of deserted children; £410 for expenses incurred by John Hepburn and E. S. Parker, Esqs., Justices of the Peace in defending an action brought against them by one Phillips, convicted by them of sly grog selling; £600 expense of copying Sydney Memorials of Registration on Parchment; and £50,000 for the construction of a Patent Slip, to be repaid out of the first general loan for Public Works.

Supplementary Estimates of Expenditure for the year 1855.

Resolved—That a sum not exceeding £44,257 7s. 1d. be appropriated to defray the Supplementary charge for Miscellaneous Services for the year 1855, as hereafter set forth viz., £2132 2s. 9d. as compensation for value for gold lost by Escort, £17 11s. as compensation to J. Morrison, (a prisoner,) for loss of property, £10 for compensation to Clerk of Petty Sessions, Beechworth, for a forged £10 note taken by him inadvertently, £300 14s. 11d. for compensation to Mr. S. Elliott for breach of contract, £105 for expenses incurred by the schooner *Swordfish* in bringing shipwrecked persons from Swan Island to Geelong, £17,421 1s. 4d. award and costs paid to Mr. Allan, £500 expenses of sending steamer *Marion* to King's Island to relieve the ship *Flying Arrow*, £601 9s. 10d. for expenses of sending the steamer *Corio* to King's Island, £360 for compensation paid to the McIntosh Mining Company, Castlemaine, £4500 for Pound-keepers' salaries, and £18,309 7s. 3d. second award to Mr. Allen.

13. IMPORTED LIVE STOCK REGISTRATION BILL.—The Order of the Day for the further re-consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further re-consideration thereof.

The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration to-morrow—Bill as amended to be printed.

14. PAPERS.—The Chief Secretary, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Papers, viz. :—

Ballaarat, Sandhurst, and Beechworth Local Court Regulations;

Beechworth—Local Court Additional Regulation;

Ballaarat Riots—Return to Address, adopted on the motion of Mr. Wheeler, 17th January, 1856;

Severally ordered to be printed.

15. MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Surveyor General, read a third time and passed.

The Surveyor General then moved that the following be the Title of the Bill :—

“ An Act to amend an Act intituled ‘ An Act for the establishment of Municipal Institutions in Victoria.’ ”

Question—put and passed.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 18TH MARCH, 1856.

1. MR. CAMERON : To ask the Chief Secretary—
 - (1.) Whether the Government is aware that the Postmaster at Beechworth has lately fixed that the public delivery of letters at that post office on Sunday shall be between the hours of nine and ten o'clock A.M., instead of between three and four o'clock P.M. (as formerly) this alteration being most inconvenient for the public.
 - (2.) Whether the Government will instruct the Postmaster to continue the public delivery as formerly, viz., between three and four o'clock P.M.
2. MR. HUMFRAY : To ask the Chief Secretary whether it is the intention of the Government to pay the boy, Bernard Welch, the advertised reward of £500, he having given the evidence which led to the conviction of James Francis Bentley, as set forth in the petition presented some time since to the Government on behalf of the said Bernard Welch.
3. MR. BENSON : To ask the Chief Secretary whether it is true that 500 acres of land have been selected in the District of Huntley, on the Bendigo Creek; and if it is the intention of the Government to allow the same to be alienated from the Crown as it is supposed to be auriferous.
4. MR. HUMFRAY : To ask the Surveyor General *when*, and upon what *conditions*, the frontages on the main road, Ballaarat, are to be sold.

NOTICES OF MOTION :—

1. MR. LALOR : To move, That this House resolve itself into a Committee of the whole to take into consideration the Progress Report from the Committee on the Ballaarat Outbreak Petition, with a view of considering the propriety of presenting an Address to His Excellency the Officer administering the Government, praying His Excellency to cause to be placed on the Estimates a sufficient sum to compensate the sufferers.
2. MR. CAMERON : To move, That an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed on the Estimates for the current year the sum of £2,000 in aid of the private subscription for building and maintaining a central public hospital at Beechworth.

3. MR. HUMFFRAY: To move, For leave to bring in a Bill to amend and extend an Act, intituled, "*An Act to regulate Grants of Patents for Inventions in the Colony of Victoria.*"
4. MR. PYKE: To move, That, in the opinion of this Council, it is the duty of the Government at once to introduce a measure to adjust and define by law—
 - (1.) The right of the public to the gold in the soil.
 - (2.) The nature of the rights of intending purchasers of public lands, when such lands contain gold.
 - (3.) The mode of dealing with gold in lands already purchased.
5. MR. LALOR: To move, That this House resolve itself into a Committee of the whole to take into consideration the Second Report of the Select Committee on the Ballaarat Outbreak Petition, with a view of presenting an Address to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to cause to be placed on the Estimates a sufficient sum to compensate the sufferers.
6. MR. CHAPMAN: To move, That an Address be presented to His Excellency the Officer administering the Government, praying His Excellency to place upon the Estimates the sum of £2000 to improve the harbor of Snapper Point, in case the report of the Marine Surveyor should show such improvements to be expedient.
7. MR. GRANT: To move, For leave to bring in a Bill to amend the Law regulating the descent of Real Estate.

ORDERS OF THE DAY:—

1. APPROPRIATION BILL.—Second reading.
2. COMMON LAW PRACTICE BILL.—Third reading.
3. TRUSTEES BILL.—Third reading.
4. IMPORTED LIVE STOCK REGISTRATION BILL.—Adoption of Report.

WEDNESDAY, 19TH MARCH.

General Business:—

NOTICE OF MOTION:—

1. MR. HODGSON: To ask the President of the Central Road Board, if the Board will be induced to appropriate a sum of £3000 towards the erection of a Bridge at Gardiner's Creek, and for rendering the approaches thereto passable, upon condition of a sum of about £1000 being raised by local subscriptions.

MEETINGS

OF

SELECT COMMITTEES.

Tuesday, 18th March.

RAILWAYS—at 10 o'clock.

Wednesday, 19th March.

GOLD—at 10 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 60.

TUESDAY, 18TH MARCH, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITIONS.—Mr. Pyke presented a Petition from certain inhabitants of the Township of Castlemaine, praying the Council would cause the main trunk of the proposed Melbourne and Murray Railway to pass through the Township of Castlemaine.
Petition received.
Mr. Pyke presented a Petition from Walter Smith, styling himself Acting Chairman of the Municipal Council of Castlemaine, praying the Council would determine that the main line connecting Melbourne with the River Murray should pass through Castlemaine.
Petition received.
3. PAPERS.—The undermentioned Papers were, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council as under :—
By the Commissioner of Trade and Customs—
Trade and Customs.—Account relating to Trade and Customs for the year 1855.
Ordered to be printed.
By the Surveyor General—
National School, Avoca.—Return to Address, adopted on the motion of Mr. Longden, 25th January last.
By the Chief Secretary—
Constitution Act.—Return to Address, adopted on the motion of Mr. Grant, 15th February, 1856.
Ordered to be printed.—Return read by the Clerk.
Expenditure.—Return to Address, adopted on the motion of Mr. O'Brien, 11th January, 1856.
Ordered to be printed.
4. BALLAARAT OUTBREAK.—Mr. Lalor moved, pursuant to *amended* notice, That this House resolve itself into a Committee of the whole to take into consideration the Progress Report and the second Report from the Committee on the Ballaarat Outbreak Petition, with a view of considering the propriety of presenting an Address to His Excellency the Officer administering the Government, praying His Excellency to cause to be placed on the Estimates a sufficient sum to compensate the sufferers.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported that the Committee considered it expedient that an Address be presented to His Excellency the Officer administering the Government, praying His Excellency will cause to be placed upon the Supplementary Estimates for 1856 the sum of £4189 4s. as compensation to the different parties recommended by the first Report of the Select Committee on the Ballaarat Outbreak "*Petition*," and that the sum of £500 be placed upon the Supplementary Estimates for 1856 as compensation to Mr. B. S. Hassall, in accordance with the second Report from the Select Committee on the Ballaarat Outbreak Petition, and in full of all claims upon the Government.
Mr. Lalor moved that the above Report be adopted by the Council.

Mr. Fawkner moved, as an amendment, that the following words be inserted after the word "Petition," in the fifth line of the above resolution, viz., "in full of all claims."

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

Question—That an Address be presented to His Excellency the Officer administering the Government, praying His Excellency will cause to be placed upon the Supplementary Estimates for 1856 the sum of £4189 4s., as compensation to the different parties recommended by the first Report of the Select Committee on the Ballarat Outbreak Petition, in full of all claims; and that the sum of £500 be placed upon the Supplementary Estimates for 1856, as compensation to Mr. B. S. Hassall, in accordance with the second Report from the Select Committee on the Ballarat Outbreak Petition, and in full of all claims upon the Government—put and passed.

5. PAPERS.—The Treasurer, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the undermentioned Papers, viz. :—

Crown Land Licenses.—Return to Address, adopted on the motion of Mr. Fawkner, 8th June, 1855.

Ordered to be printed.

6. COUNCIL CLUB.—Mr. Mollison, as Chairman of the Select Committee appointed to manage the affairs of the Council Club, brought up the Report from the Committee, and moved that it be received and printed.

Question—put and passed.

On the motion of Mr. Snodgrass the Report was read by the Clerk.

Mr. Mollison then moved, That the Select Committee be instructed to hand over the buildings and property of the Council Club to the Executive Government immediately upon the "prorogation" of the Council.

Mr. Fyfe moved, as an amendment, That the following words be added at the end of the above question, viz., "and that the Government do make arrangement with the contractor to keep the same open until the meeting of the new Legislature."

Mr. Pyke moved, as a further amendment, That the word "prorogation" be omitted, with a view to insert the word "dissolution" in the place thereof.

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

Council divided.

Ayes, 25.

Mr. Taylor,
Mr. Griffith,
Mr. Highett,
Mr. Hodgson,
Mr. Greeves,
Mr. Mollison,
Mr. Henty,
Mr. Wills,
Mr. Wilkinson,
Mr. O'Brien,
Mr. Beaver,
Mr. A'Beckett,
Mr. Hervey,
Mr. Ross,
Mr. McCulloch,
Mr. Horne,
Mr. Fawkner,
The Surveyor General,
The Commissioner of Public Works,
The Solicitor General,
Mr. Chapman,
The Attorney General,
The Treasurer,
The Chief Secretary,
The Commissioner of Trade and
Customs, (*Teller*.)

Noes, 10.

Mr. Grant,
Mr. Longden,
Mr. Myles,
Mr. Pyke,
Mr. Benson,
Mr. Humffray,
Mr. O'Shanassy,
Mr. Cameron,
Mr. Snodgrass,
Mr. Fyfe, (*Teller*).

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

Council divided.

Ayes, 6.

Mr. Pyke,
Mr. Cameron,
Mr. Myles,
Mr. Grant,
Mr. Benson,
Mr. Fyfe, (*Teller.*)

Noes, 30.

The Commissioner of Public Works,
Mr. Taylor,
Mr. Lalor,
Mr. O'Shanassy,
The Attorney General,
Mr. Snodgrass,
The Solicitor General,
Mr. O'Brien,
Mr. Wilkinson,
Mr. Griffith,
Mr. Wills,
Mr. Horne,
Mr. Henty,
Mr. Mollison,
Mr. Humffray,
Mr. Beaver,
Mr. Greeves,
The Surveyor General,
Mr. Ross,
Mr. Highbett,
Mr. McCulloch,
Mr. Fawkner,
Mr. Longden,
Mr. Hervey,
Mr. Hodgson,
The Chief Secretary,
The Treasurer,
Mr. Chapman,
The Commissioner of Trade and
Customs,
Mr. A'Beckett, (*Teller.*)

Mr. Pyke moved, as a further amendment, That the following words be added at the end of the above question, viz., "and that a moiety of all subscriptions paid since 1st November last be returned, the said subscriptions having been obtained from members on pretence of being twelve months subscription.

Mr. Grant moved, as an amendment, That the word "returned" be omitted from the above proposed amendment, and the words "handed over to the Benevolent Asylum" inserted in the place thereof.

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

Question—That the words proposed by Mr. Pyke to be added to the question be so added—put and negatived.

Question—That the Select Committee be instructed to hand over the buildings and property of the Council Club to the Executive Government immediately upon the prorogation of the Council—put and passed.

7. PATENT LAWS AMENDMENT BILL.—Mr. Humffray having, pursuant to notice, moved for and obtained leave to bring in a Bill to amend the Patent Laws, brought in a Bill, intituled, "*A Bill to amend and extend an Act intituled 'An Act to regulate Grants of Patents for Inventions in the Colony of Victoria,'*" and moved that it be now read a first time.

Question—put and passed.—Bill read a first time.

Mr. Humffray then moved that this Bill be now read a second time.

Question—put.

Council divided.

Ayes, 14.
 The Surveyor General,
 Mr. Greeves,
 Mr. Mollison,
 Mr. Fawkner,
 Mr. Humffray,
 Mr. Pyke,
 Mr. Lalor,
 Mr. Fellows,
 Mr. Cameron,
 Mr. Benson.
 Mr. Snodgrass,
 Mr. Longden,
 Mr. Hodgson,
 Mr. Fyfe, (*Teller.*)

Noes, 23.
 The Commissioner of Trade and
 Customs,
 The Chief Secretary,
 The Commissioner of Public Works,
 The Treasurer,
 The Solicitor General,
 Mr. Chapman,
 The Attorney General,
 Mr. Myles,
 Mr. McCulloch,
 Mr. Russell,
 Mr. Beaver,
 Mr. Ross,
 Mr. Highett,
 Mr. Home,
 Mr. Taylor,
 Mr. Strachan,
 Mr. Wilkinson,
 Mr. Wills,
 Mr. O'Brien,
 Mr. King,
 Mr. Griffith,
 Mr. Hervey,
 Mr. A'Beckett, (*Teller.*)

8. GOLD MINING ON PRIVATE LANDS.—Mr. Pyke moved, pursuant to notice, That, in the opinion of this Council, it is the duty of the Government at once to introduce a measure to adjust and define by law—

- (1.) The right of the public to the gold in the soil.
- (2.) The nature of the rights of intending purchasers of public lands, when such lands contain gold.
- (3.) The mode of dealing with gold in lands already purchased.

The Chief Secretary moved the previous question.

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

9. SNAPPER POINT.—Mr. Chapman moved, pursuant to *amended* notice, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Officer administering the Government, praying His Excellency to place upon the Estimates the sum of £2000 to improve the harbor of Snapper Point, in case the report of the Marine Surveyor should show such improvements to be expedient.

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

The Speaker resumed the Chair.

10. LAW OF INHERITANCE BILL.—Mr. Grant having, pursuant to notice, moved for and obtained leave to bring in a Bill to amend the Law regulating the descent of Real Property, brought in a Bill, intituled, "*A Bill to amend the Law regulating the descent of Real Estate,*" and moved that it be now read a first time.

Question—put and passed.—Bill read a first time, and ordered to be printed.

11. APPROPRIATION BILL.—The Treasurer moved that this Bill be now read a second time.

Question—put and passed.—Bill read a second time.

On the motion of the Treasurer the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

The Chairman having reported the Bill without amendment, the Council adopted the Bill as reported.

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

The Treasurer then moved that the following be the title of the Bill :—

*" An Act for applying certain sums arising from the Revenue receivable in
 " Victoria to the service thereof for the year One thousand eight hundred
 " and fifty-six, and for further appropriating the said Revenue."*

Question—put and passed.

12. SUSPENSION OF STANDING ORDERS.—On the motion of the Attorney General the Council ordered that the Standing Order, No. 17, be suspended.

13. **APPROPRIATION ACT AMENDMENT BILL.**—The Attorney General having moved for and obtained leave to bring in a Bill to amend the Appropriation Act of 1855, brought in a Bill, intituled, “*A Bill to amend an Act intituled ‘An Act for applying certain sums arising from the Revenue receivable in the Colony of Victoria to the service thereof for the year One thousand eight hundred and fifty-five, and for the further appropriating the said Revenue,’*” and moved that it be now read a first time.
Question—put and passed.—Bill read a first time.
The Attorney General moved that this Bill be now read a second time.
Question—put and passed.—Bill read a second time.
On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman having reported the Bill without amendment, the Council adopted the Bill as reported.
The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Attorney General, read a third time and *passed*.
The Attorney General then moved that the following be the title of the Bill :—
“*An Act to amend an Act intituled ‘An Act for applying certain sums arising from the Revenue receivable in the Colony of Victoria to the service thereof for the year One thousand eight hundred and fifty-five, and for further appropriating the said Revenue.’*”
Question—put and passed.
14. **COMMON LAW PRACTICE BILL.**—The Order of the Day for the third reading of this Bill having been read—On the motion of Mr. Fellows the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council adopted the same.
The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of Mr. Fellows, read a third time and *passed*.
Mr. Fellows then moved that the following be the title of the Bill :—
“*An Act to alter and simplify the Practice and Mode of Procedure in an Action at Law, and for other purposes in relation thereto.*”
Question—put and passed.
15. **POSTPONEMENT OF ORDER OF THE DAY.**—The Council ordered that the following Order of the Day be postponed until to-morrow :—
“*Trustees Bill—Third reading.*”
16. **IMPORTED LIVE STOCK REGISTRATION BILL.**—The Order of the Day for the consideration of the Report from the Committee of the whole Council on this Bill having been read—On the motion of Mr. Wills the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time to-morrow.—Bill as amended to be printed.
Council adjourned at four minutes to six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 19TH MARCH 1856.

General Business :—

1. **MR. LALOR :** To ask the Chief Secretary if it is the intention of the Government to shorten the period of J. F. Bentley's imprisonment.
2. **MR. HODGSON :** To ask the President of the Central Road Board if the Board will be induced to appropriate a sum of £3000 towards the erection of a Bridge at Gardiner's Creek, and for rendering the approaches thereto passable, upon condition of a sum of about £1000 being raised by local subscriptions.

NOTICES OF MOTION :—

1. **MR. BENSON :** To move, That this House is of opinion that previous to the sale of 500 acres of land at Huntley, on the Bendigo Creek, the said land should be tested, and that all future lands offered for sale by the Government shall be prospected, until the Legislature shall have passed a law regulating the Mining on Private Property.

2. MR. GRANT: To move, That this House (prior to its dissolution) desires to record its unqualified disapproval of the expenditure lavished on Toorak, and to express its condemnation of the Members of the Executive for their complicity in such illegal and unconstitutional appropriations and profligate waste of the public money.

ORDERS OF THE DAY:—

1. TRUSTEES BILL—Third reading.
2. IMPORTED LIVE STOCK REGISTRATION BILL—Third reading.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 19th March.

GOLD—at 10 o'clock.

RAILWAYS—at 12 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 61.

WEDNESDAY, 19TH MARCH, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PAPER.—The President of the Central Road Board, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the under-mentioned Paper, viz. :—
Central Road Board.—Return of Works and Expenditure for the year ending 31st December, 1855.
Ordered to be printed.
3. ASSENT TO BILLS.—The Speaker announced that His Excellency the Officer administering the Government had been pleased to give the Royal Assent to—
“ *The Elections Regulation Bill.*”
“ *The Victoria Electoral Bill.*”
“ *The Administration of Justice Act Amendment Bill.*”
“ *The Colonial Bank of Australasia Incorporation Bill.*”
“ *The Thistle Bill.*”
“ *The Melbourne, Mount Alexander and Murray River Railway Purchase Bill.*”
“ *The Melbourne and Hobson's Bay Railway extension Bill.*”
“ *The Municipal Institutions Act Amendment Bill.*”
“ *The Appropriation Bill.*”
“ *The Appropriation Act Amendment Bill.*”
“ *The Common Law Practice Bill.*”
4. SUSPENSION OF STANDING ORDERS.—On the motion of the Chief Secretary, the Council ordered that Standing Order, No. 18, be suspended.
5. ADJOURNMENT OF THE COUNCIL.—The Chief Secretary moved that the Council do at its rising this day adjourn until twelve o'clock to-morrow.
Question—put and passed.
6. HUNTLEY LAND SALE.—Mr. Benson moved, pursuant to notice, That this House is of opinion that previous to the sale of 500 acres of land at Huntley, on the Bendigo Creek, the said land should be tested, and that all future lands offered for sale by the Government shall be prospected, until the Legislature shall have passed a law regulating the Mining on Private Property.
The Surveyor General moved the previous question.
Debate ensued.
Motion by leave withdrawn.
7. PAPER.—The Commissioner of Trade and Customs, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council the under-mentioned Paper, viz. :—
Pilot Board—Account of Receipts and Expenditure for the Year ending 31st August, 1855.
Ordered to be printed.
8. EXPENDITURE AT TOORAK.—Mr. Grant moved, pursuant to notice, That this House “(prior to its dissolution)” desires to record its unqualified disapproval of the expenditure lavished on “Toorak,” and to express its condemnation of “the Members of the Executive for their complicity in” such illegal and unconstitutional appropriations and profligate waste of the public money.
Debate ensued.
Mr. Snodgrass moved, as an amendment, That the following words in the third and fourth lines—“the members of the Executive for their complicity in,” be omitted.
Question—That the words proposed to be omitted stand part of the question—put and negatived.

Mr. Mollison moved, as a further amendment, That the following words be omitted from the first line, viz.:—"prior to its dissolution," and that all the words after the word "Toorak," in the second line, be also omitted.

Question—That the following words—"prior to its dissolution," proposed to be omitted, stand part of the question—put and negatived.

Question—That all the words after the word "Toorak," proposed to be omitted, stand part of the question—put.

Council divided.

Ayes, 34.

The Chief Secretary,
The Attorney General,
The Surveyor General,
The Commissioner of Trade and
Customs,
Mr. Henty,
Mr. Taylor,
Mr. Griffith,
Mr. Murphy,
Mr. Highett,
Mr. Greeves,
Mr. O'Brien,
Mr. Kennedy,
Mr. Beaver,
Mr. Lalor,
Dr. Owens,
Mr. Benson,
Mr. Goodman,
Mr. Pyke,
Mr. Longden,
Mr. Strachan,
Mr. Fyfe,
Mr. McCulloch,
Mr. Wills,
Mr. Myles,
Mr. Sargood,
Mr. Russell,
Mr. O'Shanassy,
Mr. Grant,
Mr. Fawkner,
Mr. Humffray,
Mr. Hodgson,
The Treasurer,
Mr. Snodgrass, (*Teller.*)

The Chief Secretary moved the previous question.

Question—That this question be now put—put.

Council divided—

Ayes, 24.

Mr. Pyke,
Mr. Hodgson,
Mr. Humffray,
Mr. Fawkner,
Mr. Grant,
Mr. O'Shanassy,
Mr. Chapman,
Mr. Sargood,
Mr. Myles,
Mr. Wills,
Mr. McCulloch,
Mr. Strachan,
Mr. Goodman,
Mr. Benson,
Mr. Longden,
Dr. Owens,
Mr. Lalor,
Mr. Beaver,
Mr. Mollison,
Mr. Fyfe,
Mr. O'Brien,
Mr. Greeves,
Mr. Taylor,
Mr. Snodgrass, (*Teller.*)

Noes, 6.

Mr. Smith,
The Commissioner of Public Works,
Mr. Hervey,
Mr. Horne,
Mr. King,
Mr. Mollison, (*Teller.*)

Noes, 16.

The Chief Secretary,
Mr. Murphy,
The Commissioner of Public Works,
The Commissioner of Trade and
Customs,
Mr. Henty,
Mr. Griffith,
The Surveyor General,
Mr. King,
Mr. Kennedy,
Mr. Highett,
Mr. Smith,
Mr. Horne,
The Attorney General,
The Treasurer,
Mr. Russell,
Mr. Hervey, (*Teller.*)

Question—That this House desires to record its unqualified disapproval of the expenditure lavished on Toorak, and to express its condemnation of such illegal and unconstitutional appropriations and profligate waste of the public money—put and passed.

9. DUTIES OF OFFICERS UNDER ELECTORAL ACT.—Mr. O'Shanassy moved, That in the opinion of this Council it is essential for the proper performance of the functions, powers, and duties which will devolve on the respective officers employed to carry into effect the provisions of "*The Electoral Act of 1856*," that a uniform printed code of regulations be framed and issued by the Government for their guidance and instruction.

Question—put and passed.

10. RAILWAYS.—The Chief Secretary, as Chairman of the Select Committee of this Council upon Railways, brought up the Report from the Committee, and moved that it be received.

Question—put and passed.—Report and Proceedings of the Committee ordered to be printed.

11. THE SPEAKER.—Mr. Fawkner moved, That the Speaker leave the Chair, and the Council resolve itself into a Committee of the whole for the purpose of considering the propriety of agreeing to the following resolution:—That this Council having regard to the difficulties necessarily attendant on the inauguration of a Legislative Body, is desirous on the termination of the existence of the present Legislature, to place upon record the expression of its feeling of great satisfaction with the manner in which James Frederick Palmer, Esq., has presided over its deliberations as Speaker.

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

The Chairman reported that the Committee had resolved that having regard to the difficulties necessarily attendant on the inauguration of a Legislative Body, is desirous on the termination of the existence of the present Legislature, to place upon record the expression of its feeling of great satisfaction with the manner in which James Frederick Palmer, Esq., has presided over its deliberations as Speaker.

On the motion of Mr. Fawkner, the Council adopted the Report, and ordered the resolution to be entered on the Journals of the House.

The Speaker then addressed the Council as follows:—

GENTLEMEN,—I rise under a profound sense of the compliment which you have paid me, and I beg to offer to you collectively, and to the honorable mover and seconder of the resolution in particular, my respectful acknowledgments for the honor which you have done me. Of my own merits and capacity to fill this Chair as it ought to be filled, no one can entertain a more humble opinion than myself, and therefore I must ascribe it to your kindness of construction, and to that urbanity which has uniformly been evinced towards me, that you have recognized my services at all. When I look back on the chequered and crowded events of the last five years, when I call to mind the variety of grave questions on which this Council has been called upon to legislate and to pass its judgment, and when moreover I reflect on the exciting nature of those topics which have successively engaged its deliberations,—on all these grounds I think I am justified in congratulating you on the perfect success of the experiment of self-government, as well as on the unanimity and good feeling which have characterized your proceedings. May our successors under the New Constitution have equal grounds of congratulation after a similar lapse of time, and may the more complicated machinery of a double House of Legislature be found to work as harmoniously as that of the Council which is now about to be prorogued. If on some occasions I have been led, by the ardor of debate, or by my interest in particular subjects, to take an undue share in your proceedings, and still more if I have been betrayed on these occasions into undue warmth of expression, I humbly crave the pardon of this House. Still I trust that some allowance will be made for me, and that honorable members will consider that, however great the honor may be of filling this Chair, it is not always unattended with tedium. I can, however, truly say, that in no single instance, that I am conscious of, have I allowed my political prepossessions to sway me a hair's breadth from the strict line of impartiality. Gentlemen, again I tender you my respectful thanks.

12. TRUSTEES BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of Mr. Grant, read a third time and passed. Mr. Grant then moved that the following be the title of the Bill:—

"An Act for adopting and applying portions of certain Acts of the Imperial Parliament passed in the sessions of the thirteenth and fourteenth and in the fifteenth and sixteenth years of the Reign of Her Majesty Queen Victoria, in the administration of Justice in Victoria."

Question—put and passed.

13. IMPORTED LIVE STOCK REGISTRATION BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on motion of Mr. Wills, read a third time and passed. Mr. Wills then moved that the following be the title of the Bill:—

"An Act to provide for the Registration of Imported Stock."

Question—put and passed.

Council adjourned at twelve minutes to six o'clock until twelve o'clock to-morrow.

MEETING

OF

SELECT COMMITTEE.

Thursday, 20th March.

GOLD—at 10 o'clock.

J. F. PALMER,
Speaker.

VICTORIA.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

No. 62.

THURSDAY, 20TH MARCH, 1856.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PAPERS.—The undermentioned Papers were, by command of His Excellency the Officer administering the Government, laid upon the Table of the Council, as under :—
By the President of the Central Road Board—
Central Road Board.—Return shewing the amount and nature of work performed under the Central Road Board, from its formation to 31st December, 1855.
Ordered to be printed.
By the Surveyor General—
Crown Lands.—Return of Lands sold from 1st January to 31st December, 1855.
Ordered to be printed.
3. GOLD.—Mr. Humffray, as Chairman of the Select Committee of the Council to which this subject was referred, brought up the Report from the Committee, and moved that it be received and printed.
Question—put and passed.
4. LIBRARY.—Mr. Greeves brought up the Report from the Library Committee, and moved that it be received and printed.
Question—put and passed.
On the motion of Mr. Greeves, the Report was read by the Clerk.
Mr. Greeves moved that a list of books missing from the Library be printed as an Appendix to the Report.
Question—put and passed.
5. ADDRESSES.—The Speaker announced that he had, pursuant to the resolutions of this Council, presented to His Excellency the Officer administering the Government the following Addresses, that is to say :—
Snapper Point.—Adopted on the 29th February, 1856, on the motion of Mr. Chapman; and that His Excellency had, in reply to such Address, been pleased to state that as soon as the Report on this subject which is now in course of preparation has been received, it shall be laid on the Table of the Council.
Letters Patent.—Adopted on the 4th day of March, 1856, on the motion of Mr. Humffray;
and that His Excellency had, in reply to such Address, been pleased to state that he had directed this Return to be laid upon the Table of this House.
Lunatics and Gaols.—Adopted on the 5th March, 1856, on the motion of Mr. Fyfe; and that His Excellency had, in reply to such Address, been pleased to state that, in anticipation of the wishes of the Council, he had directed this Return to be furnished.
Normal Schools.—Adopted on the 11th March, 1856, on the motion of Mr. Smith; and that His Excellency had, in reply to such Address, been pleased to state that the sum applied for had been placed on the Additional Estimates, in accordance with the Address of the Legislative Council.
Mechanics' Institute, Ballarat.—Adopted on the 14th March, 1856, on the motion of Mr. Lalor;
and that His Excellency had, in reply to such Address, been pleased to state that he had given directions for this sum to be placed on the Supplementary Estimates for the present year.
Mechanics' Institute, East Collingwood.—Adopted by the Council on the 17th March, 1856, on the motion of Dr. Embling;
and that His Excellency had, in reply to such Address, been pleased to state that this sum should be placed on the Supplementary Estimates for the present year, as requested by the Legislative Council.
Ballarat Outbreak.—Adopted on the 18th March, 1856, on the motion of Mr. Lalor;
and that His Excellency had, in reply to such Address, been pleased to state that, in accordance with the desire of the Council, he would cause these sums to be placed on the Supplementary Estimates for the present year.

6. **ASSENT TO BILLS.**—The Speaker announced to the Council that His Excellency the Officer administering the Government had given the Royal Assent to the undermentioned Bills, viz. :—

“ *The Trustees Bill.*”

“ *The Imported Stock Registration Bill.*”

7. **BUSINESS OF THE SESSION.**—The Speaker reported that of 35 Bills introduced into the Council 27 had been passed and received the Royal Assent, 2 had lapsed in the Council, 1 had been negatived on motion for second reading, 4 had been disposed of on the question “ this day six months,” and 1 had been withdrawn on report of Committee.

8. **PROROGATION.**—His Excellency the Governor having arrived at the Chamber, and having been duly announced by the Serjeant-at-Arms, was received by the Speaker and Members of the Council, and by them conducted to an elevated seat provided for him near the Speaker’s Chair.

His Excellency then read the following Speech :—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE COUNCIL,

It gives me much pleasure to be able to relieve you from your Legislative duties.

You were called together to complete the measures necessary for electing the Members of the Legislative Houses under the Constitutional Act.

The Bills which you have presented to me, and to which I have given Her Majesty’s assent, will, I hope, meet with as great success as the care and attention which they have received at your hands merit. On my part no diligence shall be wanting to give them full and complete effect.

I thank you for the liberal provision which you have voted for carrying on the public service. The sanction which you have given to the construction of great National Works, and especially Railways, deserves my warmest acknowledgments, and I trust that the permanent prosperity and settlement of the country will be greatly promoted by the execution of these undertakings.

You have placed at my disposal the means which I asked for continuing and increasing the military protection of the Colony. Should a hostile attack (which may God avert) menace our territory, I fervently pray that, with the aid of all loyal and true subjects, this force may be sufficient to repel the enemy, and maintain the integrity of this portion of the Empire.

I congratulate you upon the prosperous condition of the Gold Fields, and the improvements which are being effected in their working. The enquiries into these matters, which you have instituted or suggested, and the practical recommendations resulting from them, clearly establish the advantage derived from the addition to the Legislature of representatives of the miners themselves.

Your resolutions on the subject of Immigration shall have every support at my hands. The duties which the transfer of this service to the control of the Colony entails upon my Government are receiving most careful consideration.

I cannot dismiss you to your constituents without adverting to the lamented cause of my presence among you this day. The recent and sudden demise of the Governor, who addressed you on the opening of the session, has deprived the Colony of an indefatigable and earnest friend. He barely lived to see the commencement of that system of Government to which both he and you had been long looking forward, and which no difference of opinion would have prevented him from carrying out without fear or favor. I trust that, under Divine Providence, the anticipations which have been formed of the success of the New Constitution will not be disappointed, and that the complete powers of self-government, now conceded to the people of Victoria, will be exercised with benefit both to themselves and the nation of which they form a part.

I now declare this Council prorogued until the sixth day of May next.

His Excellency then retired, and being conducted to the door by the Speaker and Members, the Council stood prorogued to Tuesday, the sixth day of May next.

J. F. PALMER,

Speaker.

SELECT COMMITTEES

APPOINTED DURING THE SESSION 1855-6.

1.—ADDRESS IN REPLY TO THE GOVERNOR'S OPENING SPEECH.

Appointed 23rd November, 1855.

The Colonial Secretary,
Mr. Fawkner,
Mr. Rae,
Mr. Grant,

Mr. Greeves,
Mr. Fellows,
Mr. Longden (*Mover.*)

2.—STANDING ORDERS.

Appointed 28th November, 1855.

The Speaker,
The Attorney General,
The Commissioner of Trade and Customs,
The Chairman of Committees,

Mr. Griffith,
Mr. Murphy,
Mr. Horne,
Mr. Miller.

3.—LIBRARY.

Appointed 28th November, 1855.

The Speaker,
The Auditor General,
Mr. Fawkner,
Mr. Greeves,

Mr. Pohlman,
Mr. Riddell,
The Surveyor General,
Dr. Embling.

4.—GOLD MINING ON PRIVATE PROPERTY.

Appointed 30th November, 1855.

Mr. O'Shanassy,
Mr. Fawkner,
Mr. Lalor,
Mr. Grant,
Mr. Longden,
Mr. Benson,
Mr. Wheeler,

The Attorney General,
Mr. Taylor,
Mr. Mollison,
Mr. Smith,
Mr. Snodgrass,
The Surveyor General,
Mr. Pyke (*Mover.*)

5.—COUNCIL CLUB.

Appointed 5th December, 1855.

Mr. Horne,
Mr. Griffith,
Mr. Myles,
Mr. Wheeler,
Mr. Taylor,

Mr. Wills,
Mr. Fyfe,
Mr. Hervey,
Mr. Mollison (*Mover.*)

6.—AGRICULTURAL AND HORTICULTURAL STATISTICS.

Appointed 7th December, 1855.

Mr. Nicholson,
Mr. Kennedy,
Mr. Lalor,
Mr. King,
Mr. Chapman,

Mr. O'Brien,
The Chief Secretary,
Mr. Knight,
Mr. Wills (*Mover.*)

7.—MELBOURNE AND HOBSON'S BAY RAILWAY EXTENSION BILL.

Appointed 7th December, 1855.

Mr. Highett,
Mr. McCulloch,
Mr. Pyke,
The Surveyor General,
Mr. Hervey,

Mr. Hodgson,
Mr. Sargood,
Mr. O'Shanassy,
Mr. Miller (*Mover.*)

8.—GOLD FIELDS LOCAL COURTS.

Appointed 11th December, 1855.

The Attorney General,
The Surveyor General,
Mr. O'Shanassy,
Mr. Beaver,
Mr. Fyfe,
Mr. Lalor,

Mr. Humffray,
Mr. Pyke,
Mr. Wheeler,
Mr. Cameron,
Mr. Grant,
Mr. Benson (*Mover.*)

9.—KEEFER'S ADMISSION BILL.

Appointed 14th December, 1855.

Mr. Grant,
Mr. Fyfe,
Mr. Pyke,

Dr. Embling,
Mr. Humffray,
Mr. O'Shanassy (*Mover.*)

10.—COMMON LAW PRACTICE BILL.

Appointed 18th December, 1855.

The Attorney General,
The Solicitor General,
Mr. Chapman,
Mr. A'Beckett,
Mr. Horne,

Mr. Grant,
Mr. Greeves,
Mr. Nicholson,
Mr. Mollison,
Mr. Fellows (*Mover.*)

11.—VICTORIA FIRE AND MARINE INSURANCE COMPANY BILL.

Appointed 19th December, 1855.

The Commissioner of Trade and Customs,
Mr. Nicholson,
Mr. Hodgson,

Mr. Benson,
Mr. Miller (*Mover.*)

12.—GOLD.

Appointed 20th December, 1855.

The Surveyor General,
Mr. Wills,
Mr. Wheeler,
Mr. Pyke,
Mr. Benson,

Mr. Lalor,
Mr. O'Shanassy,
Mr. Cameron,
Dr. Owens,
Mr. Humffray (*Mover.*)

13.—BANK OF VICTORIA ACT AMENDMENT BILL.

Appointed 20th December, 1855.

The Commissioner of Trade and Customs,
Mr. Nicholson,
Mr. Grant,

Mr. Sargood,
Mr. O'Shanassy,
Mr. Miller (*Mover.*)

14.—IMPORTATION OF LIVE STOCK.

Appointed 11th January, 1856.

The Attorney General,
Mr. Taylor,
Mr. O'Shanassy,
Mr. Knight,

Mr. Greeves,
Mr. Mollison,
Mr. Wills (*Mover.*)

15.—RAILWAYS.

Appointed by ballot 15th January, 1856.

The Attorney General,	Mr. Murphy,
Mr. O'Shanassy,	Mr. Strachan,
The Surveyor General,	Mr. Miller,
Mr. Lalor,	Mr. Forlonge,
The Commissioner of Public Works,	Mr. Henty,
Mr. Pyke,	Mr. Fyfe,
Mr. Horne,	The Chief Secretary (<i>Mover.</i>)

16.—COLLINGWOOD BRIDGE BILL.

Appointed 18th January, 1856.

The Commissioner of Public Works,	Mr. Strachan,
Mr. Cameron,	Mr. Nicholson,
Mr. Horne,	Mr. Miller (<i>Mover.</i>)

17.—BALLAARAT OUTBREAK PETITION.

Appointed 18th January, 1856.

The Chief Secretary,	Dr. Owens,
Mr. O'Shanassy,	Mr. Benson,
Mr. Mollison,	Mr. Humffray,
Mr. Fawcner,	Mr. Myles,
Mr. Grant,	Mr. Lalor (<i>Mover.</i>)

18.—SCOTCH THISTLE.

Appointed 18th January, 1856.

Mr. Nicholson,	Mr. Wills,
Mr. Kennedy,	Mr. Snodgrass (<i>Mover.</i>)
Mr. Taylor,	

19.—MR. ROBERTSON.

Appointed 22nd January, 1856.

The Commissioner of Public Works,	Mr. A'Beckett,
Mr. Horne,	Mr. Lalor,
Mr. Ross,	Mr. Chapman,
Mr. Kennedy,	Mr. Fellows (<i>Mover.</i>)

20.—THE ALPACA.

Appointed 5th February, 1856.

Mr. Griffith,	Mr. Harrison,
Mr. Mollison,	Mr. Beaver,
Mr. A'Beckett,	Dr. Embling (<i>Mover.</i>)
Mr. Forlonge,	

21.—ST. KILDA SEA BATHING COMPANY BILL.

Appointed 12th February, 1856.

The Commissioner of Public Works,	Mr. Humffray,
Mr. Nicholson,	Mr. McCulloch,
Mr. Hervey,	Mr. Greeves (<i>Mover.</i>)
Mr. Sargood,	

22.—COLONIAL BANK OF AUSTRALASIA INCORPORATION BILL.

Appointed by ballot 15th February, 1856.

Mr. Miller,	The Commissioner of Trade and Customs,
Mr. McCulloch,	Mr. Kennedy,
Mr. O'Shanassy (<i>Mover.</i>)	Mr. Highbett,
Mr. Ross,	Mr. Humffray,
The Attorney General,	Mr. Wills.

23.—STEAM POSTAL COMMUNICATION WITH GREAT BRITAIN.

Appointed 19th February, 1856.

The Chief Secretary,
 The Commissioner of Trade and Customs,
 The Treasurer,
 Mr. Strachan,
 Mr. Henty,

Mr. O'Shanassy,
 Mr. McCulloch,
 Mr. Goodman,
 Mr. Greeves (*Mover.*)

24.—BALLAARAT COMPENSATION—BENTLEY'S HOTEL.

Appointed by ballot 11th March, 1856.

The Chief Secretary,
 Mr. Mollison,
 The Attorney General,
 Mr. Hodgson,
 Mr. Lalor,

Mr. Benson,
 Mr. Greeves,
 Mr. Grant,
 Mr. Humfray (*Mover.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 1.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

*Extracted from the Minutes.***Session 1855.**

THURSDAY, 6TH DECEMBER.

No. 1.—*Assessment on Stock Act Amendment Bill.*

Question—That the Chairman report progress, and ask leave to sit again this day fortnight—put.—(Mr. Fawkner.)

Committee divided.

Ayes, 24.

Mr. Myles,
 Mr. Miller,
 Mr. Hodgson,
 Mr. Cameron,
 Mr. Pyke,
 Mr. Fawkner,
 Mr. Humffray,
 Mr. Wills,
 Mr. Sargood,
 Mr. O'Shanassy,
 Mr. Grant,
 Mr. Knight,
 Mr. Beaver,
 Dr. Embling,
 Mr. Rae,
 Mr. O'Brien,
 Mr. Burnley,
 Mr. Benson,
 Mr. Longden,
 Mr. Nicholson,
 Mr. Wheeler,
 Mr. Campbell,
 Mr. Lalor,
 Mr. Fyfe, (*Teller*).

Noes, 21.

The Chief Secretary,
 Mr. Mollison,
 Mr. King,
 Mr. Taylor,
 Mr. Murphy,
 Mr. Forlonge,
 Mr. Griffith,
 Mr. McCulloch,
 Mr. Highett,
 Mr. Wilkinson,
 Mr. Ross,
 The Solicitor General,
 The Commissioner of Trade and
 Customs,
 Mr. Pohlman,
 The Surveyor General,
 The Treasurer,
 Mr. Greeves,
 Mr. Horne,
 Mr. Smith,
 The Attorney General,
 Mr. Riddell, (*Teller*).

VICTORIA.

LEGISLATIVE COUNCIL.

No. 2.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.

Extracted from the Minutes.

Session 1855-56.

THURSDAY, 10TH JANUARY.

No. 1.—*Funeral Expenses of, and Monument to the Memory of, the late Sir Charles Hotham.*
Question proposed—That this Committee considers it expedient that an address be presented to His Excellency the Officer administering the Government, requesting that His Excellency will cause a sum not exceeding £1500 to be appropriated towards defraying the expense incurred at the funeral of the late Sir Charles Hotham, and for the erection of a monument to the memory of His late Excellency.—(*Mr. Fawkner.*)

Motion made and question put—That this Committee considers it expedient that an address be presented to His Excellency the Officer administering the Government, requesting that His Excellency will cause a sum not exceeding £500 to be appropriated towards defraying the expense incurred at the funeral of the late Sir Charles Hotham.—(*Mr. Grant.*)

Committee divided.

Ayes, 8.

Mr. Grant,
Mr. Myles,
Dr. Owens,
Mr. Cameron,
Mr. Lalor,
Mr. Humffray,
Mr. Benson,
Mr. Pyke, (*Teller*).

Noes, 42.

The Chief Secretary,
The Attorney General,
Mr. Pohlman,
Mr. Campbell,
Mr. Murphy,
Mr. Henty,
Mr. Hervey,
Mr. King,
Mr. Taylor,
Mr. Griffith,
Mr. O'Brien,
Mr. Wheeler,
Mr. Wills,
Mr. Wilkinson,
Mr. Kennedy,
Mr. Highett,
Mr. A'Beckett,
Mr. Goodman,
Mr. Burnley,
Mr. Knight,
Mr. Beaver,
The Commissioner of Trade and
Customs,
The Solicitor General,
Mr. Ross,
Mr. Fellows,
The Commissioner of Public Works,
Mr. Rae,
Mr. Forlonge,
Dr. Embling,
Mr. McCulloch,
Mr. Fyfe,
Mr. Sargood,
Mr. Nicholson,
Mr. Fawkner,
Mr. Chapman,
Mr. O'Shanassy,
Mr. Hodgson,
Mr. Miller,
Mr. Greeves,
Mr. Horne,
The Surveyor General,
Mr. Riddell, (*Teller*).

No. 2.—*Elections Regulation Bill*.—Clause XIII.

In any proceedings under this Act for the recovery of any pecuniary penalty the parties to such proceedings and the husbands and wives of such parties respectively shall be competent and compellable to give evidence in any such proceeding in the same manner as parties and their husbands and wives are competent and compellable to give evidence in actions and suits under the Act of the Lieutenant Governor and Legislative Council of Victoria passed in the seventeenth year of the reign of Her present Majesty intituled "*An Act to amend further the Law of Evidence*" but subject to and with the exceptions in the said Act Provided that any such evidence shall not thereafter be used in any information or criminal proceedings under this Act against the party giving it.

Motion made and question put—That clause XIII. of this Bill be struck out.—(*Mr. Grant*.)
Committee divided.

Ayes, 13.

Mr. Grant,
Mr. Chapman,
Mr. O'Shanassy,
Mr. Wheeler,
Mr. Humffray,
Mr. Horne,
Mr. Sargood,
Mr. Wills,
Mr. Benson,
Mr. O'Brien,
Dr. Owens,
Mr. Smith,
Mr. Fyfe, (*Teller*).

Noes, 15.

Mr. Cameron,
The Commissioner of Trade and
Customs,
The Solicitor General,
Mr. Myles,
The Attorney General,
Mr. Pohlman,
Mr. Greeves,
Mr. King,
Mr. Russell,
The Chief Secretary,
Mr. Fellows,
Mr. Riddell,
Mr. Wilkinson,
The Commissioner of Public Works,
Mr. Campbell, (*Teller*).

VICTORIA.

LEGISLATIVE COUNCIL.

No. 3.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.*Extracted from the Minutes.***Session 1855-56.**

WEDNESDAY, 16TH JANUARY.

No. 1.—*Elections Regulation Bill*.—Clause XXXII.

Every election auditor under this Act shall be paid and be entitled to receive by way of remuneration to him for his services in and about the election the sum of pounds from each candidate at the election as and by way of first fee and a commission at the rate of pounds per centum from each candidate upon every payment made by him for or in respect of any bill charge or claim sent in to such election auditor as hereinbefore provided and the reasonable expenses incurred by the election auditor in the business of the election and the performance of his duties pursuant to this Act shall form part of the election expenses and shall be paid rateably and proportionably by the candidates respectively.

Motion made and question put—That clause XXXII. of this Bill be struck out.—(*Mr. Pyke.*)
Committee divided.

Ayes, 27.
Dr. Embling,
Mr. Grant,
Mr. Hodgson,
Mr. Myles,
Mr. Greeves,
Mr. Longden,
Dr. Owens,
Mr. Fellowes,
Mr. Sargood,
Mr. Strachan,
Mr. Nicholson,
Mr. Lalor,
Mr. Beaver,
Mr. Rae,
Mr. O'Brien,
Mr. O'Shanassy,
Mr. Smith,
Mr. Humfray,
Mr. Kennedy,
Mr. Pyke,
Mr. Benson,
Mr. Cameron,
Mr. McCulloch,
Mr. Forlonge,
Mr. Burnley,
Mr. Wheeler,
Mr. Fyfe, (*Teller*).

Noes, 21.
Mr. Highett,
The Solicitor General,
Mr. Mollison,
Mr. Horne,
Mr. Fawkner,
Mr. Chapman,
The Attorney General,
Mr. Miller,
Mr. A'Beckett,
Mr. Wills,
Mr. Murphy,
Mr. Taylor,
Mr. King,
The Chief Secretary,
The Commissioner of Public Works,
The Surveyor General,
Mr. Goodman,
Mr. Riddell,
Mr. Griffith,
Lieut. Col. Anderson,
Mr. Campbell, (*Teller*).

No. 2. Clause XXXIII.

No person shall be liable to any penalty or forfeiture enacted or imposed by this Act unless some prosecution action or suit for the offence committed shall be commenced against such persons within the space of months next after such offence against this Act shall have been committed and unless such person shall be summoned or otherwise served with writ or process within the same space of time so as such summons of writ or process shall not be prevented by such person absconding or withdrawing out of the jurisdiction of the court out of which such summons writ or other process shall have issued and in case of any such prosecution suit or process as aforesaid the same shall be proceeded with and carried on without any wilful delay.

Question proposed—That the blank occurring in the third line of the above clause be filled up with the word “*six*.”—(*The Attorney General.*)

Motion made—That the blank occurring in the third line of the above clause be filled up with the word “*one*.”—(*Mr. Fawkner.*)

Motion made—That the blank occurring in the third line of the above clause be filled up with the word “*three*.”—(*Mr. O'Brien.*)

Question—That the blank occurring in the third line of the above clause be filled up with the word “*six*”—put.

Committee divided.

Ayes, 17.

The Chief Secretary,
The Attorney General,
Mr. Greeves,
The Commissioner of Public Works,
The Solicitor General,
Mr. A. Beckett,
Mr. Fellows,
Mr. Goodman,
Mr. Forlonge,
Mr. Wills,
Mr. Highett,
Mr. Murphy,
Lieut. Col. Anderson,
Mr. Griffith,
Mr. Taylor,
Mr. Riddell,
The Surveyor General, (*Teller.*)

Noes, 30.

Mr. Smith,
Mr. Miller,
Mr. Humffray,
Mr. Hodgson,
Mr. Chapman,
Mr. O'Shanassy,
Mr. Fawkner,
Mr. Horne,
Mr. Nicholson,
Mr. Sargood,
Mr. Myles,
Mr. Pyke,
Dr. Embling,
Mr. Kennedy,
Mr. Grant,
Dr. Owens,
Mr. Benson,
Mr. Cameron,
Mr. Beaver,
Mr. Fyfe,
Mr. McCulloch,
Mr. Strachan,
Mr. Longden,
Mr. Rae,
Mr. Wheeler,
Mr. Lalor,
Mr. Burnley,
Mr. O'Brien,
Mr. King,
Mr. Hervey, (*Teller.*)

THURSDAY, 17TH JANUARY.

No. 3. *Victoria Electoral Bill.*—Clause III.

The registrars of each province district or division of the same respectively shall on or before the day of in the year and on or before the day of in each succeeding year publish a notice according to the form in the schedule to this Act annexed numbered 1 requiring every person entitled to vote at the election of a member of the Council or Assembly as the case may be in respect of any qualification situate or being wholly or in part within such province or district or division thereof respectively and who after the said year shall not be upon the roll then in force and also every person so entitled who after the said year being upon such roll shall not retain the same qualification or continue in the same place of abode as described in such roll and who is desirous to have his name inserted in the roll about to be made to deliver or send to such registrar on or before the day of in the year and on or before the day of in each succeeding year a notice in writing signed by him of his claim to vote as aforesaid according to the form set forth in the schedule hereunto annexed marked 2 or to the same purport or effect and every such person and any person who after the said year being upon such roll may be desirous to make a new claim shall on or before the day of in each year deliver or send to such registrar a notice signed by him of his claim

according to the form or notice set forth in that behalf in the said form numbered 2 or to the like effect and if any person shall be appointed to act as registrar in more than one province or district or in a province and also in a district he shall issue distinct notices for each several province or district or division thereof and that notwithstanding the division of a province for which he shall be registrar may be identical in area with the district or division of the district for which he shall also be registrar.

Motion made and question put—That clause III. of this Bill be struck out.—(*Mr. Chapman.*)
Committee divided.

Ayes, 22.

Mr. Greeves,
Mr. Miller,
Mr. Horne,
Mr. O'Shanassy,
Mr. Chapman,
Mr. Fyfe,
Mr. Humffray,
Mr. Longden,
Mr. Wheeler,
Mr. Harrison,
Mr. O'Brien,
Mr. Grant,
Dr. Owens,
Mr. Campbell,
Mr. Smith,
Mr. Burnley,
Mr. Benson,
Mr. Pyke,
Mr. Cameron,
Mr. Kennedy,
The Speaker,
Mr. Hodgson, (*Teller.*)

Noes, 21.

The Chief Secretary,
The Commissioner of Trade and
Customs,
The Commissioner of Public Works,
Mr. King,
Mr. Taylor,
Mr. Knight,
Mr. Wills,
Mr. Pohlman,
Mr. Myles,
Mr. Murphy,
Mr. Highett,
Mr. Fellows,
Mr. McCulloch,
Mr. Sargood,
Mr. Forlonge,
Mr. Nicholson,
The Solicitor General,
The Surveyor General,
Mr. Russell,
The Attorney General,
Mr. Hervey, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 4.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.*Extracted from the Minutes.***Session 1855-56.**TUESDAY, 22ND JANUARY.No. 1.—*Victoria Electoral Bill.*—Clause XXXI.

For the purposes of the first election of the Council and Assembly respectively and subsequently for all general elections for members of the Assembly and for the election of members to serve in the Council in the place of those retiring by rotation resigning or whose seats shall be otherwise vacated in the said Council as provided in the said recited Act the writs for the several provinces and districts shall be issued by the Governor and no writ for any election when the Council or Assembly are not in Session shall be made returnable in less than thirty or more than sixty days from the issue thereof.

Motion made and question put—That the following proviso be added at the end of the above clause—“*Provided that as to the said first election the elections for the Council shall be held before the elections for the Assembly.*”—(Mr. Greeves.)

Committee divided.

Ayes, 21.

Mr. King,
Mr. Taylor,
Mr. Murphy,
Mr. Highett,
Mr. Wheeler,
Mr. Hervey,
Mr. McCulloch,
Mr. Burnley,
Mr. Nicholson,
Mr. Humffray,
Mr. Miller,
Mr. Riddell,
Mr. Wills,
Mr. Myles,
Mr. Hodgson,
Mr. A. Beckett,
Mr. O'Brien,
Mr. Longden,
Mr. O'Shanassy,
Mr. Griffith,
Mr. Greeves, (*Teller.*)

Noes, 18.

Mr. Campbell,
The Chief Secretary,
The Commissioner of Public Works,
Mr. Wilkinson,
Mr. Lalor,
Mr. Rae,
Mr. Fellows,
Dr. Embling,
Mr. Harrison,
Mr. Beaver,
Dr. Owens,
Mr. Grant,
Mr. Benson,
Mr. Cameron,
Mr. Fyfe,
Mr. Sargood,
The Attorney General,
The Surveyor General, (*Teller.*)

WEDNESDAY, 23RD JANUARY.

No. 2.—*Victoria Electoral Bill.*—Proposed new Clause :—

The returning officer shall cause to be placed in such room a table provided with ink and pens set apart and distinct from that at which he himself and the scrutineers preside whereat the elector shall mark the ballot paper as hereinafter provided And also a locked box of which the returning officer shall keep the key with a cleft or opening in such box capable of receiving the ballot paper and which box shall stand upon the table at which the returning officer or deputy returning officer and scrutineers preside And each elector shall enter unattended into such room appointed for the ballot at the election and shall after having proved as hereinafter provided to the satisfaction of the returning officer or deputy returning officer that he is entitled to vote at such election then receive from the returning officer or deputy returning officer a ballot paper in the form in the schedule hereunto annexed marked A and which ballot paper shall be signed upon the back by the returning officer with his name at full length and such elector shall at the table provided for the purpose mark out the names of such candidates as he does not intend to vote for and shall forthwith fold up the same in such manner as will conceal the names of the candidates and display that of the returning officer written upon the back and deposited in the ballot box in the presence of the returning officer or deputy returning officer and scrutineers and in case such elector shall be unable to read or shall be blind he shall signify the same to the returning officer or deputy returning officer who shall thereupon mark out the names of such candidates as the elector may designate and immediately such elector shall have so placed the ballot paper he shall leave the room and shall not return during the same election and no two electors shall remain in the room at the same time nor shall any elector take out of such room any such ballot paper either before or after he has marked the same and any elector wilfully infringing any of the provisions of this clause or obstructing the polling by any unnecessary delay in performing any act within the polling room shall be deemed guilty of a misdemeanor.

Motion made and question put—That, in the opinion of this Committee the Bill, intituled, "*A Bill to provide for the Election of Members to serve in the Legislative Council and Legislative Assembly of Victoria respectively,*" should make provision for a full scrutiny.—(*The Attorney General.*)

Committee divided.

Ayes, 16.

Mr. Strachan,
Mr. Forlonge,
Mr. Harrison,
Mr. O'Brien,
Mr. O'Shanassy,
The Commissioner of Public Works,
The Surveyor General,
The Treasurer,
The Attorney General,
The Chief Secretary,
Mr. Smith,
Mr. King,
Mr. Griffith,
Mr. Riddell,
Mr. Mollison,
The Commissioner of Trade and
Customs, (*Teller*).

Noes, 27.

Mr. Horne,
Mr. Hodgson,
Mr. Miller,
Mr. Humffray,
Mr. Cameron,
Mr. Nicholson,
Mr. Sargood,
Mr. Fyfe,
Mr. Longden,
Dr. Embling,
Mr. Benson,
Mr. Grant,
Dr. Owens,
Mr. Rae,
Mr. Beaver,
Mr. Goodman,
Mr. McCulloch,
Mr. Highett,
Mr. Lalor,
Mr. Pyke,
Mr. Murphy,
Mr. Wilkinson,
Mr. Myles,
Mr. Wheeler,
Mr. Wills,
Mr. Taylor,
Mr. Hervey, (*Teller*).

No. 3.—Proposed new Clause.

After the returning officer shall have ascertained the number and names of the several candidates for the province or district for which he shall have been appointed he shall cause to be printed a number of ballot papers in the form A which ballot papers he shall keep in his own custody and before the day of election for members of the Legislative Council or Legislative Assembly as the case may be he shall deliver to the deputy returning officers such number of ballot papers signed by himself as shall be sufficient for the electors who may poll at each booth or polling place within his province or district and he shall also sign a sufficient number of ballot papers for the electors who may poll at the

booth or polling place over which he shall himself preside and it shall be the duty of the returning officer and deputy returning officers to keep an exact account of such signed ballot papers in order that the number used by the electors shall together with the number not used make up the number originally signed by the returning officer.

Motion made and question put—That this Clause stand part of the Bill.—(*Mr. Nicholson.*)

Committee divided.

Ayes, 26.
 Mr. Greeves,
 Mr. Hodgson,
 Mr. Goodman,
 Mr. Wheeler,
 Mr. Grant,
 Mr. Cameron,
 Mr. Fyfe,
 Mr. Murphy,
 Mr. Nicholson,
 Mr. Humffray,
 Mr. Horne,
 Mr. Benson,
 Dr. Owens,
 Mr. McCulloch,
 Mr. Beaver,
 Mr. Sargood,
 Mr. Rae,
 The Speaker,
 Mr. Wills,
 Mr. Hervey,
 Mr. Longden,
 Mr. Myles,
 Mr. Highett,
 Mr. Taylor,
 Mr. Wilkinson,
 Dr. Embling, (*Teller.*)

Noes, 12.
 Mr. Riddell,
 The Treasurer,
 The Attorney General,
 Mr. O'Shanassy,
 The Surveyor General,
 Mr. Strachan,
 Mr. Harrison,
 The Commissioner of Trade and
 Customs,
 The Chief Secretary,
 The Commissioner of Public Works,
 Mr. O'Brien,
 Mr. Mollison, (*Teller.*)

No. 4.—Proposed new Clause.

Each candidate may appoint one person to be scrutineer at each booth or polling place and in every compartment thereof at the election and every person so appointed scrutineer shall upon his appointment make and subscribe the following declaration in the presence of the returning officer or deputy returning officer—

I (A.B.) a scrutineer appointed by a candidate at the election of a member to serve in the Legislative Council (*or in the Legislative Assembly as the case may be*) for do hereby solemnly declare that I will faithfully assist at such election and that I will not in any way interfere with or attempt to ascertain the name of the candidate for whom any elector shall vote neither will I by any word or action indirectly aid in the discovery of the same.

Motion made, and question put—That this clause stand part of the Bill.—(*Mr. Nicholson.*)

Committee divided.

Ayes, 18.
 Mr. Fyfe,
 Mr. Cameron,
 Mr. Hervey,
 Mr. Nicholson,
 Mr. Murphy,
 Mr. Wheeler,
 Mr. Goodman,
 Dr. Owens,
 Mr. Taylor,
 Mr. McCulloch,
 Mr. Sargood,
 Mr. Beaver,
 Mr. Rae,
 Mr. Griffith,
 Mr. Myles,
 Mr. Benson,
 Mr. Wills,
 Mr. Hodgson (*Teller.*)

Noes, 10.
 Mr. Greeves,
 The Commissioner of Trade and
 Customs,
 The Commissioner of Public Works,
 The Treasurer,
 The Attorney General,
 The Surveyor General,
 Mr. O'Brien,
 Mr. O'Shanassy,
 The Chief Secretary,
 Mr. Riddell (*Teller.*)

No. 5.—Motion made and question put—That the Chairman report progress, and ask leave to sit again to-morrow.—(*Mr. O'Brien.*)

Committee divided.

Ayes, 14.
 Mr. Murphy
 Mr. Cameron,
 Mr. Hodgson,
 Mr. Myles,
 Dr. Owens,
 Mr. Benson,
 Mr. Nicholson,
 Mr. McCulloch,
 Mr. Rae,
 Mr. Hervey,
 Mr. Taylor,
 Mr. Wills,
 Mr. O'Brien,
 Mr. Goodman, (*Teller*).

Noes, 12.
 Mr. O'Shanassy,
 Mr. Fyfe,
 Mr. Greeves,
 Mr. Harrison,
 Mr. Wheeler,
 The Commissioner of Trade and
 Customs
 Mr. Griffith,
 The Chief Secretary,
 The Treasurer,
 The Commissioner of Public Works,
 The Attorney General,
 The Surveyor General, (*Teller*).

THURSDAY, JANUARY 24TH.

No. 6.—*Victoria Electoral Act*.—Clause LX.

Every such committee shall have power to adjourn its sitting from time to time as in its discretion it shall think proper provided that the interval of adjournment shall not in any instance exceed days unless the Council or Assembly shall be adjourned for a longer period or unless by leave first obtained from the Council or Assembly as the case may be and in case of the adjournment of the Council or Assembly to a day subsequent to the day fixed for the adjournment of such committee after such last mentioned day shall have been so fixed then the next meeting of such committee shall be held on the day to which the Council or Assembly shall have been adjourned and in case members shall not have met together within hour of the time appointed for an original or adjourned meeting it shall be competent to the members to adjourn within the limits and subject to the restrictions aforesaid and every such committee shall elect its own chairman and shall have power to regulate the form and manner of its own proceedings Provided that such proceedings shall be conducted openly except when the committee shall think it necessary to deliberate among themselves after hearing evidence and argument if offered and all questions before the committee shall be decided by a majority of "votes" and whenever the votes are equal the chairman shall have a casting vote and no member of the committee shall be allowed to refrain from voting on any question on which the committee is divided and the said committee shall be attended by one of the clerks of the house who shall make a minute of all proceedings of the committee in such form and manner as shall be from time to time directed by the committee and a copy of the minutes shall be laid from time to time or at the termination of any enquiry before the Council or Assembly as the case may be.

Motion made and question put—That after the word "votes" occurring in the fifteenth line of the above clause the words "and the chairman shall have a vote" be inserted.—
 (*Mr. Greeves.*)

Committee divided.

Ayes, 13.
 Mr. Greeves,
 Mr. O'Shanassy,
 Mr. Russell,
 Mr. Riddell,
 Mr. Griffith,
 Mr. Highett,
 Mr. Forlonge,
 Mr. Harrison,
 Mr. Murphy,
 The Commissioner of Public Works,
 The Treasurer,
 The Chief Secretary,
 The Commissioner of Trade and
 Customs, (*Teller*).

Noes, 23.
 Mr. Taylor,
 Mr. King,
 Mr. Wills,
 Mr. O'Brien,
 Mr. Wheeler,
 Mr. Burnley,
 Mr. Longden,
 Mr. Hodgson,
 Mr. Cameron,
 Mr. Nicholson,
 Mr. Humffray,
 Mr. Fyfe,
 Mr. Myles,
 Mr. Goodman,
 Mr. Pyke,
 Dr. Owens,
 Mr. Benson,
 Mr. Grant,
 Mr. Beaver,
 Mr. Lalor,
 Mr. Sargoood,
 The Attorney General,
 Dr. Embling (*Teller*).

VICTORIA.

LEGISLATIVE COUNCIL.

No. 5.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.*Extracted from the Minutes.***Session 1855-56.**TUESDAY, 29TH JANUARY.No. 1.—*Philosophical Institute.*

Question—That this Committee consider it expedient that an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £500 as a grant in aid of the Philosophical Institute of Victoria.—(*Mr. Hodgson.*)

Motion made and question put—That this Committee consider it expedient that an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency may be pleased to place on the Estimates for 1856 a sum not exceeding £250 as a grant in aid of the Philosophical Institute of Victoria.—(*Mr. Greeves.*)

Committee divided.

Ayes, 21.

Mr. Wills,
Mr. Sargood,
Mr. Goodman,
Mr. Nicholson,
Mr. Miller,
Mr. Wilkinson,
The Solicitor General,
Dr. Embling,
The Commissioner of Public Works,
The Treasurer,
The Attorney General,
The Chief Secretary,
Mr. Taylor,
Mr. Fellows,
Mr. A'Beckett,
Mr. Griffith,
Mr. Riddell,
Mr. Murphy,
Mr. Greeves,
Mr. Pohlman,
The Commissioner of Trade and
Customs, (*Teller.*)

Noes, 14.

Mr. Chapman,
Mr. Russell,
Mr. Wheeler,
Mr. Lalor,
Mr. Cameron,
Mr. Rae,
Mr. Benson,
Mr. Pyke,
Mr. Longden,
Mr. Humffray,
Mr. Myles,
Mr. Fyfe,
Mr. Fawkner,
Mr. Hodgson (*Teller.*)

WEDNESDAY, 30TH JANUARY.

No. 2.—*Victoria Electoral Bill*.—Proposed New Clause.

Before delivering the ballot paper to the elector as hereinbefore provided the Returning Officer or Deputy Returning Officer shall write upon each ballot paper so delivered to such elector the number corresponding to the number set opposite to the elector's name in the Electoral Roll and shall thereupon strike out of the Electoral Roll such voter's name as having voted.

Question—That the above clause stand part of the Bill—put.—(*Mr. Goodman.*)

Committee divided.

Ayes, 29.

The Chief Secretary,
The Attorney General,
The Treasurer,
The Commissioner of Public Works,
The Commissioner of Trade and
Customs,
The Surveyor General,
The Solicitor General,
Dr. Embling,
Mr. Humffray,
Dr. Owens,
Mr. Forlonge,
Mr. Wills,
Mr. Goodman,
Mr. Mollison,
Mr. Knight,
Mr. Rae,
Mr. Lalor,
Mr. Benson,
Mr. Wheeler,
Mr. Strachan,
Mr. Kennedy,
Lieut. Col. Anderson,
Mr. Riddell,
Mr. Pohlman,
Mr. Griffith,
Mr. O'Shanassy,
Mr. King,
Mr. Smith,
Mr. Greeves, (*Teller.*)

Noes, 12.

Mr. Hervey,
Mr. Ross,
Mr. O'Brien,
Mr. Myles,
Mr. Henty,
Mr. Cameron,
Mr. Fyfe,
Mr. Nicholson,
Mr. Murphy,
Mr. Hodgson,
Mr. Miller,
Mr. Taylor, (*Teller.*)

No. 3.—Clause LXVI.

It shall be competent for the Council or Assembly as the case may be upon any petition subscribed as aforesaid complaining of the insufficiency of the qualification of any member and presented to the President or Speaker at any time within _____ months after such member shall have subscribed the declaration required by law to be made by him in his place in the said Council or Assembly touching his qualification to refer the said petition and the question thereby raised to the Committee of Elections and Qualifications and it shall also be competent to the said Council or Assembly upon the like petition to refer to any such Committee all questions respecting bribery or corruption alleged to have been committed at any election at any time within _____ months after such election notwithstanding that in either of the above cases the period shall have elapsed for a petition against the said election or the return thereof according to the provisions hereinbefore in that behalf contained and in all matters connected with elections the acts of all authorised agents of a candidate or member shall be held to be the acts of their principal provided that it be proved to the satisfaction of the committee that such acts were committed with his knowledge power or consent.

Motion made—That the blank occurring in the third line of the above clause be filled up with the word "*three.*"—(*The Attorney General.*)

Motion made and question put—That the blank occurring in the third line of the above clause be filled up with the word "*One.*"—(*Mr. Myles.*)

Committee divided.

Ayes, 16.

Mr. King,
Mr. Pyke,
Mr. Wheeler,
Mr. Humffray,
Dr. Owens,
Mr. Rae,
Mr. O'Shanassy,
Mr. Cameron,
Mr. Fyfe,
Mr. Wills,
Mr. Benson,
Mr. Horne,
Mr. Wilkinson,
Mr. Greeves,
Mr. Hodgson,
Mr. Myles, (*Teller.*)

Noes, 23.

Mr. Griffith,
The Commissioner of Public Works,
Mr. Riddell,
Mr. Kennedy,
The Solicitor General,
Mr. Highett,
Mr. Burnley,
Mr. O'Brien,
Mr. Taylor,
Mr. Russell,
The Attorney General,
The Chief Secretary,
The Treasurer,
Mr. Strachan,
Mr. Murphy,
Mr. Nicholson,
Mr. Goodman,
The Commissioner of Trade and
Customs,
Mr. Fawkner,
Mr. Fellows,
Mr. Pohlman,
The Surveyor General,
Mr. Mollison, (*Teller.*)

No. 4.—Clause XXXVI.

On the day of nomination the returning officer shall preside at a meeting to be holden at noon at the place named for that purpose in the writ and shall read aloud the said writ or otherwise make known the purpose for which such meeting is held and if there be at such meeting no more candidates "*proposed*" than the number of members to be returned the returning officer shall declare such candidate or candidates to be duly elected and make his return accordingly and in the event of there being more candidates than the number of persons to be elected the returning officer shall call for a show of hands separately in favor of each candidate and after such show of hands shall declare the person or persons on whom the election has fallen and shall return the same accordingly unless a poll be then and there demanded either by some one of the candidates who may have been proposed and seconded by electors or by not less than _____ of the electors of the province or district on behalf of any of the candidates and if such demand be made for a poll the polling shall take place at the different polling places for the province or district or any division thereof respectively on the day appointed in the writ for that purpose.

Question—That the above Clause stand part of the Bill.—(*The Attorney General.*)

Motion made—That clause XXXVI. be struck out of the Bill and the following clause inserted in the place thereof.—(*Mr. Nicholson.*)

It shall be lawful for any two electors of any district before the time fixed for nomination to address and forward to the returning officer of such district a letter signed by such two electors as proposer and seconder of a person to be therein named as a candidate to represent the district and which letter shall also contain a declaration signed by the person so proposed and seconded that he will if elected duly serve as member and on the day of nomination named in the writ the returning officer shall attend at noon at the chief polling place of the electoral district and shall then open the letters so addressed to him and if there shall not be a greater number of candidates so proposed and seconded as aforesaid than are by such writ required to be elected the returning officer shall declare such candidate or candidates to be duly elected and make his return accordingly and in the event of there being more candidates than are by such writ required the returning officer shall give notice at such chief polling place of the names of the candidates and of the persons by whom they have been proposed and seconded and the polling shall take place at the different polling places for the province or district or any division thereof respectively on the day appointed in the writ for that purpose.

Question—That clause XXXVI. be struck out of the Bill—put.

Committee divided.

Ayes, 6.

Mr. Highett,
Mr. Nicholson,
Mr. Cameron,
Mr. Rae,
Mr. Fellows,
Mr. Griffith, (*Teller.*)

Noes, 30.

The Treasurer,
The Commissioner of Trade and
Customs,
Mr. Mollison,
Mr. Riddell,
Mr. Russell,
Mr. Taylor,
Mr. King,
Mr. O'Brien,
Mr. Wheeler,

Noes—*Continued.*

Mr. Myles,
 Mr. Wilkinson,
 Mr. Pyke,
 Mr. Knight,
 The Solicitor General,
 Mr. Murphy,
 Mr. Benson,
 Dr. Owens,
 Mr. Grant,
 Mr. Humffray,
 Mr. Fyfe,
 Mr. O'Shanassy,
 Mr. Chapman,
 Mr. Fawkner,
 Mr. Hodgson,
 Mr. Burnley,
 The Attorney General,
 Mr. Horne,
 The Chief Secretary,
 The Commissioner of Public Works,
 The Surveyor General, (*Teller.*)

No. 5—Clause XXXVI.

Motion made and question put—That after the word "*proposed*" occurring in the fourth line of the above clause the following words be inserted "*and seconded by electors of the province or district as the case may be.*"—(*Mr. Myles.*)

Committee divided.

Ayes, 6.

Mr. Fawkner,
 Mr. Fyfe,
 Mr. Wilkinson,
 Mr. Cameron,
 Mr. O'Brien,
 Mr. Myles, (*Teller.*)

Noes, 22.

Mr. Mollison,
 The Commissioner of Public Works,
 The Chief Secretary,
 Mr. Griffith,
 Mr. King,
 The Attorney General,
 Mr. Hodgson,
 Mr. Chapman,
 Mr. O'Shanassy,
 Mr. Rae,
 Mr. Humffray,
 Mr. Fellows,
 Mr. Nicholson,
 The Surveyor General,
 Mr. Wheeler,
 Dr. Owens,
 Mr. Benson,
 The Solicitor General,
 The Commissioner of Trade and
 Customs,
 The Treasurer,
 Mr. Murphy,
 Mr. Riddell, (*Teller.*)

THURSDAY, 31st JANUARY.

No. 6.—*Assessment on Stock Bill.*—Clause I.

The said recited Act shall be and the same is hereby re-enacted Provided that in lieu of the day appointed by the first section of the said recited Act before which the payment of the assessments in every year subsequent to the year One thousand eight hundred and fifty-four shall be made the thirty-first day of May shall be the day on or before which the assessments made payable by the said recited Act and this Act shall be paid and in lieu of the day appointed by the second section of the said recited Act in every year subsequent to the year One thousand eight hundred and fifty-four for persons pasturing or keeping stock to make returns of stock the first day of March shall be substituted and in lieu of the day appointed by the third section of the said recited Act for every year subsequent to the year One thousand eight hundred and fifty-four after which it shall be lawful to impound and sell stock as therein provided the thirty-first of May shall be substituted and in lieu of the day appointed by the fourth section of the said recited Act on or before which in every year subsequent to the year One thousand eight hundred and fifty-four the Commissioners shall make a return to the Colonial Treasurer as therein provided the thirty-first day of March shall be substituted and the period named in the fifth section of the said recited Act at which the notice requiring payment of such assessments shall be published in the *Gazette* and local newspapers previous to the time appointed for such payment shall refer to the period previous to the time appointed by this Act for the payment of such assess-

ment and in lieu of the time named in the said fifth section as the time at which such payment is to be made in every year subsequent to the year One thousand eight hundred and fifty-four to be inserted in such notice as aforesaid the thirty-first day of May shall be substituted.

Motion made and question put—That the following proviso be added at the end of the above clause—“ Provided that the several amounts payable to the Government under the first section of the said recited Act shall be twice the amount so payable on the several descriptions of stock described therein.”—(*Mr. O'Shanassy.*)
Committee divided.

Ayes, 17.

Mr. Hodgson,
Mr. Myles,
Mr. Cameron,
Mr. Pyke,
Mr. Fyfe,
Mr. Longden,
Mr. Wheeler,
Mr. O'Shanassy,
Mr. Chapman,
Mr. Fawkner,
Mr. Nicholson,
Mr. Rae,
Dr. Owens,
Mr. Benson,
Mr. Lalor,
Mr. O'Brien,
Mr. Strachan, (*Teller.*)

Noes, 26.

The Chief Secretary,
The Speaker,
The Commissioner of Public Works,
Mr. Murphy,
Mr. Taylor,
Mr. King,
Mr. Wills,
Mr. Griffith,
Mr. Mollison,
Mr. McCulloch,
Mr. Highett,
The Commissioner of Trade and
Customs,
Mr. Knight,
Mr. Russell,
Mr. Bradshaw,
Mr. Kennedy,
Mr. Forlonge,
Mr. Goodman,
Mr. Campbell,
The Surveyor General,
The Attorney General,
Mr. Miller,
Mr. Smith,
The Treasurer,
Mr. Riddell,
Mr. Hervey, (*Teller.*)

No. 7.—Same Clause.

Motion made—That the following words be added at the end of the above clause—“ Provided nevertheless that the assessment on all sheep shall be at the ‘rate of’ three pence per head, and on all cattle at the rate of one shilling and sixpence per head, and on all horses at the rate of three shillings per head, in the place of the sums respectively assessed by the first clause of the said recited Act.”—(*Mr. Fawkner.*)

Motion made and question put—That the sums payable shall be, on all sheep at the rate of two pence per head, on all cattle at the rate of one shilling per head, and on all horses at the rate of two shillings per head.—(*Mr. Goodman.*)
Committee divided.

Ayes, 24.

The Chief Secretary,
The Treasurer,
The Attorney General,
The Commissioner of Public Works,
Mr. Russell,
Mr. Fellows,
Mr. Goodman,
Mr. Campbell,
Mr. Forlonge,
Mr. Mollison,
Mr. McCulloch,
Mr. Bradshaw,
The Commissioner of Trade and
Customs,
Mr. Taylor,
Mr. Highett,
Mr. Riddell,
Mr. Murphy,
Mr. Griffith,
Mr. Hervey,
Mr. Miller,
The Surveyor General,
Mr. Knight,
The Speaker,
Mr. King, (*Teller.*)

Noes, 19.

Mr. Chapman,
Mr. Hodgson,
Mr. O'Shanassy,
Mr. Fawkner,
Mr. Strachan,
Mr. Nicholson,
Mr. Fyfe,
Mr. Longden,
Mr. Cameron,
Mr. Grant,
Mr. Pyke,
Mr. Benson,
Dr. Owens,
Mr. Rae,
Mr. Lalor,
Mr. Wheeler,
Mr. Wills,
Mr. O'Brien,
Mr. Myles, (*Teller.*)

FRIDAY, 1st FEBRUARY.

No. 8.—*Geelong and Western District Agricultural and Horticultural Society.*

Question—That this Committee consider it expedient that an Address be presented to His Excellency the Officer administering the Government, requesting him to cause to be placed on the Estimates for 1856 the sum of £250 sterling in aid of "The Geelong and Western District Agricultural and Horticultural Society," and the like sum in aid of "The Villiers and Heytesbury Association."—(*Mr. Wills.*)

Motion made and question put—That the following words be added at the end of the above resolution—"on condition of an equal sum in each case being raised by private subscription."—(*Mr. Greeves.*)

Committee divided.

Ayes, 12.

Mr. Greeves,
Mr. Cameron,
Mr. Fawcner,
Mr. Longden,
Dr. Embling,
Dr. Owens,
Mr. Benson,
Mr. Lalor,
Mr. Rae,
Mr. Goodman,
Mr. A'Beckett,
Mr. Mollison, (*Teller.*)

Noes, 26.

Mr. Murphy,
Mr. Campbell,
The Commissioner of Public Works,
The Chief Secretary,
The Commissioner of Trade and
Customs,
Mr. Hervey,
Mr. Knight,
Mr. Taylor,
Mr. Wills,
Mr. Smith,
The Attorney General,
Mr. Miller,
The Treasurer,
Mr. Chapman,
Mr. O'Shanassy,
Mr. Nicholson,
Mr. Pohlman,
Lieut. Col. Anderson,
Mr. Fellows,
Mr. Griffith,
The Surveyor General,
Mr. O'Brien,
Mr. Myles,
Mr. Burnley,
Mr. Wheeler,
Mr. Horne, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 6.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.*Extracted from the Minutes.***Session 1855-56.**

WEDNESDAY, 6TH FEBRUARY.

No. 1.—*Victoria Electoral Bill.*—Clause III.

The collector of each province and district or division thereof respectively shall before the first day of May in the year One thousand eight hundred and fifty-six and before the first day of April in every succeeding year ascertain to the best of his ability the names place of abode and the nature of the qualification of every elector in his area of collection and shall insert the same in a list of electors to be arranged in alphabetical order according to their surnames and every person claiming either in person or by a written notice or letter to be qualified as an elector and stating his name place of abode and qualification shall be inserted in such list notwithstanding the collector shall have reasonable cause to believe that such person so claiming is not a duly qualified elector but in the case of any reasonable doubt of such qualification being entertained by such collector he shall add the word "objected" before the name of any such person on the margin of any such list and in every year after the present year such collector shall include in such list all names which shall be upon the roll then in force for such province district or division but shall add the word "objected" before the name of any person so taken from such electoral roll of whose qualification he has reasonable doubt and such collector shall add the word "dead" before the name of any person in the list whom he shall have reasonable cause to believe dead whether such name be or be not taken from the said electoral roll then in force.

Motion made and question put—That the following proviso be inserted at the end of the above clause—" Provided that any miner who shall be possessed of a Miner's 'Right' for the previous twelve months shall on renewing such 'Right' be entitled to claim that he be at once placed on the electoral roll provided further that the 'Right' previously held by any miner so claiming shall not have lapsed by reason of overtime and every miner claiming to be so placed on the electoral roll shall at the time of renewing such 'Right' enter his signature or mark on the counterfoil and the registrar or collector in compiling the electoral roll shall accept such signature or mark as genuine evidence of the qualification of any miner so claiming."—(*Mr. Pyke.*)

Committee divided.

Ayes, 6.

Mr. Humffray,
Mr. Lalor,
Mr. Benson,
Mr. Cameron,
Mr. Grant,
Mr. Pyke, (*Teller.*)

Noes, 22.

The Commissioner of Public Works,
Lieut. Col. Anderson,
Mr. Wills,
Mr. Taylor,
Mr. Myles,
Mr. Wilkinson,
Mr. Burnley,
Mr. Highett,
Mr. Murphy,
The Solicitor General,
Mr. O'Brien,
Mr. Harrison,
The Surveyor General,
Mr. Wheeler,
Mr. Rae,
The Attorney General,
Mr. Greeves,
The Commissioner of Trade and
Customs,
Mr. Horne,
The Chief Secretary,
Mr. Griffith,
Mr. A'Beckett, (*Teller.*)

No. 2.—Clause LXXVI.

All such proceedings as aforesaid shall be had and taken in a summary way and no such proceedings shall be removed by *certiorari* into the Supreme Court of the Colony of Victoria and the amount of all fines and penalties shall go “*and be distributed one half thereof to the informer or person prosecuting for the same and the other half*” to Her Majesty Her Heirs and Successors for the public uses of Victoria and in support of the Government thereof.

Motion made and question put—That the words “*and be distributed one half thereof to the informer or person prosecuting for the same and the other half;*” occurring in the above clause be struck out.—(Mr. Humffray.)

Committee divided.

Ayes, 7.
Mr. Benson,
Mr. Harrison,
Mr. Humffray,
Mr. Pyke,
Mr. Myles,
Mr. Smith,
Mr. Wheeler, (Teller.)

Noes, 19.
The Surveyor General,
The Chief Secretary,
The Speaker,
The Commissioner of Public Works,
Mr. Strachan,
Mr. Riddell,
Mr. O'Brien,
Mr. A'Beckett,
Mr. Wills,
Mr. Burnley,
Mr. Beaver,
Mr. Griffith,
The Solicitor General,
Mr. Murphy,
The Commissioner of Trade and
Customs,
Mr. Greeves,
The Attorney General,
Mr. O'Shanassy,
Mr. Mollison, (Teller.)

No. 3.—Common Law Practice Bill.—Clause CXIII.

That if it be made appear at any time after issue joined to the satisfaction of the court or a judge upon the application of either party that the matter in dispute consist wholly or in part of matters of mere account which cannot conveniently be tried in the ordinary way it shall be lawful for such court or judge upon such application if they or he think fit to decide such matter in a summary manner or to order that such matter either wholly or in part be referred to some barrister-at-law to be appointed in such order and to two other persons one of whom shall be appointed by the plaintiff and the other by the defendant so as such *three* arbitrators or any *two* of them shall make and publish their award in writing of and concerning such matter on or before the day named for that purpose in such order or on or before such further day as they or any *two* of them shall by writing indorsed on the same order appoint and such order shall be made upon such terms as the court or a judge shall think fit.

Motion made and question put—That the consideration of the above clause be postponed in order to admit of its being altered to meet cases for voluntary arbitration only.—(Mr. Horne.)

Committee divided.

Ayes, 16.
Mr. Knight,
Mr. Greeves,
Mr. Pohlman,
Mr. Wheeler,
The Treasurer,
Mr. Grant,
Mr. Mollison,
Mr. Longden,
Mr. Horne,
Mr. Rae,
Dr. Owens,
Mr. Humffray,
Mr. Benson,
Mr. Lalor,
Mr. Pyke,
Mr. Goodman, (Teller.)

Noes, 9.
Mr. Fyfe,
The Commissioner of Public Works,
The Chief Secretary,
The Attorney General,
Mr. Chapman,
The Solicitor General,
Mr. Myles,
Mr. Wills,
Mr. Fellows, (Teller.)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 7.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

*Extracted from the Minutes.***Session 1855-56.**TUESDAY, 12TH FEBRUARY.No. 1—*Common Law Practice Bill.*—New Clause CCCXLIX.

That all actions of trespass *quare clausum fregit* all actions of trespass detinue actions sur trover and replevin for taking away of goods and cattle all actions upon the case and all actions of assault menace battery wounding and imprisonment or any of them which shall be sued or brought at any time after the commencement of this Act against the Sheriff or any Deputy Sheriff for anything done by him in the intended execution of his duty shall be commenced and sued within the time and limitation hereinafter expressed and not after that is to say within twelve months after the commencement of this Act or within months next after the cause of such actions and suits and not after.

Motion made—That the blank occurring in the eighth line of the above clause be filled up with the words “six.”—(*Mr. Fellows.*)

Motion made and question put—That the blank occurring in the eighth line of the above clause be filled up with the words “thirty-six.”—(*Mr. Grant.*)

Committee divided.

Ayes, 17.

The Commissioner of Trade and
Customs,
Mr. Grant,
Mr. Wheeler,
Mr. Cameron,
Mr. Fyfe,
Mr. Humffray,
Mr. Greeves,
Mr. O'Shanassy,
Dr. Owens,
Mr. Benson,
Mr. Lalor,
Mr. Rae,
Mr. Myles,
Mr. Fawkner,
Mr. O'Brien,
Mr. Murphy,
Mr. Taylor, (*Teller.*)

Noes, 16.

The Attorney General,
The Chief Secretary,
The Treasurer,
The Commissioner of Public Works,
Lieut. Col. Anderson,
Mr. Horne,
Mr. Miller,
Mr. Forlonge,
Mr. Chapman,
Mr. Henty,
Mr. Nicholson,
Mr. A'Beckett,
Mr. Fellows,
Mr. Griffith,
The S. General,*
Mr. Hodgson (*Teller.*)

Sic in orig.

No. 2.—*Colonial Barristers and Attornies Admission Bill.*

Motion made and question put—That the Chairman report progress and ask leave to sit again this day six months.—(*Mr. Horne.*)

Committee divided.

Ayes, 20.
 Mr. Campbell,
 Mr. King,
 Mr. Miller,
 Mr. Griffith,
 Mr. Knight,
 The Chief Secretary,
 The Attorney General,
 Mr. Wilkinson,
 The Treasurer,
 The Commissioner of Trade and
 Customs,
 The Commissioner of Public Works,
 The Solicitor General,
 The Surveyor General,
 Mr. A'Beckett,
 Mr. Fellows,
 Mr. Chapman,
 Mr. Taylor,
 Mr. Mollison,
 Mr. Hodgson,
 Mr. Horne, (*Teller.*)

Noes, 17.
 Mr. Greeves,
 Mr. O'Brien,
 Mr. O'Shanassy,
 Mr. Wheeler,
 Mr. Fawkner,
 Mr. Myles,
 Mr. Burnley,
 Mr. Lalor,
 Mr. Grant,
 Mr. Fyfe,
 Mr. Longden,
 Dr. Embling,
 Mr. Nicholson,
 Mr. Benson,
 Mr. Cameron,
 Dr. Owens,
 Mr. Humffray, (*Teller.*)

No 3.—*Collingwood Bridge Company Bill.*—Clause I.

That Esquires and all and every other person and corporation who shall hereafter become subscribers to the said undertaking and their several and respective successors executors administrators and assigns shall be and are united into a company for making constructing completing and maintaining the bridge and other works by this Act authorised to be made and executed and for that purpose shall be one body corporate by the name and style of "The Collingwood Bridge Company" and by that name shall have perpetual succession and shall have a common seal and by that name shall and may sue and be sued plead and be impleaded answer and be answered unto defend and be defended in all courts and places whatsoever.

Motion made and question put—That the blank occurring in the first line of the above clause be filled up with the names "John Hodgson, John Carson, and William Frederick Augustus Rucker."—(*Mr. Miller.*)

Committee divided.

Ayes, 22.
 Mr. Horne,
 The Chief Secretary,
 The Attorney General,
 The Commissioner of Trade and
 Customs,
 The Treasurer,
 Mr. Knight,
 Mr. A'Beckett,
 The Commissioner of Public Works,
 The Solicitor General,
 The Surveyor General,
 Mr. Longden,
 Mr. Miller,
 Mr. Fyfe,
 Mr. O'Brien,
 Mr. Fellows,
 Mr. Myles,
 Mr. Lalor,
 Mr. O'Shanassy,
 Dr. Owens,
 Mr. Benson,
 Mr. Humffray,
 Mr. Greeves, (*Teller.*)

Noes, 3.
 Mr. Fawkner,
 Mr. Cameron,
 Dr. Embling, (*Teller.*)

No. 4.—Same.—Clause II.

The capital stock of the company hereby established shall be twelve thousand pounds sterling and shall be divided into twelve thousand shares of one pound each and upon taking any share every subscriber shall pay to the chairman or other proper officer of the said company the sum of sterling for every share which shall be so taken and shall pay the remaining amount of every such share to such person or persons and in such parts or proportions as the directors of the said company shall deem necessary and from time to time to call for and require Provided always that no such call shall exceed the sum of for or in respect of any one share and that no call or calls be made but at the distance of months at the least from the last call and that notice of every such call shall be given in the *Victoria Government Gazette* and in one or more of the newspapers published in the City of Melbourne days at the least before the day appointed for the payment of the same.

Motion made—That the blank occurring in the fourth line of the above clause be filled up with the words “ six shillings.”—(*Mr. Miller.*)

Motion made—That the blank occurring in the fourth line of above clause be filled up with the words “ ten shillings.”—(*Mr. Fawkner.*)

Question—That the blank occurring in the fourth line of the above clause be filled up with words “ six shillings ”—put.

Committee divided.

Ayes, 11.
Mr. Horne,
Mr. Taylor,
The Commissioner of Public Works,
The Commissioner of Trade and
Customs,
The Treasurer,
The Surveyor General,
Mr. Longden,
Mr. Miller,
Mr. O'Brien,
Mr. Greeves,
Mr. Knight, (*Mr. Knight.*)

Noes, 4.
Mr. Fawkner,
Mr. Myles,
Mr. Cameron,
Dr. Embling, (*Teller.*)

No. 5.—Same.—Motion made and question put—That the Chairman report progress and ask leave to sit again on Friday.—(*Mr. Fawkner.*)

Committee divided.

Ayes, 7.
The Treasurer,
Mr. Taylor,
Dr. Embling,
Mr. Fawkner,
Mr. Cameron,
Mr. O'Brien,
The Commissioner of Trade and
Customs, (*Teller.*)

Noes, 8.
Mr. Knight,
The Commissioner of Public Works,
Mr. Miller,
Mr. Myles,
Mr. Greeves,
Mr. Longden,
The Surveyor General,
Mr. Fyfe, (*Teller.*)

No. 6.—Same.—Clause II.

Motion made.—That the blank occurring in the eighth line of the above clause be filled up with the words “ two shillings.”—(*Mr. Miller.*)

Motion made and question put—That the blank occurring in the eighth line of the above clause be filled up with the words “ four shillings.”—(*Mr. Fawkner.*)

Committee divided.

Ayes, 3
 Mr. Fawkner,
 Mr. Cameron,
 Dr. Embling, (*Teller.*)

Noes, 13.
 Mr. O'Brien,
 Mr. Myles,
 Mr. Miller,
 Mr. Greeves,
 Mr. Longden,
 The Commissioner of Public Works,
 The Surveyor General,
 The Treasurer,
 The Chief Secretary,
 The Commissioner of Trade and
 Customs,
 Mr. Taylor,
 Mr. Knight,
 Mr. Fyfe, (*Teller.*)

WEDNESDAY, 13TH FEBRUARY.

No. 7.—*Finance—Estimates for 1856.*

Motion made—That the sum of £100,000 be appropriated for the purposes of Assisted Immigration, such sum to be remitted to the Colonial Land and Immigration Commissioners during the year 1856, in addition to deposits under the "Immigration Remittance Regulations."

That one-half of the number of Statute Adults despatched under this vote to Victoria should be single females.

That one-third of the Emigrants despatched to Victoria should be sent to Melbourne, one-third to Geelong, one-sixth to Portland, and one-sixth to Port-Fairy.

That two hundred Statute Adults should be sent from emigrant ships in other ports to Port Albert.—(*The Commissioner of Trade and Customs.*)

Mr. Fawkner moved as an amendment—That all the words in the second resolution after the word "that" be omitted with a view to insert the following words in lieu thereof—
 "in the opinion of this Committee a Select Committee be appointed to take into consideration the regulations under which immigration shall be conducted for the year 1856."

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

Committee divided.

Ayes, 23.
 The Attorney General,
 The Chief Secretary,
 The Surveyor General,
 The Commissioner of Public Works,
 Mr. Chapman,
 Mr. A'Beckett,
 Mr. Cameron,
 Mr. Mollison,
 Mr. O'Brien,
 Mr. O'Shanassy,
 Mr. Hodgson,
 Mr. Wills,
 Mr. Wilkinson,
 Mr. Beaver,
 Mr. Wheeler,
 Mr. Grant,
 Mr. Horne,
 Mr. Knight,
 Mr. Greeves,
 The Acting Chief Commissioner of
 Police,
 The Treasurer,
 The Solicitor General,
 The Commissioner of Trade and
 Customs, (*Teller.*)

Noes, 11.
 Mr. Nicholson,
 Mr. Fyfe,
 Mr. Longden,
 Mr. Pyke,
 Mr. Fawkner,
 Mr. Rae,
 Mr. Humffray,
 Mr. Benson,
 Dr. Owens,
 Mr. Lalor,
 Mr. Myles, (*Teller.*)

THURSDAY, 14TH FEBRUARY.

No. 8.—*Finance—Estimates for 1856.*

Question proposed—That a sum not exceeding £1000 be appropriated to defray the salary of the Immigration Agent for the year 1856.—(*The Treasurer.*)

Motion made and question put—That a sum not exceeding £800 be appropriated to defray the salary of the Immigration Agent for the year 1856.—(*Mr. Fawcner.*)

Committee divided.

Ayes, 21.

Mr. Humffray,
Mr. Chapman,
Mr. Pyke,
Mr. Grant,
Mr. Wheeler,
Mr. Fawcner,
Mr. Nicholson,
Mr. Benson,
Mr. O'Shanassy,
Dr. Embling,
Mr. Cameron,
Mr. McCulloch,
Mr. Sargood,
Mr. Strachan,
Mr. Burnley,
Mr. Wilkinson,
Mr. O'Brien,
Mr. King,
Mr. Taylor,
Mr. Knight,
Mr. Fyfe, (*Teller.*)

Noes, 28.

The Commissioner of Public Works,
The Speaker,
Mr. Greeves,
The Chief Secretary,
Mr. Griffith,
Mr. Murphy,
Mr. Campbell,
The Acting Chief Commissioner of
Police,
Mr. Wills,
Mr. Myles,
Mr. Lalor,
Mr. Highett,
Mr. Mollison,
Mr. Rae,
The Commissioner of Trade and
Customs,
Mr. Forlonge,
Mr. Kennedy,
Mr. Longden,
The Surveyor General,
Mr. Hervey,
The Solicitor General,
The Treasurer,
The Attorney General,
Mr. Hodgson,
Mr. Miller,
Mr. Smith,
Mr. Beaver,
Mr. Horne, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 8.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

*Extracted from the Minutes.***Session 1855-56.**TUESDAY, 19TH FEBRUARY.No. 1—*Bridge over the Merri River.*

Question proposed—That this Committee considers it expedient that an Address be presented to His Excellency the Officer administering the Government, praying His Excellency to cause a sum sufficient for the erection of a bridge over the Merri River, to be placed upon the Estimates for this year.—(*Mr. Horne.*)

Motion made and question put—That the Chairman leave the chair.—(*The Chief Secretary.*)

Committee divided.

Ayes, 21.
 The Chief Secretary,
 The Treasurer,
 Mr. O'Brien,
 The Surveyor General,
 The Commissioner of Trade and
 Customs,
 Mr. Fawcner,
 The Solicitor General,
 Mr. Strachan,
 Mr. Nicholson,
 Mr. Rae,
 Mr. Lalor,
 Mr. Sargood,
 Mr. Campbell,
 Mr. Taylor,
 Mr. Highett,
 Mr. Murphy,
 Mr. A'Beckett,
 Mr. Fellows,
 Mr. Cameron,
 Mr. Wilkinson,
 The Commissioner of Public Works,
 (*Teller.*)

Noes, 20.
 The Speaker,
 Mr. Griffith,
 Mr. Riddell,
 Mr. Miller,
 Mr. Goodman,
 Mr. Hervey,
 Mr. Knight,
 Mr. King,
 Mr. Wills,
 Mr. Myles,
 Mr. Wheeler,
 Mr. Beaver,
 Mr. Humffray,
 Mr. Longden,
 Mr. Benson,
 Mr. O'Shanassy,
 Mr. Hodgson,
 Mr. Greeves,
 Mr. Smith,
 Mr. Horne, (*Teller.*)

WEDNESDAY, 20TH FEBRUARY.No. 2.—*Finance—Estimates for 1856.—Police—General Police Force.*

Question proposed—That a sum not exceeding £7450 be appropriated to defray the salaries of thirteen superintendents, six at £600 and seven at £500 each per annum.—
(*The Treasurer.*)

Motion made and question put—That a sum not exceeding £6150 be appropriated to defray the salaries of thirteen superintendents, six at £500 and seven at £450 each per annum.—
(*Mr. Fawcner.*)

Committee divided.

Ayes, 10.

Dr. Owens,
Mr. Humffray,
Mr. Benson,
Mr. Lalor,
Mr. Myles,
Mr. Fawcner,
Mr. O'Brien,
Mr. Grant,
Mr. Cameron,
Mr. Pyke, (*Teller.*)

Noes, 32.

The Chief Secretary,
The Surveyor General,
Mr. Murphy,
Mr. Hervey,
Mr. Taylor,
Mr. Knight,
The Acting Chief Commissioner of
Police,
Mr. King,
Mr. Wills,
Mr. Wheeler,
Mr. Wilkinson,
Mr. A'Beckett,
Mr. Highbett,
Mr. Beaver,
Mr. Fellows,
Dr. Embling,
The Commissioner of Trade and
Customs,
The Solicitor General,
Mr. Strachan,
The Treasurer,
Mr. Longden,
Mr. Nicholson,
Mr. Hodgson,
Mr. Miller,
Mr. Greeves,
Mr. Smith,
Mr. Horne,
Mr. Campbell,
The Commissioner of Public Works,
Mr. Griffith,
Mr. O'Shanassy,
Mr. Russell, (*Teller.*)

No. 3.—Motion made and question put—That the Chairman report progress and ask leave to sit again to-morrow.—(*Mr. Greeves.*)

Committee divided.

Ayes, 15.

Mr. Smith,
Dr. Owens,
Mr. Wills,
Mr. O'Brien,
Mr. Benson,
Mr. Nicholson,
Mr. Wilkinson,
Mr. Cameron,
Mr. Strachan,
Mr. Grant,
Mr. Longden,
Mr. O'Shanassy,
Mr. Greeves,
Mr. Humffray,
Mr. Pyke, (*Teller.*)

Noes, 16.

Mr. Beaver,
The Commissioner of Trade and
Customs,
The Solicitor General,
Mr. Lalor,
Mr. Myles,
Mr. King,
The Acting Chief Commissioner of
Police,
Mr. Murphy,
The Chief Secretary,
Mr. Horne,
The Surveyor General,
Mr. Miller,
Mr. Hodgson,
The Commissioner of Public Works,
The Treasurer,
Mr. Knight, (*Teller.*)

No. 4.—Motion made and question put—That the Chairman report progress and ask leave to sit again to-morrow.—(*Mr. Miller.*)

Committee divided.

Ayes, 18.
 Mr. Grant,
 Mr. Cameron,
 Mr. Hodgson,
 Mr. O'Shanassy,
 Mr. Longden,
 Mr. Strachan,
 Mr. Nicholson,
 Mr. Benson,
 Dr. Owens,
 Mr. O'Brien,
 Mr. Wills,
 Mr. Greeves,
 Mr. Smith,
 Mr. Wilkinson,
 Mr. Miller,
 Mr. Humffray,
 Mr. Hervey,
 Mr. Pyke, (*Teller.*)

Noes, 15.
 The Chief Secretary,
 The Commissioner of Trade and
 Customs,
 Mr. Murphy,
 Mr. Knight,
 The Acting Chief Commissioner of
 Police,
 Mr. Myles,
 Mr. Wheeler,
 Mr. Lalor,
 The Solicitor General,
 The Commissioner of Public Works,
 The Treasurer,
 The Surveyor General,
 The Speaker,
 Mr. Horne,
 Mr. King, (*Teller.*)

THURSDAY, 21st FEBRUARY.

No. 5.—*Finance—Estimates for 1856.—Military—40th Regiment.*

Question proposed—That a sum not exceeding £59,082 9s. 8d. be appropriated to defray the pay of the 40th Regiment of the Line for the year 1856.—(*The Treasurer.*)

Motion made and question put—That a sum not exceeding £29,541 4s. 10d. be appropriated to defray the pay of the 40th Regiment of the Line for the year 1856.—(*Mr. O'Shanassy.*)

Committee divided.

Ayes, 10.
 Mr. Pyke,
 Mr. Myles,
 Mr. Grant,
 Mr. O'Shanassy,
 Mr. Humffray,
 Mr. Wheeler,
 Mr. Cameron,
 Mr. Benson,
 Dr. Owens,
 Mr. Strachan, (*Teller.*)

Noes, 34.
 Mr. Beaver,
 Mr. Griffith,
 Mr. Henty,
 Mr. O'Brien,
 Mr. Highett,
 Mr. Taylor,
 Mr. Burnley,
 Mr. Wilkinson,
 Mr. Lalor,
 Mr. Wills,
 Mr. King,
 Mr. Knight,
 The Acting Chief Commissioner of
 Police
 Mr. Murphy,
 The Chief Secretary,
 Mr. Hervey,
 Mr. Riddell,
 Mr. Campbell,
 Mr. Goodman,
 Mr. Greeves,
 Mr. Horne,
 The Surveyor General,
 Mr. Smith,
 Mr. Miller,
 Mr. Hodgson,
 Mr. Fawcner,
 Mr. Nicholson,
 Dr. Embling,
 The Solicitor General,
 Mr. Russell,
 The Treasurer,
 Mr. Longden,
 Mr. Rae,
 The Commissioner of Trade and
 Customs, (*Teller.*)

No. 6.—*Military—40th Regiment.*

Motion made and question put—That the consideration of the pay of the Surgeon and Paymaster of the 40th Regiment be postponed with a view to the increase of the same respectively.—(*Mr. Murphy.*)

Committee divided.

Ayes, 11.

Mr. Horne,
Mr. Riddell,
Mr. Murphy,
Mr. Miller,
Mr. Fawkner,
Mr. Greeves,
Mr. Taylor,
Mr. Nicholson,
Mr. Beaver,
Mr. Hodgson,
Dr. Embling, (*Teller.*)

Noes, 27.

The Chief Secretary,
The Surveyor General,
The Commissioner of Trade and
Customs,
Mr. Hervey,
The Acting Chief Commissioner of
Police,
Mr. Knight,
Mr. King,
Mr. Wills,
Mr. Lalor,
Mr. Burnley,
Mr. O'Brien,
Mr. Henty,
Mr. Griffith,
Mr. Highett,
Mr. Grant,
Dr. Owens,
Mr. Longden,
Mr. Benson,
Mr. Cameron,
Mr. Myles,
Mr. Russell,
The Solicitor General,
The Treasurer,
Mr. Strachan,
Mr. Smith,
Mr. Wilkinson,
Mr. Goodman, (*Teller.*)

No. 7.—*Barrack Master.*

Question proposed—That a sum not exceeding £637 5s. be appropriated to defray the allowance and pay of the department of Barrack Master for the year 1856.—(*The Treasurer.*)

Motion made and question put—That a sum not exceeding £337 5s. be appropriated to defray the allowance and pay of the department of the Barrack Master for the year 1856.—(*Mr. Greeves.*)

Committee divided.

Ayes, 19.

Mr. Hervey,
Mr. Strachan,
Mr. Cameron,
Mr. Greeves,
Mr. Longden,
Mr. Russell,
Mr. Fawkner,
Mr. Myles,
Mr. Benson,
Dr. Owens,
Mr. Wills,
Mr. Grant,
Mr. Humffray,
Mr. Nicholson,
Mr. Rae,
Mr. Hodgson,
Mr. Lalor,
Mr. Wilkinson,
Mr. Miller, (*Teller.*)

Noes, 12.

The Acting Chief Commissioner of
Police,
Mr. Griffith,
The Commissioner of Trade and
Customs,
The Chief Secretary,
The Surveyor General,
Mr. Smith,
The Treasurer,
The Solicitor General,
Mr. King,
Mr. Knight,
Mr. Horne,
Mr. Taylor, (*Teller.*)

FRIDAY, 22ND FEBRUARY.

No. 8.—*Liquors Sale Laws Amendment Bill.*

Motion made and question put—That the Chairman report progress and ask leave to sit again this day six months.—(Mr. Strachan.)

Committee divided.

Ayes, 13.
 Mr. Murphy,
 The Speaker,
 Mr. Griffith,
 Mr. Kennedy,
 Mr. A'Beckett,
 Mr. Fawkner,
 Mr. Ross,
 Mr. Beaver,
 Mr. Pyke,
 Mr. Nicholson,
 Mr. Sargood,
 Mr. Henty,
 Mr. Strachan, (*Teller.*)

Noes, 31.
 The Chief Secretary,
 The Treasurer,
 Mr. Campbell,
 Mr. Cameron,
 Mr. Taylor,
 Mr. Knight,
 Mr. King,
 Mr. Wills,
 Mr. Wheeler,
 Mr. Myles,
 Mr. Lalor,
 Mr. Burnley,
 Mr. Mollison,
 Mr. Rae,
 The Commissioner of Trade and
 Customs,
 Dr. Owens,
 Mr. Benson,
 Mr. O'Brien,
 Mr. Longden,
 Mr. Russell,
 Mr. Goodman,
 Mr. Humffray,
 Mr. Fyfe,
 The Commissioner of Public Works,
 Mr. O'Shanassy,
 Mr. Hodgson,
 Mr. Miller,
 Mr. Smith,
 Mr. Horne,
 Mr. Greeves,
 Mr. Hervey, (*Teller.*)

No. 9.—*Thistle Bill.*—Clause I.

If at any time after the passing of this Act any owner lessee or occupier of land within Victoria upon which land or upon the half of any road adjacent thereto any of the plants commonly known as the thistle shall be growing shall not within fourteen days after any notice in writing that such thistles are growing upon such land or upon such adjacent half of any road signed by any justice of the peace shall have been served upon such owner lessee or occupier or left for him at his usual or last known place of abode effectually destroy all of the said plants so known as the thistle then growing and being upon such land or upon such adjacent half of the road every such owner lessee or occupier being convicted thereof shall be liable to a penalty not exceeding _____ pounds and not less than _____ pounds and such penalty may be recovered and the matter thereof heard and determined by two or more justices of the peace in a summary way Provided that it shall be lawful for any such justices to suspend any conviction upon its being proved to their satisfaction that the person so receiving such notice has used and is using reasonable exertions to destroy such plants Provided further that no information shall be laid against any owner of lands until the provisions of this Act shall have been enforced against the occupier or lessee of such land upon which such thistles may or shall be found.

Motion made—That the blank occurring in the ninth line of the above clause be filled up with the word “fifty.”—(Mr. Taylor.)

Motion made—That the blank occurring in the ninth line of the above clause be filled up with the word “ten.”—(Mr. a'Beckett.)

Motion made—That the blank occurring in the ninth line of the above clause be filled up with the word “twenty.”—(Mr. O'Brien.)

Question—That the blank occurring in the ninth line of the above clause be filled up with the word “ten”—put.

Committee divided.

Ayes, 16.
 Mr. Griffith,
 Mr. Murphy,
 Mr. Riddell,
 Mr. Highett,
 Mr. Wilkinson,
 Mr. O'Shanassy,
 Mr. Sargood,
 Mr. Burnley,
 Mr. Miller,
 Mr. O'Brien,
 Mr. Goodman,
 Mr. Mollison,
 Mr. Greeves,
 Mr. Myles,
 Mr. Russell,
 Mr. A'Beckett, (*Teller.*)

Noes, 20.
 The Chief Secretary,
 The Commissioner of Trade and
 Customs,
 Mr. Smith,
 Mr. Hodgson,
 Mr. Knight,
 Mr. King,
 Mr. Wills,
 Mr. Wheeler,
 Mr. Kennedy,
 Mr. Ross,
 Mr. Benson,
 Dr. Owens,
 The Treasurer,
 Mr. Campbell,
 Mr. Longden,
 The Surveyor General,
 Mr. Nicholson,
 Mr. Fawkner,
 Mr. Horne,
 Mr. Taylor, (*Teller.*)

No. 10.—Same.—Clause I.

Motion made—That the blank occurring in the tenth line of the above clause be filled up with the word "five."—(*Mr. Taylor.*)

Motion made and question put—That the blank occurring in the tenth line of the above clause be filled up with the word "one."—(*Mr. Greeves.*)

Committee divided.

Ayes, 10.
 Mr. Murphy,
 Mr. Russell,
 Mr. Fyfe,
 Mr. Greeves,
 Mr. Mollison,
 Mr. O'Brien,
 Mr. Miller,
 Mr. Wilkinson,
 Mr. Goodman,
 Mr. Riddell, (*Teller.*)

Noes, 27.
 The Chief Secretary,
 The Commissioner of Trade and
 Customs,
 Mr. Horne,
 Mr. Griffith,
 Mr. Knight,
 Mr. Wheeler,
 Mr. Hodgson,
 Mr. King,
 Mr. Wills,
 Mr. Kennedy,
 Mr. A'Beckett,
 Mr. Burnley,
 Mr. Fawkner,
 The Treasurer,
 Mr. Nicholson,
 Mr. Sargood,
 The Surveyor General,
 Mr. Longden,
 Mr. Campbell,
 Mr. Beaver,
 Mr. Ross,
 Mr. Rae,
 Mr. Myles,
 Mr. Benson,
 Dr. Owens,
 Mr. O'Shanassy,
 Mr. Taylor, (*Teller.*)

No. 11.—Same.—Clause I.

Motion made and question put—That the blank occurring in the tenth line of the above clause be filled up with the word "two."—(*Mr. a'Beckett.*)

Committee divided.

Ayes, 16.
 Mr. Riddell,
 Mr. Russell,
 Mr. Miller,
 Mr. A'Beckett,
 Mr. O'Shanassy,
 Mr. Mollison,
 Mr. Nicholson,
 Mr. O'Brien,
 Mr. Burnley,
 Mr. Rae,
 Mr. Myles,
 Mr. Murphy,
 Mr. Ross,
 Mr. Wilkinson,
 Mr. Fyfe,
 Mr. Goodman, (*Teller.*)

Noes, 21.
 The Chief Secretary,
 The Commissioner of Trade and
 Customs,
 Mr. Horne,
 Mr. Griffith,
 Mr. Knight,
 Mr. King,
 Mr. Wills,
 Mr. Wheeler,
 Mr. Kennedy,
 Mr. Beaver,
 Dr. Owens,
 Mr. Benson,
 Mr. Longden,
 Mr. Campbell,
 The Surveyor General,
 Mr. Sargood,
 The Treasurer,
 Mr. Fawkner,
 Mr. Hodgson,
 Mr. Greeves,
 Mr. Taylor, (*Teller.*)

No. 12.—Same.—Clause I.

Motion made and question put—That the blank occurring in the tenth line of the above clause be filled up with the word “three.”—(*Mr. Mollison.*)

Committee divided.

Ayes, 16.
 Mr. Murphy,
 Mr. Riddell,
 Mr. Highett,
 Mr. Wilkinson.
 Mr. O'Shanassy.
 Mr. Sargood,
 Mr. Burnley,
 Mr. Miller,
 Mr. O'Brien,
 Mr. Mollison,
 Mr. Goodman,
 Mr. Greeves,
 Mr. Myles,
 Mr. Russell,
 Mr. Fyfe,
 Mr. A'Beckett, (*Teller.*)

Noes, 21.
 The Commissioner of Trade and
 Customs,
 Mr. Smith,
 The Chief Secretary,
 Mr. Griffith,
 Mr. King,
 Mr. Knight,
 Mr. Wills,
 Mr. Wheeler,
 Mr. Kennedy,
 Mr. Ross,
 Dr. Owens,
 Mr. Benson,
 The Treasurer,
 Mr. Campbell,
 Mr. Longden,
 The Surveyor General,
 Mr. Nicholson,
 Mr. Fawkner,
 Mr. Horne,
 Mr. Hodgson,
 Mr. Taylor, (*Teller.*)

No. 13.—Same.—Clause I.

The following proviso having been added to the above clause “provided further that no second information against such owner, occupier, or lessee shall be laid within days after any previous conviction.”

Motion made—That the blank occurring in the above proviso be filled up with the word “thirty.”—(*Mr. Mollison.*)

Motion made and question put—That the blank occurring in the above proviso be filled up with the word “fifteen.”—(*Mr. Taylor.*)

Committee divided.

Ayes, 11.
 Mr. Taylor,
 Mr. Knight,
 Mr. Smith,
 Mr. King,
 Mr. Kennedy,
 Mr. Wheeler,
 Mr. Campbell,
 Mr. Longden,
 Mr. Wills,
 Mr. Myles,
 Mr. Griffith, (*Teller.*)

Noes, 21,
 Mr. Greeves,
 Mr. Miller,
 Mr. Hodgson,
 Mr. Fawcner,
 Mr. Strachan,
 Mr. Nicholson,
 Mr. Mollison,
 The Surveyor General,
 Mr. Russell,
 Mr. A'Beckett,
 Mr. Highett,*
 Mr. Wilkinson,
 Mr. Burnley,
 Mr. Highett,*
 Mr. O'Brien,
 Mr. Benson,
 The Chief Secretary,
 The Treasurer,
 The Commissioner of Trade and
 Customs,
 Mr. Rae,
 Mr. Goodman, (*Teller.*)

*Sic in orig.

VICTORIA.

LEGISLATIVE COUNCIL.

No. 9.

WEEKLY REPORT OF DIVISIONS
 IN
 COMMITTEE OF THE WHOLE COUNCIL.

*Extracted from the Minutes.***Session 1855-56.**TUESDAY, 26TH FEBRUARY.No. 1.—*Liquors Sale Laws Amendment Bill.*

Motion made and question put—That the Chairman report progress and ask leave to sit again this day six months.—(*Mr. Fawkner.*)

Committee divided.

Ayes, 25.

Mr. Sargood,
 Mr. Beaver,
 Mr. Campbell,
 Mr. Hodgson,
 Mr. Nicholson,
 Mr. McCulloch,
 Mr. Fawkner,
 Mr. A'Beckett,
 Mr. Strachan,
 Mr. Russell,
 The Solicitor General,
 The Commissioner of Public Works,
 The Surveyor General,
 The Treasurer,
 The Attorney General,
 The Chief Secretary,
 Mr. Miller,
 The Acting Chief Commissioner of
 Police,
 Mr. Murphy,
 Mr. Hightt,
 Mr. Kennedy,
 Mr. Wilkinson,
 Mr. Wills,
 Mr. Henty,
 The Commissioner of Trade and
 Customs, (*Teller.*)

Noes, 22.

Mr. Horne,
 Mr. Hervey,
 Mr. Knight,
 Mr. O'Brien,
 Mr. Wheeler,
 Mr. Lalor,
 Mr. Myles,
 Mr. Goodman,
 Mr. Fellows,
 Mr. Mollison,
 Dr. Owens,
 Mr. Benson,
 Mr. Humffray,
 Mr. Pyke,
 Mr. Cameron,
 Mr. Rae,
 Mr. Longden,
 Mr. Fyfe,
 Mr. Chapman,
 Mr. O'Shanassy,
 Mr. Smith,
 Mr. Greeves, (*Teller.*)

WEDNESDAY, 27TH FEBRUARY.No. 2.—*Victoria Electoral Bill*.—Clause LXIX.

No election shall be held void in consequence of any one or more candidates being returned duly elected who shall by such Committee be declared to have been unqualified at the time of such election although no notice of such want of qualification shall have been given to the electors at the time of the election and the person or persons having the next greatest number of votes shall be declared duly elected.

Motion made and question put—That clause LXIX. be struck out.—(*Mr. Greeves.*)
Committee divided.

Ayes, 11.

Mr. Knight,
Mr. Murphy,
Mr. Greeves,
Mr. Pyke,
Mr. Humffray,
Mr. Cameron,
Mr. Wheeler,
Mr. Benson,
Mr. Lalor,
Mr. Longden,
Mr. Myles, (*Teller.*)

Noes, 26.

The Chief Secretary,
The Solicitor General,
Mr. Taylor,
Mr. Griffith,
Mr. O'Brien,
Mr. King,
Mr. Wilkinson,
Mr. Wills,
Mr. Highett,
Mr. Henty,
Mr. Sargood,
Mr. Rae,
Mr. Beaver,
Mr. Kennedy,
The Commissioner of Trade and
Customs,
The Surveyor General,
Mr. Nicholson,
Mr. Chapman,
Mr. O'Shanassy,
Mr. Fawkner,
Mr. Miller,
The Treasurer,
The Attorney General,
Mr. Horne,
Mr. Smith,
Mr. Hodgson, (*Teller.*)

No. 3.—*Administration of Justice Act Amendment Bill*.—Proposed New Clause.

It shall be lawful for any one Judge sitting in equity to hear and determine any suit or matter depending in the said Court in its equitable insolvency or ecclesiastical jurisdiction and every decree decretal or other order made by such Judge shall unless appealed against as hereinafter provided be as valid effectual and binding as if made by any two or more of such Judges sitting in the said Court in Banco.

Motion made and question put—That the above clause stand as clause V. in this Bill.—(*Mr. Horne.*)

Committee divided.

Noes, 21.

Mr. Greeves,
Mr. Griffith,
Mr. Highett,
Mr. Cameron,
Mr. Wheeler,
Mr. Chapman,
Mr. O'Shanassy,
Mr. A'Beckett,
Mr. Fawkner,
Mr. Humffray,
Mr. Myles,
Mr. Longden,
Mr. Nicholson,
Mr. Benson,
Mr. Beaver,
Mr. Henty,
Mr. Rae,
Mr. Pyke,
Mr. Mollison,
Mr. Lalor,
Mr. Horne, (*Teller.*)

Noes, 14.

The Solicitor General,
The Commissioner of Trade and
Customs,
Mr. Wilkinson,
Mr. Wills,
Mr. O'Brien,
Mr. King,
Mr. Taylor,
Mr. Murphy,
The Chief Secretary,
The Commissioner of Public Works,
Mr. Smith,
The Attorney General,
The Surveyor General,
The Treasurer, (*Teller.*)

No. 4.—Same.—Proposed New Clause.

Any person feeling aggrieved by any such decree decretal or other order may within fourteen days next after the same shall have been made apply to the said Court in Banco composed of any two or more of such Judges "of whom the Judge who made such

decree decretal or other order shall not be one" for leave to appeal therefrom. And every such application shall set forth briefly and distinctly the grounds upon which it is intended that such appeal shall be made and the said Court in Banco so constituted as aforesaid shall have power to refuse such leave to appeal or to grant the same as to such grounds and upon such terms as to the admission or rejection of evidence tendered admitted or rejected or of further or supplemental evidence to the granting continuing or dissolving any injunction directing money to be paid into or out of Court making payment or deposit of or giving security for costs or imposing any other such terms or conditions as may be deemed equitable and if such leave be granted the said Court in Banco shall have power to hear and determine the appeal on the grounds last aforesaid alone and on such original or admitted or further or supplemental evidence as the case may be and to affirm in the whole or in part or to reverse alter or vary in the whole or in part any such decree decretal or other order upon such terms as to payment of costs either of the original proceedings or of the appeal or of both or otherwise as to such Court shall seem meet.

Motion made and question put—That the words "*of whom the Judge who made such decree decretal or other order shall not be one,*" occurring in the third and fourth lines of the above clause be struck out.—(Mr. A'Beckett.)

Committee divided.

Ayes, 9,
Mr. Humffray,
Dr. Owens,
Mr. Nicholson,
Mr. Myles,
Mr. Greeves,
The Solicitor General,
Mr. Highett,
Mr. Griffith,
Mr. A'Beckett, (Teller.)

Noes, 21.
Mr. Rae,
The Chief Secretary,
Mr. Cameron,
Mr. Wilkinson,
Mr. Longden,
Mr. Fawkner,
Mr. Lalor,
Mr. Wheeler,
Mr. O'Shanassy,
Mr. Hodgson,
Mr. Horne,
Mr. Wills,
Mr. Smith,
Mr. O'Brien,
The Attorney General,
Mr. Murphy,
The Commissioner of Public Works,
The Commissioner of Trade and
Customs,
The Surveyor General,
Mr. Beaver,
The Treasurer, (Teller.)

No. 5.—Same.

Motion made and question put—That the above clause stand part of the Bill.—(Mr. Horne.)
Committee divided.

Ayes, 5.
Mr. O'Shanassy,
Mr. Beaver,
Mr. Fawkner,
Mr. A'Beckett,
Mr. Horne, (Teller.)

Noes, 25.
The Treasurer,
Mr. Smith,
Mr. Greeves,
Mr. Hodgson,
Mr. Nicholson,
The Chief Secretary,
The Surveyor General,
Mr. Longden,
Mr. Cameron,
The Solicitor General,
Dr. Owens,
Mr. Benson,
Mr. Griffith,
Mr. Rae,
Mr. Highett,
Mr. Myles,
Mr. Wilkinson,
Mr. Lalor,
Mr. Wheeler,
Mr. Wills,
Mr. O'Brien,
The Attorney General,
Mr. Murphy,
The Commissioner of Public Works,
The Commissioner of Trade and
Customs, (Teller.)

No. 6.—Same.

Motion made and question put—That the Chairman report progress and ask leave to sit again this day six months.—(*Mr. Horne.*)

Committee divided.

Ayes, 6.

The Attorney General,
Mr. A'Beckett,
Mr. O'Shanassy.
Mr. Fawkner,
Mr. Griffith,
Mr. Horne, (*Teller.*)

Noes, 36,

The Treasurer,
Mr. Smith,
Mr. Greeves,
Mr. Hodgson,
The Commissioner of Public Works,
The Chief Secretary,
The Commissioner of Trade and
Customs,
Mr. Rae,
Mr. Beaver,
Mr. Highbett,
The Solicitor General,
Mr. Benson,
Dr. Owens,
Mr. Cameron,
Mr. Humffray,
Mr. Myles,
The Surveyor General,
Mr. Longden,
Mr. Wilkinson,
Mr. Lalor,
Mr. Wheeler,
Mr. Wills,
Mr. O'Brien,
Mr. King,
Mr. Murphy,
Mr. Nicholson, (*Teller.*)

THURSDAY, 28TH FEBRUARY.

No. 7.—*Finance—Estimates for 1856.*

Question proposed—That a sum not exceeding £110,000 be appropriated to Primary Schools, to be divided between the Denominational and National School Boards in proportion to the average attendance of scholars during the year 1855.—(*The Treasurer.*)

Motion made and question put—That the above item be postponed with a view to the increase thereof.—(*Mr. Grant.*)

Committee divided.

Ayes, 18.

The Speaker,
Mr. Chapman,
Mr. Cameron,
Mr. Pyke,
Mr. Grant,
Mr. Wilkinson,
Mr. Nicholson,
Mr. Myles,
Mr. Wheeler,
Mr. Lalor,
Mr. Benson,
Mr. Rae,
Dr. Owens,
Mr. Murphy,
Mr. Griffith,
Mr. Smith,
Mr. Humffray,
Mr. Goodman, (*Teller.*)

Noes, 20.

The Chief Secretary,
Mr. Horne,
The Acting Chief Commissioner of
Police
The Attorney General,
Mr. Taylor,
Mr. Knight,
Mr. Wills,
Mr. Harrison,
The Solicitor General,
The Commissioner of Trade and
Customs,
Mr. McCulloch,
Mr. King,
Mr. O'Brien,
Mr. Hodgson,
Mr. Greeves,
The Treasurer,
The Surveyor General,
Mr. Miller,
The Commissioner of Public Works,
Mr. Mollison, (*Teller.*)

No. 8.—*Municipal Institutions Act Amendment Bill.*

Motion made and question put—That the Chairman report progress, and ask leave to sit again to-morrow.—(Mr. Miller.)

Committee divided.

Ayes, 15.

Mr. Goodman,
Mr. Murphy,
Mr. Beaver,
Mr. Horne,
Mr. Hodgson,
Mr. Miller,
Mr. Chapman,
Mr. Cameron,
Mr. Benson,
Mr. Nicholson,
Mr. Humffray,
Mr. Greeves,
The Speaker,
Mr. Taylor,
Mr. Mollison, (Teller.)

Noes, 15.

The Treasurer,
Mr. Harrison,
The Chief Secretary,
The Attorney General,
Mr. King,
Mr. Lalor,
The Solicitor General,
The Commissioner of Public Works,
Mr. Rae,
Mr. O'Shanassy.
Mr. Myles,
Mr. Wills,
Mr. Wheeler,
Mr. Smith,
The Surveyor General, (Teller.)

The tellers having reported that the numbers for the "Ayes" and for the "Noes" were respectively 15, or equal, the Chairman gave his vote for the "Ayes" and declared the question to have passed in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

No. 10.

WEEKLY REPORT OF DIVISIONS
 IN
 COMMITTEE OF THE WHOLE COUNCIL.

Extracted from the Minutes.

Session 1855-56.

WEDNESDAY, 5TH MARCH.

No. 1.—*Municipal Institutions Act Amendment Bill.*—Proposed New Clause.

No female shall be allowed to vote at the election of a member of any Municipal Council established under the said recited Act.—(*The Attorney General.*)

Motion made and question put—That the above clause stand part of the Bill.

Committee divided.

Ayes, 19.
 The Chief Secretary,
 The Attorney General,
 Mr. O'Shanassy,
 Mr. Horne,
 The Treasurer,
 Mr. Chapman,
 Mr. A'Beckett,
 The Solicitor General,
 Mr. Murphy,
 Mr. Kennedy,
 Mr. Fyfe,
 Mr. Cameron,
 Mr. Lalor,
 Mr. Wills,
 Mr. O'Brien,
 The Commissioner of Public Works,
 Mr. Goodman,
 The Commissioner of Trade and
 Customs,
 Dr. Embling, (*Teller.*)

Noes, 8.
 Mr. Greeves,
 Mr. Myles,
 Mr. Wheeler,
 Mr. Hodgson,
 Mr. Grant,
 Dr. Owens,
 Mr. Benson,
 The Surveyor General, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 11.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

*Extracted from the Minutes.***Session 1855-56.**TUESDAY, 11TH MARCH.No. 1.—*Normal School—National Education.*

Motion made and question put—That this Committee considers it expedient that an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place on the Estimates for 1856 the sum of £3000 in aid of the Normal Institution in connection with the National Board of Education.—
(*Mr. Smith.*)

Committee divided.

Ayes, 22.
Mr. Chapman,
The Speaker,
Mr. Hervey,
Mr. Myles,
Mr. Cameron,
Dr. Embling,
Mr. Wheeler,
Mr. Longden,
Mr. Humffray,
Mr. Greeves,
Mr. Benson,
Mr. Pyke,
Dr. Owens,
Mr. Nicholson,
Mr. Miller,
Mr. Goodman,
Mr. Kennedy,
Mr. Lalor,
Mr. Highett,
Mr. Murphy,
Mr. Smith,
Mr. Mollison, (*Teller.*)

Noes, 19.
The Attorney General,
The Chief Secretary,
The Commissioner of Trade and
Customs,
Mr. Griffith,
Mr. Wills,
Mr. Wilkinson,
Mr. A'Beckett,
Mr. Burnley,
The Treasurer,
Mr. Campbell,
Mr. McCulloch,
Mr. O'Brien,
Mr. Strachan,
The Surveyor General,
Mr. O'Shanassy,
The Solicitor General,
Mr. Hodgson,
Mr. Fellows,
The Commissioner of Public Works,
(*Teller.*)

No. 2.—*Melbourne and Hobson's Bay Railway Extension Bill.*—Clause XX.

And in consideration of the great charges and expenses which the said company must necessarily incur and sustain in making and maintaining the said branch line of railway and other the works hereby authorized to be made Be it enacted that it shall be lawful

for the said company from time to time and at all times hereafter to ask demand take recover and receive to and for the use and benefit of the said company a toll for and in respect of all passengers and property of every description which shall be conveyed or transported upon such branch railway at such rates per mile or otherwise as shall be established from time to time by the directors of the said company so that the same shall not exceed for the carriage of goods and merchandise from the terminus at Melbourne to "the terminus" at St. Kilda or the contrary the sum of "ten" shillings for each and every ton and so in proportion for any lesser quantity and the sum of "one shilling" for every passenger by the first class of carriages and "ninepence" for every passenger by the second class of carriages in all ordinary trains and so that the same shall not exceed for the carriage of goods and merchandise from the terminus at "Melbourne to the station at Emerald Hill" or the contrary the sum of "five" shillings for each and every ton and so in proportion for any lesser quantity and the sum of "sixpence" for every passenger by the first class of carriages and "fourpence" for every passenger by the second class of carriages in all ordinary trains and so that the same shall not exceed for the carriage of goods and merchandise from the station at Emerald Hill to the terminus at St. Kilda or the contrary the sum of five shillings for each and every ton and so in proportion for any lesser quantity and the sum of sixpence for every passenger by the first class of carriages and fivepence for every passenger in the second class of carriages in all ordinary trains And also so that the transportation of persons and property the construction of cars and carriages the weight of loads and all other matters and things in relation to the use of such railway shall be in conformity to such rules regulations and provisions as the said directors shall from time to time prescribe and direct and that such railway may with the sanction of the directors be used by any person or persons who may comply with such rules and regulations provided always that the said company shall and will convey all persons whomsoever who shall be ready and apply to be conveyed five minutes before the time fixed for the starting of each and every train from either terminus or station.

Motion made—That the word "ten" occurring in the tenth line of the above clause be omitted with a view of inserting the word "eight" in the place thereof.—(*Mr. O'Brien.*)

Question—That the word proposed to be omitted stand part of the question—put.
Committee divided.

Ayes, 14.
The Attorney General,
The Treasurer,
The Solicitor General,
The Surveyor General,
The Commissioner of Trade and
Customs,
Mr. Miller,
Mr. Wheeler,
Mr. Longden,
The Chief Secretary,
Mr. Highett,
Mr. Greeves,
Mr. Smith,
Mr. Hervey,
The Commissioner of Public Works,
(*Teller.*)

Noes, 13.
Mr. O'Shanassy,
Mr. Taylor,
Mr. Wills,
Mr. Myles,
Mr. Kennedy,
Mr. Strachan,
Dr. Owens,
Mr. Benson,
Mr. Humffray,
Mr. Grant,
Mr. Pyke,
Mr. Lalor,
Mr. O'Brien, (*Teller.*)

No. 8.—*Municipal Institutions Act Amendment Bill.*—Proposed New Clause.

That it shall not be lawful for any municipality to establish or continue on any line of road any toll or tolls where it shall happen that His Excellency the Governor shall have proclaimed under and by virtue of the Act of the Governor and Council 18 Vic., No. 15, and 18 Vic., No. 32, any municipality the bounds of which shall interfere with or sever any existing council or municipality anything in the said Acts to the contrary notwithstanding.

Motion made and question put—That the above proposed clause stand part of the Bill.—(*Mr. Smith.*)

Committee divided.

Ayes, 7.
Mr. Mollison,
Mr. Wheeler,
Mr. Smith,
Mr. Myles,
Mr. Benson,
Mr. Wills,
Mr. Greeves, (*Teller.*)

Noes, 9.
Mr. Taylor,
The Attorney General,
Mr. Kennedy,
The Surveyor General,
Mr. O'Brien,
The Commissioner of Trade and
Customs,
The Solicitor General,
The Treasurer,
The Commissioner of Public Works,
(*Teller.*)

WEDNESDAY, 12TH MARCH.No. 4.—*Finance—Estimates for 1856.*

Question proposed—That a sum not exceeding £2850 be appropriated to defray the salaries and contingencies for the Department of the Botanic Gardens for the year 1856.—
(*The Treasurer.*)

Motion made and question put—That the above item be postponed with a view to the increase thereof.—(*Mr. Greeves.*)

Committee divided.

Ayes, 10.
Dr. Embling,
The Speaker,
Mr. Smith,
Mr. Henty,
Mr. Campbell,
Mr. Hervey,
Mr. Highett,
Mr. Humffray,
The Attorney General,
Mr. Greeves, (*Teller.*)

Noes, 28.
The Chief Secretary,
The Commissioner of Public Works,
Mr. Griffith,
Mr. Lalor,
Mr. Horne,
Mr. O'Brien,
The Treasurer,
Mr. Wills,
Mr. Myles,
Mr. Chapman,
Mr. Wilkinson,
Mr. O'Shanassy,
Mr. Pyke,
Mr. Sargood,
Mr. A'Beckett,
Mr. Longden,
The Surveyor General,
The Solicitor General,
The Commissioner of Trade and
Customs,
Mr. Murphy,
Mr. Benson,
Mr. Grant,
Dr. Owens,
Mr. Rae,
Mr. Hodgson,
Mr. Beaver,
Mr. Miller,
Mr. Mollison, (*Teller.*)

No. 5.—Motion made and question put—That a sum not exceeding £500 be appropriated in aid of the Moravian Mission to the Aborigines.—(*The Treasurer.*)

Committee divided.

Ayes, 20.
Mr. Benson,
Mr. Beaver,
Mr. Humffray,
Mr. Campbell,
Mr. Russell,
Mr. Murphy,
Mr. Hodgson,
The Treasurer,
The Commissioner of Public Works,
The Chief Secretary,
The Surveyor General,
Mr. Greeves,
The Solicitor General,
The Attorney General,
Mr. Smith,
Mr. Henty,
Mr. A'Beckett,
Mr. Griffith,
Mr. Highett,
The Commissioner of Trade and
Customs, (*Teller.*)

Noes, 14.
Mr. Lalor,
Mr. Wheeler,
Mr. O'Brien,
Mr. Wills,
Mr. Myles,
Dr. Embling,
Dr. Owens,
Mr. Grant,
Mr. Longden,
Mr. Sargood,
Mr. Pyke,
Mr. O'Shanassy,
Mr. Chapman,
Mr. Hervey, (*Teller.*)

No. 6.—Motion made and question put—That a sum not exceeding £500 be appropriated in aid of the Industrial Society, Melbourne.—(*The Treasurer.*)

Committee divided.

Ayes, 23.	Noes, 12.
The Chief Secretary,	The Speaker,
Mr. Smith,	Mr. Griffith,
Mr. Horne,	Mr. O'Shanassy,
Mr. Henty,	Mr. Lalor,
Mr. Highett,	Mr. O'Brien,
Mr. Hodgson,	Mr. Wills,
Mr. Chapman,	Mr. Wilkinson,
The Commissioner of Public Works,	Dr. Owens,
The Attorney General,	Mr. Grant,
The Commissioner of Trade and Customs,	Mr. Russell,
The Surveyor General,	Mr. Hervey,
The Solicitor General,	Mr. Mollison, (<i>Teller.</i>)
Mr. Murphy,	
Mr. Myles,	
Mr. Sargood,	
The Treasurer,	
Mr. Humffray,	
Mr. Wheeler,	
Dr. Embling,	
Mr. Beaver,	
Mr. Longden,	
Mr. Benson,	
Mr. Greeves, (<i>Teller.</i>)	

No. 7.—Question proposed—That a sum not exceeding £200 be appropriated in aid of the Humane Society.—(*The Treasurer.*)

Motion made and question put—That this item be struck out.—(*Mr. Myles.*)

Committee divided.

Ayes, 15.	Noes, 20.
Mr. Goodman,	The Speaker,
Mr. O'Shanassy,	The Chief Secretary,
Mr. Griffith,	The Commissioner of Public Works,
Mr. Mollison,	Mr. Russell,
Mr. Grant,	Mr. Lalor,
Mr. Murphy,	Mr. Henty,
Mr. Longden,	Mr. Hervey,
Mr. Benson,	Mr. O'Brien,
Mr. Wilkinson,	Mr. Wills,
Mr. Wheeler,	Mr. Horne,
Dr. Owens,	The Attorney General,
Mr. Beaver,	Mr. Greeves,
Mr. Smith,	Mr. Chapman,
Mr. Myles,	Mr. Humffray,
Dr. Embling, (<i>Teller.</i>)	The Commissioner of Trade and Customs,
	Mr. Sargood,
	The Treasurer,
	The Surveyor General,
	The Solicitor General,
	Mr. Hodgson, (<i>Teller.</i>)

No. 8.—Question proposed—That a sum not exceeding £5000 be appropriated in aid of the Municipal Council of East Collingwood, subject to the conditions of "*The Municipalities Act.*"—(*The Treasurer.*)

Motion made and question put—That this item be postponed with a view to its increase.—(*Mr. Smith.*)

Committee divided.

Ayes, 13.
 Mr. Greeves,
 Mr. Smith,
 Mr. Goodman,
 Mr. Hodgson,
 Mr. A'Beckett,
 Mr. Grant,
 Mr. Murphy,
 Mr. Chapman,
 Mr. Wheeler,
 Mr. Benson,
 Mr. Lalor,
 Dr. Owens,
 Dr. Embling, (*Teller.*)

Noes, 23.
 Mr. Russell,
 The Attorney General,
 Mr. Griffith,
 The Commissioner of Public Works,
 The Chief Secretary,
 Mr. Horne,
 Mr. Hervey,
 Mr. Mollison,
 Mr. Henty,
 Mr. O'Brien,
 Mr. Myles,
 Mr. Wilkinson,
 Mr. Wills,
 Mr. Beaver,
 The Solicitor General,
 The Treasurer,
 The Commissioner of Trade and
 Customs,
 The Surveyor General,
 Mr. Sargood,
 Mr. Humffray,
 Mr. O'Shanassy,
 The Speaker,
 Mr. Pyke, (*Teller.*)

No. 9.—Question proposed—That a sum not exceeding £5000 be appropriated in aid of the Municipal Council of Prahran, subject to the conditions of the "*Municipalities Act.*"—(*The Treasurer.*)

Motion made and question put—That this sum be postponed with a view to the increase thereof to the sum of £7500.—(*Mr. Chapman.*)

Committee divided.

Ayes, 6.
 Mr. Greeves,
 Mr. Smith,
 Mr. Myles,
 Mr. Chapman,
 * Mr. Hodgson,
 Mr. Goodman, (*Teller.*)

Noes, 29.
 The Speaker,
 * Mr. Hodgson,
 Mr. Russell,
 Mr. Griffith,
 Mr. A'Beckett,
 The Chief Secretary,
 The Commissioner of Public Works,
 Mr. Horne,
 Mr. Henty,
 Mr. Hervey,
 Mr. Pyke,
 Mr. Wilkinson,
 Mr. Wills,
 The Surveyor General,
 Mr. Humffray,
 Mr. Lalor,
 Mr. Wheeler,
 Mr. Grant,
 Dr. Owens,
 Mr. O'Shanassy,
 The Attorney General,
 Mr. O'Brien,
 Mr. Beaver,
 The Solicitor General,
 Mr. Benson,
 The Treasurer,
 The Commissioner of Trade and
 Customs,
 Mr. Chapman,
 Mr. Mollison, (*Teller.*)

* Sic in orig.

No. 10.—Motion made and question put—That the Chairman report progress and ask leave to sit again to-morrow.—(*Mr. Smith.*)

Committee divided.

Ayes, 15.
 Mr. O'Shanassy,
 Mr. Smith,
 Mr. Goodman,
 Mr. Hodgson,
 Mr. Chapman,
 Mr. Grant,
 Mr. Pyke,
 Mr. Wilkinson,
 Mr. Humffray,
 Mr. Wheeler,
 Mr. Benson,
 Dr. Owens,
 Mr. Wills,
 Mr. O'Brien,
 Mr. Mollison, (*Teller.*)

Noes, 16.
 The Speaker,
 Mr. Hervey,
 The Commissioner of Public Works,
 The Chief Secretary,
 Mr. Henty,
 Mr. A'Beckett,
 Mr. Horne,
 Mr. Myles,
 Mr. Russell,
 Mr. Greeves,
 Mr. Lalor,
 The Treasurer,
 The Commissioner of Trade and
 Customs,
 The Solicitor General,
 The Attorney General,
 The Surveyor General, (*Teller.*)

THURSDAY, 13TH MARCH.

No. 11.—*Finance—Estimates for 1856.*

Motion made and question put—That a sum not exceeding £200 be appropriated for a Queen's Plate at the Melbourne Races.—(*The Treasurer.*)

Committee divided.

Ayes, 17.
 The Chief Secretary,
 The Attorney General,
 Mr. Lalor,
 Mr. Hervey,
 The Commissioner of Trade and
 Customs,
 The Commissioner of Public Works,
 Mr. Murphy,
 Mr. Greeves,
 The Surveyor General,
 The Solicitor General,
 Mr. Miller,
 Mr. Kennedy,
 Mr. Longden,
 Mr. O'Brien,
 Mr. Wills,
 Mr. Mollison,
 The Treasurer, (*Teller.*)

Noes, 13.
 Mr. Benson,
 Mr. Pyke,
 Mr. O'Shanassy,
 Mr. Fawkner,
 Mr. Wilkinson,
 Mr. Strachan,
 Mr. Sargood,
 Mr. McCulloch,
 Mr. Ross,
 Dr. Owens,
 The Speaker,
 Mr. Humffray,
 Dr. Embling, (*Teller.*)

No. 12.—*Finance—Supplementary Estimates for 1855.*

Question proposed—That a sum not exceeding £18,309 7s. 3d. be appropriated as a second award to Mr. Allan.—(*The Treasurer.*)

Motion made and question put—That the consideration of this question be postponed.—(*Mr. Fawkner.*)

Ayes, 11.
 The Speaker,
 Mr. O'Shanassy,
 Mr. Horne,
 Mr. Mollison,
 Mr. Strachan,
 Mr. Fawkner,
 Mr. Humffray,
 Mr. Wilkinson,
 Mr. Sargood,
 Mr. Cameron,
 Mr. Goodman, (*Teller.*)

Noes, 22.
 The Chief Secretary,
 The Attorney General,
 Mr. Greeves,
 Mr. Miller,
 The Commissioner of Trade and
 Customs,
 Mr. Russell,
 Mr. Taylor,
 Mr. A'Beckett,
 Mr. Wills,
 Mr. Kennedy,
 The Solicitor General,
 The Treasurer,
 Mr. Ross,
 Mr. Benson,
 Dr. Owens,
 Mr. Grant,
 Mr. O'Brien,
 Mr. McCulloch,
 Mr. Chapman,
 Dr. Embling,
 Mr. Hodgson,
 Mr. Hervey, (*Teller.*)

No. 13.—Motion made and question put—That a sum not exceeding £10,309 7s. 3d. be appropriated as a second award to Mr. Allan.—(*Mr. Fawkner.*)
Committee divided.

Ayes, 9.
The Treasurer,
The Speaker,
Mr. O'Shanassy,
Mr. Strachan,
Mr. Fawkner,
Mr. Cameron,
Mr. Humffray,
Mr. Sargood,
Mr. Mollison, (*Teller.*)

Noes, 23.
The Chief Secretary,
The Attorney General,
The Commissioner of Trade and
Customs,
Mr. Goodman,
Mr. Miller,
Mr. Greeves,
Mr. Horne,
Mr. Chapman,
Mr. Taylor,
Mr. Hodgson,
Mr. A'Beckett,
Mr. Wills,
Mr. Kennedy,
Mr. Russell,
Mr. McCulloch,
Mr. O'Brien,
Mr. Grant,
Dr. Owens,
Mr. Benson,
Dr. Embling,
Mr. Ross,
The Solicitor General,
Mr. Hervey, (*Teller.*)

FRIDAY, 14TH MARCH.

No. 14.—*Mechanics' Institute, Ballaarat.*

Motion made and question put—That this Committee considers it expedient that an Address be presented to His Excellency the Officer administering the Government, praying His Excellency to cause to be placed on the Estimates the sum of £500 in aid of a Mechanics' Institution at Ballaarat.—(*Mr. Lalor.*)

Committee divided.

Ayes, 14.
Mr. Mollison,
Mr. Miller,
Mr. Humffray,
Mr. Cameron,
Mr. O'Brien,
Mr. Lalor,
Mr. Benson,
Mr. Fawkner,
Mr. Ross,
Mr. Beaver,
Mr. Wilkinson,
Mr. Rae,
Mr. Henty,
Mr. Pyke, (*Teller.*)

Noes, 10.
* The Commissioner of Trade and
Customs,
The Attorney General,
* The Commissioner of Trade and
Customs,
Mr. Wills,
The Solicitor General,
The Treasurer,
Mr. Sargood,
Mr. Strachan,
The Surveyor General,
Mr. Hodgson, (*Teller.*)

* Sic in orig.

No. 15.—*Thistle Bill.*—Clause VIII.

When any such thistles shall be growing upon any waste and unoccupied lands of the Crown such notice as aforesaid shall be left at the office of the Surveyor General for Victoria and shall describe and set forth the situation of such land and it shall be lawful for such Surveyor General to employ the necessary laborers and continue to destroy and eradicate the said thistles and to defray the expenses of the same out of any vote of the Legislature for such purpose and in the event of the neglect or refusal of such Surveyor General to destroy and eradicate such thistles and of the destruction and eradication thereof by any person authorised in that behalf as hereinbefore provided it shall be lawful for the Governor by warrant under his hand to direct the Treasurer of Victoria out of any amount voted and appropriated as above to pay to the party entitled to receive the same the expenses of and attending such destruction and eradication as aforesaid. Provided that when such waste lands shall be included within the boundaries of any corporation or municipal district or within the boundaries of any lands held under lease or license from the Crown then in such case the mayor of such corporation the chairman of a municipal district or the authorized occupant of such waste lands shall be taken to be the owner and occupier of such lands for the purposes of this Act for the purpose of being served with notice as aforesaid and such corporation or municipal district shall be taken to be owners and occupiers of such land for the purpose of being liable to the penalties hereby imposed. Provided further that where it shall be proved to the satisfaction of any two justices that any such corporation or municipal district as aforesaid "or occupant of crown lands held under lease or license" shall have

expended in any one year the sum of _____ pounds in the eradication of such thistles then it shall be lawful for the Governor by warrant as aforesaid to direct payment as beforementioned of any sum expended by such occupant of crown lands in the destruction of such thistles over and above such amount so expended as aforesaid. _____
 Motion made and question put—That the words “or occupant of crown lands under lease or license” occurring in the twentieth line of the above clause be struck out.—(*Mr. O'Brien*)
 Council divided.

Ayes, 12.
 Mr. Greeves,
 Mr. Taylor,
 The Surveyor General,
 Mr. Humffray,
 Mr. Grant,
 Mr. Fawkner,
 Mr. Cameron,
 Mr. Benson,
 Dr. Owens,
 Mr. Rae,
 Mr. O'Brien,
 Mr. Pyke, (*Teller*.)

Noes, 16.
 Mr. Horne,
 The Treasurer,
 Mr. Goodman,
 Mr. Russell,
 Mr. Henty,
 Mr. Hervey,
 Mr. Kennedy,
 Mr. Wills,
 Mr. Lalor,
 The Attorney General,
 Mr. A'Beckett,
 Mr. Strachan,
 The Commissioner of Trade and
 Customs,
 Mr. Mollison,
 The Solicitor General,
 Dr. Embling, (*Teller*.)

No. 16.—*Same*.

Motion made and question put—That the Chairman report progress and ask leave to sit again to-morrow.
 Committee divided.

Ayes, 13.
 Mr. Goodman,
 Dr. Embling,
 Mr. Campbell,
 Dr. Owens,
 Mr. O'Brien,
 Mr. Benson,
 Mr. Cameron,
 Mr. Strachan,
 Mr. Mollison,
 Mr. Fawkner,
 Mr. Humffray,
 Mr. Grant,
 Mr. Pyke, (*Teller*.)

Noes, 16.
 The Attorney General,
 Mr. Russell,
 The Treasurer,
 Mr. A'Beckett,
 Mr. Henty,
 Mr. Horne,
 Mr. Hervey,
 Mr. Kennedy,
 Mr. Wills,
 Mr. Rae,
 The Commissioner of Trade and
 Customs,
 The Solicitor General,
 Mr. Lalor,
 The Surveyor General,
 Mr. Greeves,
 Mr. Taylor, (*Teller*.)

No. 17.—*Same*.

Motion made and question put—That the following proviso be added at the end of the above clause: “Provided further that such sums so paid by warrant as aforesaid shall not exceed “One hundred pounds.”—(*Mr. Grant*)
 Committee divided.

Ayes, 12.
 Mr. O'Brien,
 Mr. Rae,
 Dr. Owens,
 Mr. Benson,
 Mr. Lalor,
 Mr. Humffray,
 Mr. Fawkner,
 Dr. Embling,
 Mr. Cameron,
 Mr. Strachan,
 Mr. Grant,
 Mr. Pyke, (*Teller*.)

Noes, 16.
 The Treasurer,
 The Attorney General
 Mr. Horne,
 Mr. Henty,
 Mr. Campbell,
 Mr. Greeves,
 Mr. Mollison,
 The Surveyor General,
 Mr. Russell,
 The Solicitor General,
 The Commissioner of Trade and
 Customs,
 Mr. A'Beckett,
 Mr. Wills,
 Mr. Kennedy,
 Mr. Hervey,
 Mr. Taylor, (*Teller*.)

No. 18.—*Same*.

Motion made and question put—That the following proviso be added at the end of the above clause: “Provided further that such sums so paid by warrant as aforesaid shall not exceed “One hundred and fifty pounds.”—(*Mr. Grant*)

Committee divided.

Ayes, 13.
 Mr. Taylor,
 The Surveyor General,
 The Treasurer,
 Mr. Pyke,
 Mr. Grant,
 Mr. Fawkner,
 Mr. Humffray,
 Mr. Cameron,
 Mr. Benson,
 Dr. Owens,
 Mr. Rae,
 Mr. O'Brien,
 Mr. Greeves, (*Teller.*)

Noes, 15.
 The Attorney General,
 Mr. Horne,
 Mr. Russell,
 Mr. Henty,
 Mr. Hervey,
 Mr. A'Beckett,
 Mr. Strachan,
 Dr. Embling,
 The Commissioner of Trade and
 Customs,
 Mr. Mollison,
 The Solicitor General,
 Mr. Lalor,
 Mr. Wills,
 Mr. Kennedy,
 Mr. Goodman, (*Teller.*)

No. 19.—*Same.*

Motion made and question put—That the Chairman report progress and ask leave to sit again to-morrow.—(*Mr. Fawkner.*)

Committee divided.

Ayes, 9.
 Mr. O'Brien,
 Mr. Mollison,
 Mr. Grant,
 Mr. Fawkner,
 Mr. Humffray,
 Mr. Cameron,
 Mr. Benson,
 Dr. Owens,
 Mr. Pyke, (*Teller.*)

Noes, 19.
 Mr. Rae,
 The Solicitor General,
 Mr. Kennedy,
 Mr. Lalor,
 The Commissioner of Trade and
 Customs,
 Dr. Embling,
 The Speaker,
 Mr. A'Beckett,
 Mr. Goodman,
 Mr. Greeves,
 Mr. Wills,
 Mr. Henty,
 Mr. Taylor,
 Mr. Hervey,
 Mr. Russell,
 Mr. Horne,
 The Attorney General,
 The Treasurer,
 The Surveyor General, (*Teller.*)

SATURDAY, 15TH MARCH.

No. 20.—*Finance—Further Additional Estimates for 1856.*

Motion made and question put—That a sum not exceeding £1800 be appropriated as compensation to Mr. Wright on the abolition of the office of Chief Commissioner of the Gold Fields.—(*The Treasurer.*)

Committee divided.

Ayes, 21.
 The Attorney General,
 The Chief Secretary,
 The Commissioner of Trade and
 Customs,
 The Commissioner of Public Works,
 The Solicitor General,
 Mr. Russell,
 Mr. Longden,
 Mr. Wills,
 Mr. A'Beckett,
 Mr. Chapman,
 Mr. Kennedy,
 Mr. Highett,
 Mr. Hervey,
 Mr. Griffith,
 Mr. Mollison,
 Mr. Taylor,
 The Speaker,
 Mr. Wilkinson,
 Mr. Henty,
 The Treasurer,
 The Surveyor General, (*Teller.*)

Noes, 8.
 Mr. Benson,
 Mr. Grant,
 Mr. Humffray,
 Mr. Cameron,
 Mr. Fawkner,
 Mr. Lalor,
 Dr. Owens,
 Mr. O'Brien, (*Teller.*)

No. 21.—*Gold Fields Law Amendment Bill.*

Motion made and question put—That the Chairman report progress and ask leave to sit again this day six months.—(*Mr. Benson.*)

Committee divided.

Ayes, 11.

Mr. Wills,
Mr. O'Shanassy,
Mr. Taylor,
Mr. Highbett,
Mr. Fawkner,
Mr. Benson,
Dr. Owens,
Mr. Humffray,
Mr. Grant,
Mr. Cameron,
Mr. Hervey, (*Teller.*)

Noes, 10.

Mr. Mollison,
The Acting Chief Commissioner of
Police,
The Treasurer,
The Solicitor General,
Mr. Lalor,
Mr. Longden,
The Attorney General,
The Commissioner of Trade and
Customs,
The Chief Secretary,
The Surveyor General, (*Teller.*)

No. 22.—*Imported Live Stock Registration Bill.*—Clause II.

Any person who shall import into the Colony of Victoria any live stock in any number exceeding ten at any one time without registering the same as hereinafter provided shall forfeit and pay a penalty of not less than _____ and not exceeding _____ pounds.

Motion made and question put—That the first blank occurring in the third line of the above clause be filled up with the words "one pound."—(*Mr. Hervey.*)

Council divided.

Ayes, 11.

The Attorney General,
The Commissioner of Trade and
Customs,
The Chief Secretary,
The Solicitor General,
The Treasurer,
Mr. Grant,
Mr. Fawkner,
Dr. Owens,
Mr. Benson,
Mr. Humffray,
Mr. Hervey, (*Teller.*)

Noes, 6.

The Acting Chief Commissioner of
Police,
Mr. Taylor,
Mr. Wills,
Mr. O'Shanassy,
Mr. Lalor,
Mr. Mollison, (*Teller.*)

No. 23.—*Same.*

Motion made and question put—That the second blank occurring in the third line of the above clause be filled up with the word "ten."—(*Mr. Hervey.*)

Committee divided.

Ayes, 7.

The Commissioner of Trade and
Customs,
Mr. Grant,
Mr. Fawkner,
Mr. Benson,
Mr. Humffray,
Dr. Owens,
Mr. Hervey, (*Teller.*)

Noes, 10.

The Treasurer,
The Chief Secretary,
The Solicitor General,
The Acting Chief Commissioner of
Police,
The Attorney General,
Mr. Lalor,
Mr. Taylor,
Mr. Wills,
Mr. O'Shanassy,
Mr. Mollison, (*Teller.*)

No. 24.—*Same.*

Motion made and question put—That the second blank occurring in the third line of the above clause be filled up with the word "twenty."—(*Mr. Hervey.*)

Committee divided.

Ayes, 8.

The Treasurer,
The Commissioner of Trade and
Customs,
Mr. Fawkner,
Mr. Grant,
Mr. Humffray,
Mr. Benson,
Dr. Owens,
Mr. Hervey, (*Teller.*)

Noes, 8.

The Solicitor General,
The Attorney General,
The Acting Chief Commissioner of
Police,
Mr. Lalor,
Mr. Taylor,
Mr. Wills,
Mr. O'Shanassy,
Mr. Mollison, (*Teller.*)

The Tellers having reported that the numbers for the "Ayes" and "Noes" were respectively 8, or equal, the Chairman gave his vote for the "Ayes," and declared the question to have passed in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

No. 12.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

*Extracted from the Minutes.***Session 1855-56.**MONDAY, 17TH MARCH.No. 1.—*Pupil Teachers—Denominational Schools.*

Question proposed—That this Committee consider it expedient that an Address be presented to His Excellency the Officer administering the Government, requesting him to cause to be placed upon the Estimates the sum of £3000, for the purpose of providing for the payment of Pupil Teachers, and the institution of Scholarships in connection with Denominational Schools.—(*Mr. Campbell.*)

Motion made and question put—That the Chairman leave the Chair.—(*Mr. Fawcner.*)

Committee divided.

Ayes, 18.

Mr. Smith,
The Speaker,
Mr. Russell,
Mr. Taylor,
Mr. Hervey,
Mr. Lalor,
Mr. Humffray,
Dr. Embling,
Mr. Rae,
Mr. Benson,
Mr. Myles,
Mr. Cameron,
Mr. Mollison,
Mr. Grant,
Mr. Fyfe,
The Commissioner of Public Works,
Mr. Fawcner,
The Commissioner of Trade and
Customs, (*Teller.*)

Noes, 17.

Mr. Griffith,
The Treasurer,
Mr. Horne,
The Chief Secretary,
Mr. O'Shanassy,
The Attorney General,
The Solicitor General,
Mr. Miller,
Mr. Wills,
Mr. Burnley,
Mr. Highett,
Mr. Henty,
The Surveyor General,
Mr. O'Brien,
Mr. Chapman,
Mr. Campbell,
Mr. Hodgson, (*Teller.*)

No. 2. *Mechanics' Institution, East Collingwood.*

Motion made and question put—That this Committee consider it expedient that an Address be presented to His Excellency the Officer administering the Government, praying that His Excellency will be pleased to place the sum of £500 on the Supplementary Estimates in aid of a Mechanics' Institution for East Collingwood, on condition of an equal amount being raised by private subscription.—(*Dr. Embling.*)

Committee divided.

Ayes, 20.
 Mr. Goodman,
 Mr. Hodgson,
 Mr. Miller,
 Mr. Smith,
 Mr. Horne,
 Mr. A'Beckett,
 Mr. Pyke,
 Mr. Fyfe,
 Mr. O'Shanassy,
 Mr. Grant,
 Mr. Cameron,
 Mr. Myles,
 Mr. Benson,
 Mr. Fawkner,
 Mr. Humffray,
 Mr. Burnley,
 Mr. Lalor,
 Mr. Rae,
 Mr. Chapman,
 Dr. Embling, (*Teller.*)

Noes, 11.
 Mr. Hervey,
 The Commissioner of Public Works,
 The Chief Secretary,
 The Treasurer,
 The Solicitor General,
 Mr. Griffith,
 Mr. Wills,
 Mr. Highett,
 Mr. Henty,
 The Attorney General,
 Mr. Taylor, (*Teller.*)

No. 3.—*St. Kilda Sea Bathing Company Bill.*

Motion made and question put—That the Chairman report progress and ask leave to sit again this day six months.—(*The Commissioner of Trade and Customs.*)

Committee divided.

Ayes, 19.
 The Chief Secretary,
 The Treasurer,
 The Solicitor General,
 Mr. Mollison,
 The Surveyor General,
 Dr. Embling,
 Mr. Fawkner,
 Mr. Myles,
 Mr. Goodman,
 Mr. A'Beckett,
 Mr. Cameron,
 Mr. Grant,
 Mr. Benson,
 Mr. Burnley,
 Mr. Miller,
 Mr. Highett,
 Mr. Griffith,
 The Commissioner of Public Works,
 The Commissioner of Trade and
 Customs, (*Teller.*)

Noes, 14.
 Mr. Horne,
 Mr. Smith,
 Mr. Pyke,
 Mr. Hodgson,
 Mr. O'Brien,
 Mr. Fyfe,
 Mr. Humffray,
 Mr. Longden,
 Mr. Henty,
 Mr. A'Beckett,
 Mr. Wills,
 Mr. Taylor,
 Mr. Lalor,
 Mr. Greaves, (*Teller.*)

No. 4.—*Finance—Estimates for 1856.*

Question proposed—That the totals of the sums already moved be now voted.—(*The Treasurer.*)

Motion made and question put—That the vote for Primary Education be distributed in accordance with the vote of last session.—(*Mr. Hervey.*)

Committee divided.

Ayes, 11.
 The Speaker,
 Mr. Taylor,
 Mr. Chapman,
 Mr. Fyfe,
 Mr. Grant,
 Mr. Cameron,
 Mr. Myles,
 Mr. Lalor,
 Mr. Benson,
 Mr. Rae,
 Mr. Hervey, (*Teller.*)

Noes, 14.
 The Surveyor General,
 The Treasurer,
 The Solicitor General,
 Mr. Smith,
 The Commissioner of Trade and
 Customs,
 Mr. Wills,
 The Commissioner of Public Works,
 Mr. Griffith,
 The Attorney General,
 Mr. O'Shanassy,
 The Chief Secretary,
 Mr. Strachan,
 Mr. Burnley,
 Mr. Hodgson, (*Teller.*)

